



City of Seattle
Edward B. Murray, Mayor

Department of Construction and Inspections
Nathan Torgelson, Director

**CITY OF SEATTLE
ANALYSIS AND RECOMMENDATION OF THE DIRECTOR
OF THE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Application Number: 3018102
Applicant Name: Jeff Babienko
Address of Proposal: 6921 California Avenue SW
Council File: 314347

SUMMARY OF PROPOSED ACTION

Council Land Use Action to rezone 3,838 sq. ft. of property from Lowrise 2 (LR2) to Lowrise 2/Residential Commercial (LR2/RC). The property is located at the northwest corner of SW Mills Street and California Ave SW.

The following Master Use Permit components are required:

Rezone - To rezone from Lowrise 2 (LR2) to Lowrise 2/Residential Commercial (LR2/RC) pursuant to Seattle Municipal Code (SMC) 23.34.

SEPA - Environmental Determination pursuant to SMC 25.05

SEPA DETERMINATION:

Determination of Non-significance

- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts.

Notice of Applicant and Public Comment:

Multiple written comments were received during the public comment period ending on September 13, 2015. Comments focused on the lack of vehicle parking on the street and the possibility that this proposal would add to that demand. They were also concerned with the possibility that this proposal would add traffic to the rights-of-way. Additional comments expressed concerns with noise, odors, and deliveries. Many comments favored having a restaurant within walking distance of the multi-family and single-family zones. These comments have been considered in this analysis and recommendation.

ANALYSIS

SITE & VICINITY

Site Zone: Lowrise Two (LR2)
Nearby Zones: North: LR2
South: LR2/RC
East: LR3
West: SF 5000

Lot Area: 3,832 sq. ft.

Current Development: Single Family residential structure
with a detached garage.



Surrounding Development and Neighborhood Character

The subject site is located on the northwest corner of California Ave SW and SW Mills St. The subject lot is currently zoned LR2. Lots to the north are zoned LR2, to the east are zoned LR3, to the south LR2/RC, and to the west SF5000. The 3,832 square foot parcel site contains a single family residential structure with a detached garage. The site has an approximately 8 foot grade change from the east to the west property line. The west lot line, along the alley, is the low point on the site. To the north is a three-story apartment structure. To the south is a three-story apartment structure and to the east is a four-story apartment structure. To the west across the alley is a one story residential structure.

This neighborhood, located within the Morgan Junction Residential Urban Village, includes single-family and multi-family housing, retail/sales and services, eating and drinking establishments, and community services. California Ave SW from SW Holly St to SW Othello St contains a number of multi-story multifamily structures and single and multi-story commercial structures. Uses along SW Mills St include single family homes and multifamily apartment structures. Zoning along California Ave SW from Fauntleroy Way ST to SW Holly St is Neighborhood Commercial with height limit of 30 feet. Zoning one half block to the east and west of the California Ave SW corridor is almost entirely multifamily. The majority of structures are between one and two stories with a few three and four story structures. Within transit/vehicle/bicycle and long walking distance from the site, services include a restaurants, grocery stores, shopping, and parks.

California Ave SW is a major Metro bus corridor providing service to West Seattle, White Center, Burien, and Downtown Seattle. California Ave SW is designated as a collector arterial street.

I. ANALYSIS - REZONE

The applicable requirements for this rezone proposal are stated in SMC Sections 23.34.004 (contract rezones), 23.34.007 (rezone evaluation), 23.34.008 (general rezone criteria), 23.34.009 (height limits), 23.34.013 (designation of multifamily zones), 23.34.018 (LR2 zone, function and locational criteria), 23.34.070 (Residential Commercial zone, function and locational criterial).

Applicable portions of the *rezone criteria are shown in italics*, followed by **analysis in regular typeface**.

SMC 23.34.004 Contract Rezones.

