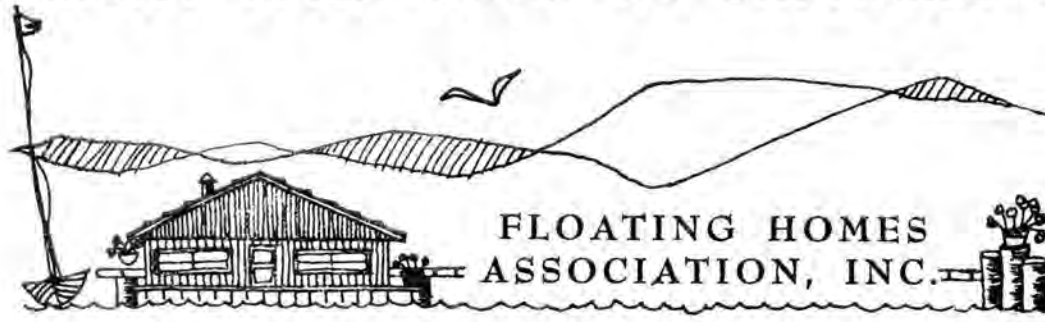


APARTMENT CASE GOES TO SUPREME COURT

File Copy



2329 Fairview East

Seattle, Washington 98102

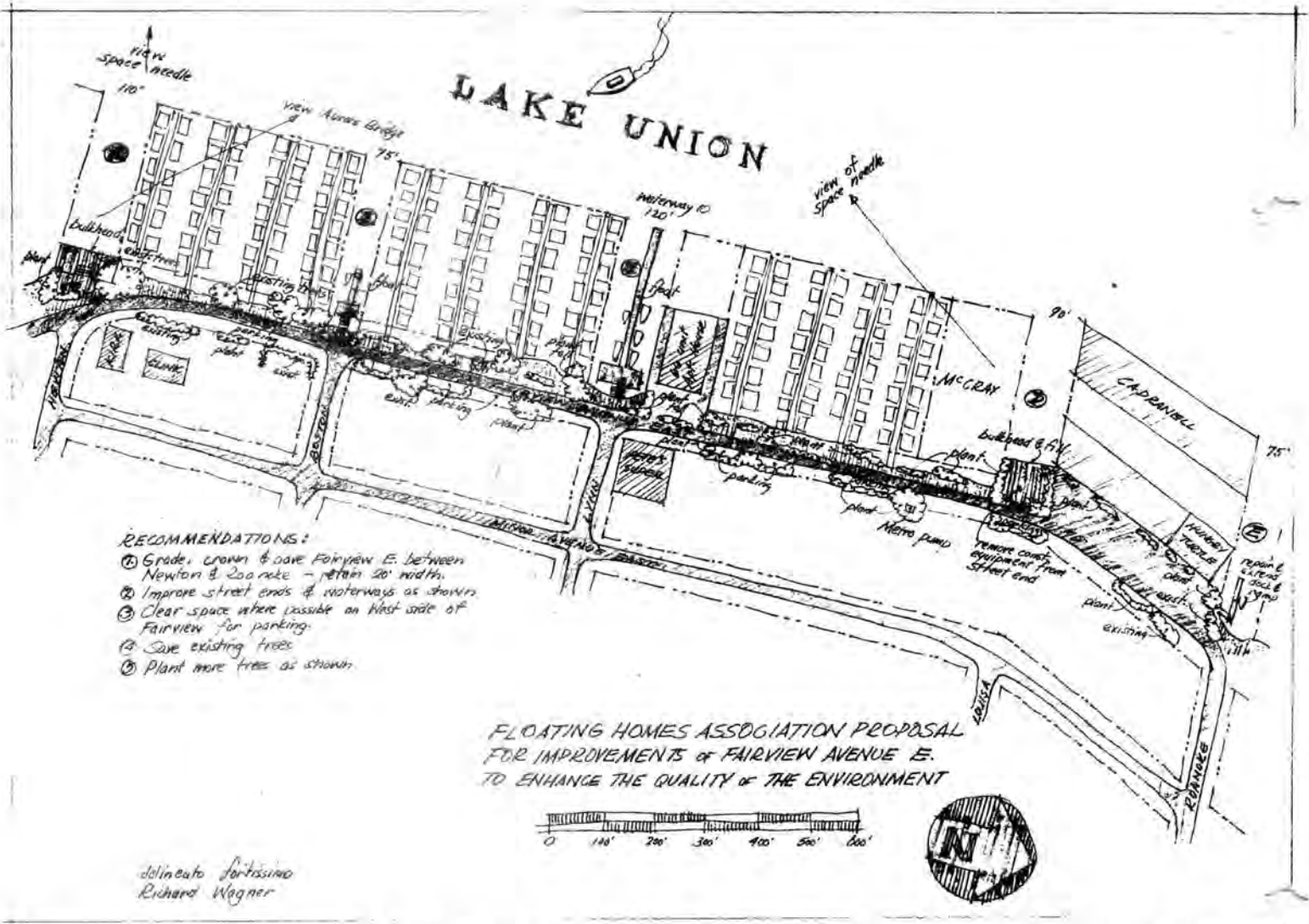
Phones: EA 5-1132 or EA 9-1517

NUMBER 40

Newsletter

FEBRUARY, 1970

STREET IMPROVEMENT "YES" — DRAG STRIP "NO"



A comprehensive "neighborhood improvement" design plan, including street surfacing and development of waterways in the four block area on Fairview Avenue E., has been submitted to city government by our Association as an alternative to Engineering Department proposals which could result in a four-lane "drag strip" along the four block area between Newton and Roanoke Sts. The design work was done by Richard Wagner, architect and member of our Planning & Design Committee. (See Waterway concepts Page 3)

Although small the area involved is cohesive and a part of a well-defined neighborhood. At Roanoke, Fairview Avenue E. becomes a partial bottle-neck as it dives into the water and becomes a part of the lagoon westerly of the Riviera Marina. Along the four-block stretch of Fairview E. there are four Street Waterways (Newton, Boston, Louisa and Roanoke) and State Waterway No. 10 (120-feet wide at the foot of Lynn St.) Fairview E. is in deplorable condition in spite of valiant efforts of the Engineering Dept. to keep the chuck-holes filled.

As street improvement is badly needed our Association has attempted to work with city departments in a design plan which would meet the needs of the neighborhood and also enlarge the opportunity of the public to make use of their lake. On May 28, 1969 the Association wrote the Engineering Dept. asking information on a proposal to create a Local Improvement District for street improvement. On July 11 the Department responded saying in part: "A petition for the paving of Fairview E. was filed with the City Council several months ago. Some survey work has been done and design plans started. A public hearing will be scheduled before this work is ordered, probably late fall or early winter of this year."

