Douglas Hamar
PO Box 1104
Monroe, Wa 98272
503-245-6593/360-794-8116

March 30, 2012

CITY OF MONROE
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ENGINEERING DEPARTMENT

City of Monroe/Planning Commission
806 West Main Street
Monroe, WA 98272

Dear Planning Commission Members,

Please say NO to the
Phased Environmental Impact Statement for the East Monroe Amendment to City of Monroe Comprehensive Plan and Concomitant Rezone.

The intrinsic value and true potential of the property in question will be lost forever if this rezone is allowed.

When this zoning approval process began, it was my understanding that the many procedural requirements that were in place were there to insure that any "determination" would be based on the body of evidence and best arguments presented by each side as to whether the rezone to General Commercial was reasonable and necessary—as well as advantageous— to the City of Monroe. However, from the outset, the proponents have argued that it would not be worth their time and expense to assemble a body of evidence in support of their claims that (1) Monroe has an economic need for the rezone, and (2) the rezone would bring the property into conformance with the Growth Management Act — unless they were assured of a favorable outcome. This strikes me as a very bold approach, one that I think most entities applying for a rezone, real-estate investors and litigants alike, would pursue if they thought it would fly. For the East Monroe Economic Development Group, so far so good. Moving right along, they now wish to bypass a full Environmental Impact Statement (EIS) for the same reason, further supported by the logic that the rezone *"in and of itself has no environmental impact."* As members of the City Planning Commission, you have the opportunity to demonstrate once again that it is not strictly speaking a zoning "approval" process, but one that is in place to make a determination based on the evidence.

Monroe currently has a substantial excess of available commercial properties. At this

writing, Showcase.com lists 48 commercial properties in Monroe for a total of 674,977 sq ft (150,000 of which is retail), and this doesn't include any of the vacant commercial land that has been long awaiting occupants in the Kelsey development. As you are well aware, both the *2007 Snohomish County Buildable Lands Report* and the City of Monroe's own *2005-2025 Comprehensive Plan* state there is already an adequate supply of parcels suitable for commercial retail development in the City.

I would like the East Monroe Economic Development Group, the City or any other interested party to produce some evidence showing that the need for this rezone is so urgent as to justify a Phased EIS and Concomitant Rezone instead of a full EIS before a rezone.

You are being asked by the proponents of the rezone to approve an amendment to Monroe's Comprehensive Plan, a plan that was formulated to comply with the Growth Management Act (GMA). They argue that, a piece of property that was zoned Limited Open Space (LOS) in 1994 as part of that formulation must now be rezoned General Commercial to comply with the GMA. Again, a bold approach: as I would point out, in the intervening years the property has not changed at all, and, as far as I am aware, the GMA has not changed that much. A zoning change requiring an amendment to the Comprehensive plan should require the highest standard of evidence, including a full EIS—it should not get a free pass.

In a letter from the City of Monroe to Mr. Joshua Freed, East Monroe Economic Development Group LLC, dated September 20, 2010 (see "Attachment A"), the planning department noted by my count 25 "inconsistencies" and unanswered questions in the original application. Of particular note, in the consideration of the PEIS amendment, it states on both pages 2 and 5 that *"If docketed, the applicant will need to explain how the proposal advances the goals and policies of the Comprehensive Plan including those found in the Natural Environment Element, Land Use Element, Capital Facilities Element, Utilities Element, Economic Development Element, and Transportation Element (Comprehensive Transportation Plan), Shoreline Element (Shoreline Master Program)."* The City Council removed the shoreline areas from the rezone proposal (which does not in fact remove them from the harmful effects of the rezone), but I have not seen a response to any of these concerns from the applicant. Perhaps you have, and I am out of the loop even though I have made a concerted effort to stay in the loop. Please note that it says "if docketed" the explanations should be forthcoming, not "if approved."

The applicants claim there is no point in doing an full EIS until they know exactly what commercial development will take place there. They already have the land listed as

"commercial property" with Wallace Properties for $3,950,000, stating that it is a *"Great location for big-box retail, gas station/convenience store, shopping center, etc."*

So,... let's have a full EIS for that type of development.