- A. *Property Use and Development Agreement.*** *The Council may approve a map amendment subject to the execution, delivery, and recording of a property use and development agreement (PUDA) executed by the legal or beneficial owner of the property to be rezoned containing self-imposed restrictions upon the use and development of the property in order to ameliorate adverse impacts that could occur from unrestricted use and development permitted by development regulations otherwise applicable after the rezone. All restrictions imposed by the PUDA shall be directly related to the impacts that may be expected to result from the rezone. A contract rezone shall be conditioned on performance or compliance with the terms and conditions of the PUDA. Council may revoke a contract rezone or take other appropriate action allowed by law for failure to comply with a PUDA. The PUDA shall be approved as to form by the City Attorney, and shall not be construed as a relinquishment by the City of its discretionary powers.*
- B. *Waiver of Certain Requirements.*** *The ordinance accepting the PUDA may waive specific bulk or off-street parking and loading requirements if the Council determines that the waivers are necessary under the agreement to achieve a better development than would otherwise result from the application of regulations of the zone. No waiver of requirements shall be granted that would be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

SMC 23.34.007 Rezone Evaluation.

- A. *The provisions of this chapter shall apply to all rezones, except correction of mapping errors. In evaluating proposed rezones, the provisions of this chapter shall be weighed and balanced together to determine which zone or height designation best meets these provisions. In addition, the zone function statements, which describe the intended function of each zone designation, shall be used to assess the likelihood that the area proposed to be rezoned would function as intended.***

This rezone is not proposed to correct a mapping error, therefore the provisions of this chapter apply. In evaluating the rezone the provisions of this chapter have been weighed and balanced together to determine which zone and height designation best meets the provisions of the chapter. Additionally, the zone function statements have been used to assess the likelihood that the rezone will function as intended.

- B. *No single criterion or group of criteria shall be applied as an absolute requirement or test of the appropriateness of a zone designation, nor is there a hierarchy or priority of rezone considerations, unless a provision indicates the intent to constitute a requirement or sole criterion.***

This analysis evaluates the full range of criteria called for and outlined in Chapter 23.34 Amendments to Official Land Use Map (Rezones) as they apply to the subject rezone (listed at the beginning of this “Analysis” section).

- C. *Compliance with the provisions of this chapter shall constitute consistency with the Comprehensive Plan for the purpose of reviewing proposed rezones, except that Comprehensive Plan Shoreline Environment Policies shall be used in shoreline environment redesignations as provided in SMC subsection 23.60A.042.C.***

The rezone is not a shoreline environment redesignation and so the Comprehensive Plan Shoreline Policies were not used in this analysis.

D. Provisions of this chapter that pertain to areas inside of urban centers or villages shall be effective only when a boundary for the subject center or village has been established in the Comprehensive Plan. Provisions of this chapter that pertain to areas outside of urban villages or outside of urban centers shall apply to all areas that are not within an adopted urban village or urban center boundary.

The parcel proposed for rezone is located within the Morgan Junction Residential Urban Village. The provisions of this chapter that pertain to areas inside of urban villages shall apply to the proposal.

E. The procedures and criteria for shoreline environment redesignations are located in Sections 23.60A.042, 23.60A.060 and 23.60A.220.

The rezone is not a redesignation of a shoreline environment, therefore this criterion does not apply.

F. Mapping errors due to cartographic or clerical mistakes may be corrected through process required for Type V Council land use decisions in SMC Chapter 23.76 and do not require the evaluation contemplated by the provisions of this chapter.

The subject rezone is not a correction of a mapping error and so should not be evaluated as a Type V Council land use decision.

<p>SMC 23.34.007 Conclusion: The rezone meets the requirements of SMC 23.34.007, per the analysis above.</p>

SMC 23.34.008 General rezone criteria.