Believing that community cooperation would be welcomed the Association, last September, had its Planning & Design Committee submit its proposal to a joint meeting of the Planning & Engineering Departments to consider the project. There was no acknowledgement or response. Last December an Engineering Dept. survey team again went to work in the area. At that time property owners were told that the project would involve 56-feet of street paving and sidewalks. In alarm some property owners wrote in asking that their names be removed from the L.I.D. petition.

The Association believes that any project must not destroy the more than 20 large trees between Newton and Lynn Streets. Also that an improved street should serve the traffic needs of the residents and not encourage more automobiles. (The surfaced portion of Fairview that ends at Newton Street is only two lanes in width. The four feeder streets into Fairview (Newton, Boston, Lynn and Roanoke are surfaced but only 20 feet wide.)

We believe the neighborhood and the public would be best served by a meandering footpath along Fairview and (1) grading and paving Fairview E. retaining the 20 foot vehicular width (2) improving the public waterways for public use (3) make as much space as possible on the upland side for parking (4) save existing trees and (5) plant more trees. In publishing these proposals our Association hopes that the residents can be heard from before plans harden in City Hall.

THE FUTURE OF LAKE UNION: AN EXCHANGE OF LETTERS

In the interests of promoting some free and frank (and even heated) discussion of the gut issues involving the Lake, we are publishing an exchange of letters between W. C. Boucher, president of the Western Yacht Basin, 2412 Westlake North and Terry Pettus, Administrative Secretary. Mr. Boucher took exception to remarks by Mr. Pettus in a Post-Intelligencer article (12/17/69) in which he raised the question of problems of adequate boat repair and services and said: "I find something obscene about a man who buys mother earth and then claims the right to do what he wants with it." We hope our NEWS LETTER can provide at least one open forum for some long needed discussion.

