



Peter J. Eglick
eglick@ekwlaw.com

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Seattle City Council
PLUS Committee
600 Fourth Avenue
Seattle, WA 98124

Re: Proposed Comprehensive Plan FLUM Re-Designation for Battelle (Talaris) Site

Dear Committee Members:

This letter is submitted on behalf of the Laurelhurst Community Club to ask that the Council not schedule the proposed “Former Battelle Research Property” Comprehensive Plan Amendment for consideration. That proposal would change the Comp Plan FLUM designation for the Battelle (Talaris) site from Single Family to Multi-Family and pave the way for a text amendment that would open the Battelle parcel and potentially others to developments that would not otherwise be allowed.

Approval of the FLUM change would require departure from a bedrock principle in the Comprehensive Plan and allow re-designation of a property that has historically been zoned single family and that is not located in an urban village or center.

The Owner is insisting that a FLUM change is necessary now because the current Code does not have flexibility necessary to preserve open space and trees on the site. The Owner’s agents have insisted that development mayhem -- a cookie cutter plat with wholesale redevelopment of environmentally critical areas and removal of trees -- must occur if the FLUM is not approved.

That is incorrect. There is already flexibility in the land use code for development of larger single family sites such as Battelle. It is found in the Planned Residential Development (PRD) chapter of the Land Use Code. Section 23.44.034 states:

Planned residential developments (PRDs) may be permitted in single-family zones as a council conditional use. A PRD is intended to enhance and preserve natural features, encourage the construction of affordable housing, allow for development and design flexibility, and protect and prevent harm in environmentally critical areas.

The Code’s PRD Chapter allows for clustering, townhouses, cottage housing, density bonuses, preservation of landscaping and open space, and all the elements that should go into responsible redevelopment of the Battelle site. Meanwhile, the underlying Single Family zoning designation – an important factor – is preserved.

DPD has not addressed the PRD Code at all in its analysis of the proposed amendment. Nonetheless, the PRD Code demonstrates that what the Owner says it wants to accomplish for the Battelle site is better addressed through another, existing process. The drastic step of a Comprehensive Plan Amendment, paving the way for an equally drastic Land Use Code text amendment, therefore falls short under the criteria for Comprehensive Plan text amendments established by the Council in Resolution No. 31402 and coordinate enactments. See Resolution No. 31402 Criterion A.5.

The request for a FLUM change threatens a cookie cutter single family development if the FLUM is not changed. However, Code requirements and protections for ECAs, stream culverts, corridors, mature trees -- as well as SEPA -- demonstrate that this worst case single family plan is not realistic.

LCC has worked with at least three successive owners of the Battelle (now Talaris) site. We have entered into three settlement agreements concerning the site, starting in 1991, each reflecting mutually acceptable compromise, as the various owners' goals for the site have changed. For reasons that have nothing to do with LCC, the development agreed upon in the most recent 2005 agreement (which I personally negotiated with Jack McCullough) did not go forward. When that became known, LCC fully expected to work with the Owner on formulating a new plan.

Unfortunately, a different, uncompromising approach has been taken this time around. Yes, LCC and the Laurelhurst community have interacted with the Owner's agents for over a year. But, it is not a compromise to meet with the community to present it with one unchangeable preferred alternative (the one the Owner's agents have been marketing to the City) and one obviously unrealistic one (the cookie cutter 90 unit single family subdivision). Neither provides a basis for changing the FLUM. That requires an actual demonstration that the current SF designation will not work. Pretending that the PRD Chapter in the Single Family Code does not exist and that there are no Code protections for ECAs and mature trees does demonstrate single-mindedness on the Owner's part -- but that is not the kind of demonstration necessary to justify changing the property's SF FLUM designation.

Thank you for your consideration.

Sincerely,

EGLICK KIKER WHITED PLLC

A handwritten signature in black ink, appearing to read 'P. Eglick', with a stylized flourish at the end.

Peter J. Eglick
Attorney for Laurelhurst Community Club