A. To be approved a rezone shall meet the following standards:

- 1. In urban centers and urban villages, the zoned capacity for the center or village taken as a whole shall be no less than 125% of the growth targets adopted in the Comprehensive Plan for that center or village.*
- 2. For the area within the urban village boundary of hub urban villages and for residential urban villages taken as a whole the zoned capacity shall not be less than the densities established in the Urban Village Element of the Comprehensive Plan.*

The rezone parcel is located within the Morgan Junction Residential Urban Village Overlay, as described in the response to SMC 23.34.007.D.

The growth target listed for this Residential Urban Village in Urban Village Appendix A of the Comprehensive Plan is for 200 additional dwelling units between the year 2004 and the year 2024.

The established density target for this Residential Urban Village in the Urban Village Appendix A of the Comprehensive Plan is a density of 12 dwelling units per acre by the year 2024. In 2004, the density in this Urban Village was listed at 9 dwelling units per acre.

The rezone of this site will not reduce the dwelling unit per acre capacity for the Morgan Junction Residential Urban Village. The applicant intends to develop the site with one dwelling unit within the structure.

The rezone is consistent with SMC 23.34.008.A.1 because the proposal does not reduce capacity below 125 percent of the Comprehensive Plan growth target.

This rezone is also consistent with SMC 23.34.008A.2 because the proposed change would not result in less density for this zone than the density established in the Urban Village Element of the Comprehensive Plan.

B. Match between Established Locational Criteria and Area Characteristics. The most appropriate zone designation shall be that for which the provisions for designation of the zone type and the locational criteria for the specific zone match the characteristics of the area to be rezoned better than any other zone designation.

Analyses comparing the characteristics of the area to the locational criteria for Multi-family Lowrise (LR2) and Residential Commercial (RC) zoning can be found in the responses to SMC 23.34.018, 23.34.020, and 23.34.070 below. The parcel proposed for rezone seems to generally better match the LR2/RC locational and functional criteria for the reasons stated in the analysis in the responses to those sections of SMC.

C. Zoning History and Precedential Effect. Previous and potential zoning changes both in and around the area proposed for rezone shall be examined.

Zoning History for the western block front for California Ave SW from SW Willow St to SW Mills St is as follows:

- LR2, April 19th 2011
- L2, August 6th 1992
- L3, September 16th 1991
- L3, December 31st 1987
- L3, June 9th 1986
- L3, June 11th 1982
- RD5000, June 10th 1982.

There is limited evidence of recent zoning changes in the immediate area. The most recent zoning change occurred in 2011, including an update of development standards and naming conventions for Lowrise Multi-family Residential zones across the City, rather than a change in zoning patterns near this site. Ordinance 123495 changed L2 zoning to LR2 at this site and similarly zoned sites across the City.

There are no City-initiated zoning changes currently proposed for the Morgan Junction neighborhood or sites surrounding the subject property.

D. Neighborhood Plans

- 1. For the purposes of this title, the effect of a neighborhood plan, adopted or amended by the City Council after January 1, 1995, shall be as expressly established by the City Council for each such neighborhood plan.***

The adopted portions of the Morgan Junction Neighborhood Plan can be found in the City of Seattle Comprehensive Plan Adopted Neighborhood Plans section.

2. *Council adopted neighborhood plans that apply to the area proposed for rezone shall be taken into consideration.*

The subject property falls within the Morgan Junction Residential Urban Village and is covered by the adopted portions of the Morgan Junction Neighborhood Plan found in the City of Seattle Comprehensive Plan Adopted Neighborhood Plans section.

3. *Where a neighborhood plan adopted or amended by the City Council after January 1, 1995, establishes policies expressly adopted for the purpose of guiding future rezones, but does not provide for rezones of particular sites or areas, rezones shall be in conformance with the rezone policies of such neighborhood plan.*

The Morgan Junction Neighborhood Plan did not provide policies for the purpose of guiding future rezones, nor did it provide policies for the rezoning of particular sites or areas.

Other sections of the adopted Morgan Junction Neighborhood Plan include policies for: 1) the business district, and 2) housing and land use policies.