THE LETTER FROM MR. BOUCHER

Dear Mr. Pettus:

I read with incredulity, remarks attributed to you in the December 17th Seattle P-I. I can only be amazed that someone with no connection or knowledge of the marine industry can voice so many opinions about it. I am sure people such as Vic Franck, the new owners of the Boat Yard, Maritime Shipyards, Lee's Marine Repair, Dorston's Marine, and many others would be astounded to find that boat owners have to go elsewhere to have work done. Your statement is biased, prejudiced and in a word, stupid.

Your zeal in wanting to keep Lake Union an asset to the city is admirable. Those of us in the marine industry certainly agree. I am a member of the Board of Trustees of Northwest Marine Industry. We recently appropriated \$10,000.00 to keep the lake free of debris. Have you and your Floating Homes Association done as much? It is the considered opinion of most of the lake property owners that floating home residents contribute a great deal more to the desecration of the lake than to its beautification.

I invite you to take a boat ride with me around the perimeter of our lake. If in all honesty you can tell me that the ghetto like clusters of houseboats are more pleasing to the eye than a well built, well maintained marina, I will burn my place down.

In addition to the unsightliness of the majority of the houseboats in Lake Union, there is the economic factor to be considered. The city, county, and state derive considerable revenue from taxes paid by businessmen on Lake Union. In your fantasy have you considered a way to replace this revenue? Not a single business has not hooked up the sewer. Have the houseboat owners complied?

"I find something obscene about a man who" voices opinions and alleged facts which are in no way true. I would suggest, sir, that you and other members of the Floating Homes Association put your own houses in order before condemning others.

I am sending copies of this letter to both our daily newspapers, the Lake Union Association, Northwest Marine Industries and the City Council in the hope that it will negate your vicious and unwarranted attack upon our industry.

Yours very truly,

WESTERN YACHT BASIN
W. C. Boucher

THE REPLY FROM TERRY PETTUS

Dear Mr. Boucher:

I find it exceedingly difficult to understand how my remarks, even in somewhat fragmented form, could be interpreted as a "vicious and unwarranted attack on our industry." Even a casual reading of the article in the Post-Intelligencer (12/17/69) makes it abundantly clear that I was deploring the replacement of commercial boating and other water-needing installations by the proliferation of high-rise office and residential structures. I cannot accept your distortion of this concern into a "Marina vs. Floating Home" controversy.

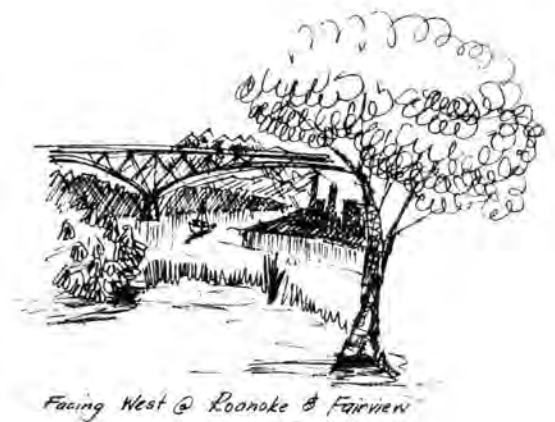
That there has been a problem of adequate servicing and repair during the "season" is common knowledge among many boat owners with whom I have had personal contact. As a boat owner I have had two such experiences. It is a problem that leading outboard manufacturers are addressing themselves to. The facts are that the boating population of Lake Washington and Lake Union continues to increase while the number of marine installations continues to decline. This is certainly no reflection on the many fine firms you mention in your letter nor to the many contributions made by Northwest Marine Industries. I do find it disturbing that so little concern is shown in the community that boasts of being "the boating capitol of the world."