If this property is developed commercially, it will be a text book example of "urban sprawl." Stand anywhere on the property and neither the "City of Monroe" nor any other commercial development is anywhere to be seen. The "Welcome to Monroe" sign on Hwy 2 is hundreds of feet further West, and even from there, it is another ¼ mile before you see Monroe proper (see "Attachment B"). The already stretched Monroe police department would essentially have to be called "out of town" to service the area. Any new sales tax revenue would be negated by (1) extending city services down the road to where there are currently none, (2) the loss of sales among the existing and already struggling Monroe retailers, and (3) the loss in property values suffered by the more than 40 bordering residential properties along the bluff, of which mine is one.

Please see "Attachment C" for a graphic illustration of my visual perspective on this proposed zone change. All the photos are taken from my property. Try to imagine " big-box retail, gas station/convenience store, shopping center, etc." in any of these scenes.

"Attachment D" contains photos of some of the rare birds that visit my yard. Would they still find their way to this community if the property below were developed commercially? I don't know, but I think it is fair to assume it is much less likely. I take a lot of photos of this valley and share them with the world; it is a beautiful place, and the weather creates a different scene every hour. Allowing a shopping center in what was a beautiful natural area will forever degrade a magnificent landscape that Monroe can rightfully call its own.

"Attachment E" contains photos shot from the lower edge of my property which borders the proposed rezone property. There is nothing about the "rezone" property that makes it suitable for commercial development. A full EIS will show this to be the case.

There is one *"Unavoidable Adverse Impact"* beyond any mitigation available now or in the foreseeable future, and that is the need of safely relocating the acres of flood water that now find a resting place on that property (see "Attachment F"). Because the City is fully aware of this issue, I would think the recipients of those additional flood waters would have grounds for recompense. A full EIS could serve to quantify the dimension and nature of the liability the City would be taking on with this rezone.

It is hard for me to believe any fully informed potential buyer would go through with the

purchase of this property considering the environmental mitigation and infrastructure costs of turning it into viable commercial land would be astronomical. If the City zones it Commercial, they are essentially guaranteeing the buyer a reasonable expectation that the property is already viable commercial land. I presume the City's "escape clause" in the DPEIS is "*All development not allowed in the current land use designation and zoning classification will not be allowed to be categorically exempt and will have to undergo further environmental review.*" I'm not sure that would hold up in court. If the rezone is approved, "General Commercial" becomes the "current land use designation and zoning classification." Even if that were clarified as "current LOS land use designation," I think the City would still be subject to lawsuits from the developer for insisting they force a commercial square peg in an environmental round hole. At which point the City rolls over on the environmental issues because it can't afford the lawsuit. The East Monroe Development Group should find a developer with enough faith in the potential of the rezone to fund a full EIS before the rezone is allowed, and not put the City on the hook to a developer for a rezone that has already occurred.

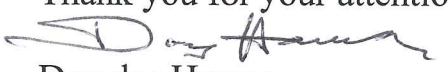
There are all kinds of nefarious theories floating around town and in the media as to the "true" rationale for this rezone, all of which could be laid to rest by a cogent body of evidence supporting the rezone, which would include a full EIS.

I don't have the time or money to invest in gathering evidence or writing up these arguments against this rezone, but I am doing it anyway because I firmly believe in the correctness of my position, and that the rezone would have a huge negative impact on the value of my home and that of my neighbors. As a citizen of Monroe compelled to go the extra mile on this issue because it was docketed by the City Council against the recommendation of the Planning Commission—ostensibly to finally, after so many failed attempts, give the owners their day in court— I think I (we) deserve to see all the evidence supporting a rezone including a full EIS before the verdict.

The property in question is much better suited for a wildlife refuge with viewing paths and perhaps a Sky Valley/Cascade Range Education Center than commercial development. And as such, actually would benefit Monroe economically. In fact, the property has a lot of potential for more appropriate use and better economic returns for the City. I know there is talk about a disc golf course in Borland Park. A sister course on the more open terrain of this property could make Monroe a site for international PDGA tournaments and a local hot spot for one of the fastest growing sports in America. Of course, none of the more appropriate uses for the property would provide the owner with cash in the amount of several times its current value as would the rezone, but the potential is there for grant money from various foundations and organizations that might at least make them whole.

There is no justification backed by any evidence that a Phased Environmental Impact Statement and Concomitant Rezone is needed in this case. A full Environmental Impact Statement before the rezone is the appropriate and responsible approach.

Thank you for your attention,



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