Business District goal **MJ-G4**: *“A community with a vital commercial district which provides restaurants, stores and services to meet the needs of the local residents.*

Business District policy **MJ-P12**: *“Strive to balance the goal of a compact urban village with the need for adequate parking, traffic circulation and pedestrian safety on neighborhood streets.”*

Housing and Land Use goal **MJ-G5**: *“A community with strong single-family neighborhoods and compatible multi-family structures offering a wide range of housing types for all people.”*

Housing and Land Use policy **MJ-P16**: *“Strive to achieve adequate levels of parking for new commercial, mixed-use and multi-family structures and use other parking management techniques that minimize spillover parking into residential areas.”*

4. *If it is intended that rezones of particular sites or areas identified in a Council adopted neighborhood plan are to be required, then the rezones shall be approved simultaneously with the approval of the pertinent parts of the neighborhood plan.*

The Council-adopted portions of the Morgan Junction Neighborhood Plan do not identify any specific areas for rezone.

SMC 23.34.008.D Summary:

While there appears to be no specific Land Use policy to guide rezones to LR2/RC zoning in the Morgan Junction Neighborhood Plan, the rezone does consider the Business District policy and the Housing and Land Use policy.

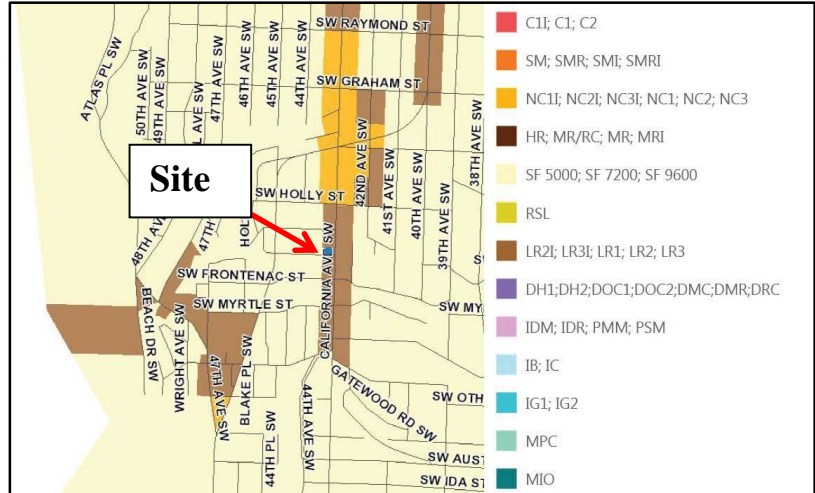
The rezone is consistent with Business District goals and Housing and Land Use goals anticipated and contemplated in the adopted portions of the Morgan Junction Neighborhood Plan, and will facilitate future development that will best accomplish the City’s planning objectives.

E. Zoning Principles. The following zoning principles shall be considered:

- 1. The impact of more intensive zones on less intensive zones or industrial and commercial zones on other zones shall be minimized by the use of transitions or buffers, if possible. A gradual transition between zoning categories, including height limits, is preferred.**

The Morgan Junction neighborhood between SW Holly St and Gatewood Rd SW exhibits a linear pattern of multi-family zoning from north to south along California Ave SW, with Single-family zoning within a half block or full block to the east and west.

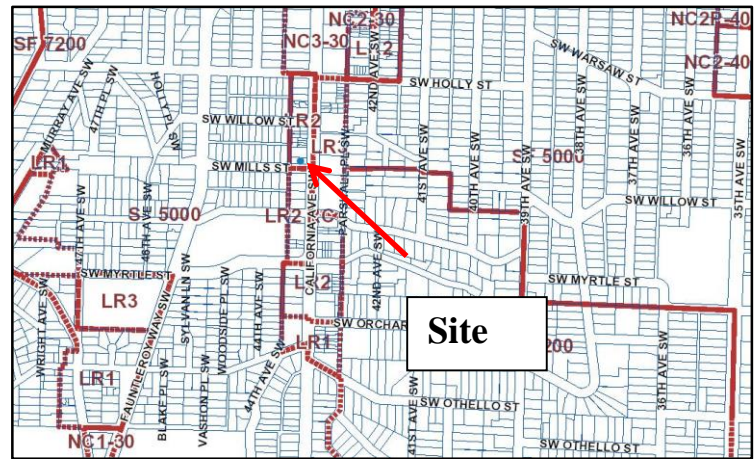
Less than two blocks north of the site, the zoning along California Ave SW changes to Neighborhood Commercial zoning with Single-family and multi-family zoning within a half block to the east and west.