Let me cite a few for-instances:

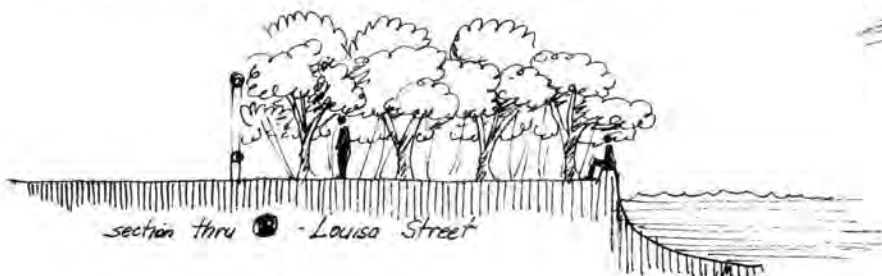
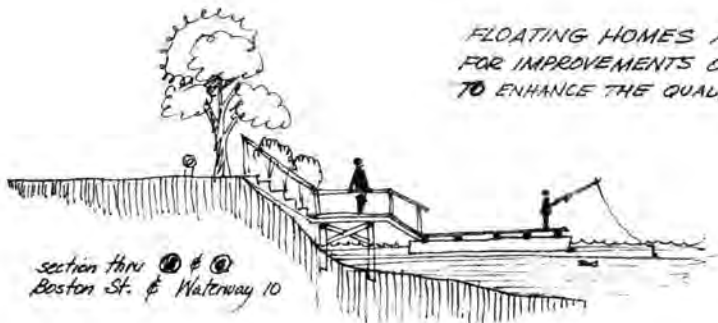
ITEM: Prior to the deplorable land-fill in 1962 the 800 feet of waterfront in the 1200 block on Westlake North was devoted to a variety of marine and related uses. It is now the site of a 10-story office building.

ITEM: Bryant's Marina is long gone. It was the largest but by no means, the only marine business to be eliminated from Portage Bay. How much more shoreland the University will acquire in the future is unknown. But the institution has the power of condemnation.

(continued page three)



FLOATING HOMES ASSOCIATION PROPOSAL
FOR IMPROVEMENTS OF FAIRVIEW AVENUE EAST
TO ENHANCE THE QUALITY OF THE ENVIRONMENT



There are 33 Street and 19 State waterways around the perimeter of Lake Union and Portage Bay. Our design plan could mark the beginning of a development program to make them available for public use and enjoyment. A long needed installation (see plan on page one) would be a public pier in Waterway 10 at the foot of Lynn Street. Prior to the construction of the controversial apartment house the site was occupied by the Fairview Boat Service which provided courtesy moorage for boat customers at Pete's Market directly across the street. This is the only large market around the perimeter of the Lake but boats no longer have access to it or the shore. Four years ago members of the Association cleaned out the Boston Street waterway eliminating a junker houseboat and other debris. The design plan calls for a small fishing pier and view point. The other waterways (see above) could, at little costs, be developed into view points. The Association believes that the compact neighborhood lying between Newton and Roanoke and Fairview and Eastlake could be involved in a cooperative venture with municipal government.

LETTER FROM TERRY PETTUS (Continued)

ITEM: The controversial apartment building at 2307 Fairview East replaced the long established Fairview Boat Service.

ITEM: The 400 feet of waterfront in the 1700 block on Westlake North was devoted to marine uses until August, 1969. It will be the site of a seven-story office building and a lot of lake will disappear under a 200-car parking platform.

With the acquisition of the Gas Plant property in January, 1972, governmental units will own one-third of all Lake Union Shorelands. Seattle needs a commercial boating and marine recreational center. If it is not to be on Lake Union then where can it be located? Our Association contends that no water-needing use can co-exist with incompatible structures which can and should be located elsewhere.

Your letter seems to say that a high-rise office building will pay more taxes than a floating home moorage. True. A high-rise office building will also pay more taxes than the Western Yacht Basin. It seems to us that this is one of the best arguments for protecting the marine industry from being displaced by such incompatible structures. It could be said that "more taxes" would be collected if the Gas Plant property was sold for a pulp and paper mill. We believe that trading a commercial boating center for a few more tax dollars would be a community disaster.

Our Association is not the only group that feels there are some things a community cannot afford to trade off for a few more tax dollars. In a communication to the City Council on June 25, 1969, the Seattle Chamber of Commerce (in adopting a report from its Planning Committee) suggested in respect to Lake Union that "a rezoning study with water-oriented uses in mind such as boat yards, boat moorages, etc. should be undertaken" by the newly created Lake Union Advisory Commission. To encourage such uses the Chamber suggested "some incentive to development such as tax abatement." It had a number of other suggestions worthy of serious consideration.

