



The Center for People of All Races

A voice and a hub for the Latino community
as we advocate on behalf of our people
and work to achieve social justice.

Programs & Services

Annually, El Centro de la Raza serves 25,497 individuals and 12,282 families through the following programs and services:

Luis Alfonso Velásquez Flores
After School Program
Basic Healthcare Enrollment
Café con El Centro
College Readiness
Crisis Advocacy
ECR Transitional Housing
El Patio Apartments
ESL & Citizenship Classes
Eviction Prevention
Financial Literacy
Food Bank
Foreclosure Prevention
Homeless Assistance Program
Homeownership Program
Hope for Youth Poetry & Civil Rights History Classes
Infant Mortality Prevention
Employment Program
José Martí Child Development Center
Parent Involvement & Education
Latino Hot Meal Program
Youth Violence Prevention
Teen Pregnancy Program
Senior Nutrition & Wellness
Senior Home Delivered Meals
Legal Clinic Site
Tax Preparation Site
Local, State, National & International Coalition Building
Immigrant/Human/Civil Rights
Social Justice Advocacy
Cultural/Political/Social Events
Community Service Site
Service Learning Site
Community Meeting Space

February 2, 2010

Sue Tanner
City of Seattle
Hearing Examiner
PO Box 94729
Seattle WA 98124-4729

RE: Appeal of DNS for North Beacon Hill Neighborhood Plan Update
Estimada Ms Examiner,

We write to you to request several things: 1) That El Centro de la Raza be allowed to intervene in this appeal pursuant to Hearing Examiner Rule 3.09; 2) That the appeal of the Determination of Non-Significance (DNS) for the North Beacon Hill Plan Update, filed by Frederica Merrell, be dismissed; 3) If the appeal is not dismissed, we request the Hearing Examiner determine that the appeal contains only legal issues, and that the balance of the issues raised by the Appellant be dismissed.

Motion to Intervene

El Centro de La Raza opposes this appeal because we have been involved in the Plan Update process from the beginning, and own property that is within the Plan Update area. We hereby make a motion to intervene in this appeal pursuant to Hearing Examiner Rule 3.09. As property owners involved in and affected by the matter being appealed, we have a substantial property interest that the Department of Planning and Development may not otherwise represent. Our involvement will not unduly delay the hearing process, expand the issues beyond those stated in the appeal, or prejudice the rights of the parties, as El Centro has been heavily involved in this process from the very beginning of the planning process.

Motion to Dismiss

El Centro de la Raza makes a motion to dismiss this appeal because Ms. Merrell appears to be raising issues related to the passage of the North Beacon Hill Plan, rather than the adequacy of the City's environmental review. The North Beacon Hill Plan has not been adopted by the City Council yet. No changes to the Comprehensive Plan, nor to the zoning code, have yet occurred. Therefore, any issues related to the North Beacon Hill Plan itself, or related to any potential future zoning change, are not ripe for the Hearing Examiner's review. In addition, any issues

related to the Growth Management Act are not properly before the Hearing Examiner and must be dismissed.

In the alternative, El Centro suggests to the Hearing Examiner that the appeal is essentially limited to a single legal issue: whether the City properly exercised its discretion under WAC 197-11-055, 197-11-060, and 197-11-228 to complete proper environmental review of comprehensive planning documents. We ask that the Hearing Examiner dismiss all other issues raised by Ms. Merrell, as such claims are related to the unadopted plan or possible future zone changes.

Additional Background Information.

The City of Seattle has engaged in a very lengthy process to develop plans for North Beacon Hill.

In regards to community participation and input, the City Council, as outlined in Ordinance 122799, set out a step by step process for community participation led by the Department of Planning and Development. (See attached Ordinance 122799) This is independent of the SEPA notice required by SMC 25.05, which was properly issued.

There have been numerous meetings organized by the Department of Planning and Development where hundreds and hundreds of people participated in the process including communities of color with four community meetings organized by El Centro de la Raza. Additionally, Friends of El Centro de la Raza organized close to 300 comments from the Latino community that were sent to City Council Member Sally Clark and Lyle Bicknell of the Land Use Department.

The North Beacon Hill Plan (which has not yet been adopted by the City Council) calls for a partnership between El Centro, the Community and the City to further study the potential upzone to 65 feet that includes action pursuant to the State Environmental Policy Act (SEPA). (See Attachment: North Beacon Hill Plan Update: Shaping a Transit Oriented Towncenter, Goal 3, pg 13-14) The said upzone that Ms. Merrell argues against in her appeal in fact has yet to be granted, making her statements regarding a certain rezone or certain height or development false.

What the City Council Plans to do:

According to a January 26, 2010 memo from the City Council to the Seattle Public Utilities and Neighborhood Committee, (See attached memo)

- “The City Council will be authorizing approximately \$1.4 million in General Subfund (GSF) appropriations for neighborhood planning activities in 2010.
- “Continue working on three neighborhood plan updates currently underway in Southeast Seattle, including work needed to consider related Comprehensive Plan amendments, complete.
- Approval and Adoption’ matrices (or a similar tool) for each, develop implementing text amendments and rezones, and review proposed actions pursuant to the **State Environmental Policy Act (SEPA)**”

This clearly lays out the intentions on the part of the City to provide further resources towards answering many of the questions and concerns Ms. Merrell outlines in her appeal. As stated above, these processes have not yet been adopted, but will be undertaken this year.

We request that this appeal be dismissed on the grounds that it is without merit, frivolous and seeks to secure delay of an already extensive process.

Respetuosamente,

A handwritten signature in black ink, appearing to read "Estela Ortega". The signature is fluid and cursive, with a large loop at the end.

Estela Ortega
Executive Director
El Centro de la Raza
2524 16th Ave. S.
Seattle, WA 98144
206-957-4605
eortega@elcentrodelaraza.org

CC: Seattle City Council: Richard Conlin, Sally Bagshaw, Tim Burgess, Sally Clark, Jean Godden,
Bruce Harrell, Nick Licata, Mike O'Brien, Tom Rasmussen,

Diane Sugimura, Director, Dept. of Planning and Development