The Morgan Junction neighborhood shows a strong pattern of zoning for multi-family and commercial uses along California Ave SW. The only parcels facing California Ave SW where properties are zoned multi-family residential-commercial uses include the block immediately south of the subject property on west side of California Ave SW (zoned LR2/RC).

Transitions between multi-family California Ave SW properties and single-family residential properties to the east and west are generally eased by the presence of an alley separating the multi-family zoning from the single-family zoning to the east and west.

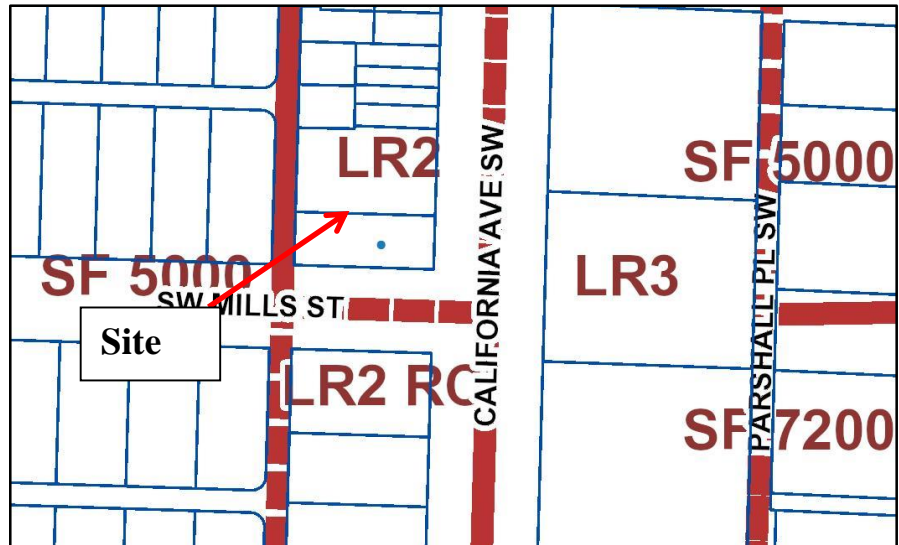
Transitions between the multi-family zoning and single-family zoning adjacent to California Ave SW, zone edge transitions may include an alley or street. However, there are areas facing California Ave SW that do not include an alley or street or intermediate zone between multi-family and single-family zoning.



The area slopes from east down to the west, toward Puget Sound. The topography provides another transition between the multi-family zoned California Ave SW corridor and the adjacent residential zoning to the east and west. LR2 zoning (30' height limit) appears to generally be more common on the west side of California Ave SW, with LR3 (30' outside Urban Village/Center and 40' within Urban Village/Center) more common on the east side of California Ave SW.

From north to south, there is a relatively consistent pattern of multi-family zoning along California Ave SW and single-family residential zoning to the east and west, with the exception of the block frontage north of SW Holly St that is zoned neighborhood commercial.

The immediate zoning pattern surrounding the subject property includes Lowrise Residential, with Single Family Residential west of an adjacent/abutting alley. Lowrise Residential with Residential Commercial is south of SW Mills St. At the intersection of California Ave SW and SW Mills St., Lowrise Multi-family Residential with Residential Commercial is located immediately to the south of this intersection, and Single family Residential to the west.