Your reference to sewer connections skips over one of the pressing problems confronting the boating industry on a nation-wide scale. This is the matter of the discharge of raw sewage from marine heads. Our Association supports the boating industry in asking that regulations be standardized. At the present stage of waste treatment technology it seems that chemical holding tanks may be required of water craft. If such is the case then marinas and moorages will be required to install collection systems. That such systems will be required was predicted not long ago by an engineer with the Federal Water Pollution Control Administration. Locally these systems would be similar to those being installed at floating home moorages. We have pioneered in this field. We certainly hope that our experience may be helpful to the boating industry when the time comes

when water craft are required to conform to regulations already adopted by the Washington State Water Pollution Control Commission.

Frankly, I think you are swinging a bit wild in regards to the amount of debris from floating homes, but certainly you have every right to be proud of the unusual contribution made to cleaning up the lake by the Northwest Marine Industries. The entire community owes your organization a vote of thanks. We are pleased that it has been recognized by the State with the presentation of the Community Beautification Merit Award by Gov. Dan Evans to Jack Chambers, past president of the NMI

During the past 42 years I have made the trip around the perimeter of Lake Union many times by boat and a few times afoot. Nobody has a monopoly on visual blight. To their credit, marinas contribute the least. I love boats. I hope that in the years to come water-needing activities will continue to be a part of the Lake Union scene. But the present trend is in the other direction. This concerns me. I should think it would concern you.

Most Sincerely,
Terry Pettus

LAKE UNION ZONING WILL BE ISSUE IN SUPREME COURT APPEAL . . .

The contention that the Manufacturing and Commercial General Zones on Lake Union do not meet the requirements for "carefully planned zoning" laid down by the state supreme court in its now famous "Lake Chelan" opinion, will be made in the appeal of the Floating Homes Association and Flo-Villa Inc. from the superior court ruling in the King apartment case. The supreme court made this ruling in ordering a land-fill removed even though it was on private property and did not violate local land-use ordinances. In our case Judge Lloyd Shorett held that the builders of the over-the-water apartment at 2307 Fairview conformed to all the then existing city, state and federal requirements.

The suit challenged the use of state lease land to increase the bulk of the structure on private property. Since the suit was filed the city has enacted an ordinance forbidding such uses. The sweeping "Lake Chelan" decision came on the eve of the opening of our suit. Thus our case may be one of the first to reach the supreme court under the decision which ordered local governments to enact proper zoning regulations for shorelands in navigable waters. The appeal will point out that under the present Manufacturing and Commercial General zones it is possible to pave the entire perimeter of the Lake (except for the small Resident Waterfront zone in Portage Bay) and to erect wall-to-wall commercial buildings.

All members are receiving by mail a report on the appeal and an "Emergency & Legal Fund" financial statement. The Executive Committee reports that some \$3,000.00 must be raised to meet the small deficit from the superior court case and to prosecute the appeal. Contributions are needed. Checks should be made payable to the Floating Homes Association.

VOLUNTEERS ARE NEEDED TO HELP IN COMPREHENSIVE LAKE UNION SURVEY . . .

President Clara E. Kennedy has announced that volunteers are needed to help in taking the first comprehensive survey of property owners and residents around the perimeter of Lake Union and Portage Bay. The in-depth, community-type survey is being conducted under the direction of the Bureau of Community Development of the University of Washington at the request of the Lake Union Association and with the cooperation of the Floating Homes Association. Members of both groups have been working for months in the preparation and testing of the questionnaire. The project is the first to determine what property owners and residents think of the situation as it is and what they think the future of the Lake should be. Volunteers should contact any one of the following: Clara E. Kennedy (EA 3-3478); John Southern (EA 5-8716); or Terry Pettus (EA 9-1517 or EA 5-1132). Floating Homes owners living away from the Lake can be included in the survey if they send a postal card to Mrs. Kennedy, 3200 Portage Bay Place East, Seattle, 98102.

FLOATING HOMES ASSOCIATION
2329 Fairview Avenue East
Seattle, Washington 98102