The rezone would result in a zone edge of LR2/RC (30' height limit) adjacent to SF5000 (30' height limit) to one property to the west.

California Ave SW is a collector arterial with an 80' right of way width. An older home is located in the SF5000 zoned parcel across the alley to the west of the subject property. The submitted plans provided by the applicant showed that the specific proposed development would not cast additional shadow on this site with the change in zoning.

To the south SW Mills St is a non-arterial street with a 60' right of way width. The apartment structure at the southwest corner of the intersection will not experience any additional shadowing from the proposed development.

The rezone would also result in a zone edge of LR2/RC (30' height limit) adjacent to LR2 zoning to the north (Multi-family Residential, 30' height limit) with no street or topography separation.

The rezone would result in a zone edge of LR2/RC (30' height limit) adjacent to SF5000 zoning to the west (30' height limit). A 16' wide alley separates the subject property from the properties to the west. There is also a drop in topography from the east to the west. This zone transition is similar to other zone edges along the west side of California Ave SW.

The rezone includes a specific proposed development. The design proposed by the applicant includes design strategies to minimize the appearance of height, bulk, and scale. The design considers the transition to the properties to the north and west edges of the site by mitigating the impacts of the proposal on the neighboring properties. The height of the structure is 2 stories on the eastern façade and 3 stories on the western façade, the bulk of the structure is located on the eastern portion of the site, and the scale is less than could be constructed in the existing zoning. Details of the structure design are documented in the plans submitted with the application.

2. Physical buffers may provide an effective separation between different uses and intensities of development. The following elements may be considered as buffers:

- a. Natural features such as topographic breaks, lakes, rivers, streams, ravines and shorelines;**
- b. Freeways, expressways, other major traffic arterials, and railroad tracks;**
- c. Distinct change in street layout and block orientation;**
- d. Open space and greenspaces;**

The rezone would not result in a modified zone edge at west side of the site.

The north, south and east edges would remain adjacent to other multi-family zoned properties and the west edge continues to be adjacent to a single-family zone. However, as noted in the response to SMC 23.34.008.E, the south and west edges include rights-of-way acting as physical buffers. The east edge is adjacent to California Ave SW, an arterial with an 80' right of way width. The south edge is adjacent to SW Mill, a non-arterial with a 60' right of way width.

The west edge is separated from the subject property by a 16' wide alley and a change in grade (approximately 8 foot grade change from the east to the west property line. The west lot line is the low point on the site). The property to the west is lower than the subject property, which can result in the appearance of additional bulk and scale from the proposed development.

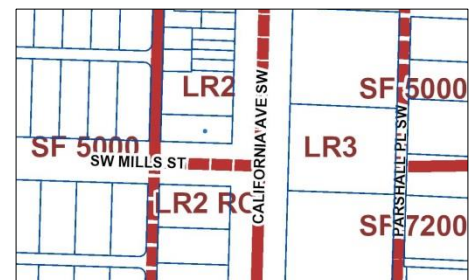
The subject property would have no physical buffer other than the alley to the single family zone. The proposal would not meet criterion 2.b. or any of the other criteria.

3. Zone Boundaries

- a. In establishing boundaries the following elements shall be considered:**
 - (1) Physical buffers as described in subsection E2 above;**
 - (2) Platted lot lines.**

The existing site is currently zoned LR2. The proposal would rezone the platted lot to LR2/RC zoning.

The zoning boundaries would have minimal physical buffers other than California Ave SW, existing platted lot lines would remain.



- b. Boundaries between commercial and residential areas shall generally be established so that commercial uses face each other across the street on which they are located, and face away from adjacent residential areas. An exception may be made when physical buffers can provide a more effective separation between uses.**

The rezone would maintain the pattern of zoned properties facing each other across the street on which they are located. Currently the residential zones face each other directly across California Ave SW, but the platted lines do not align across the same street. The rezone would result in the platted lot being zoned multi-family residential with limited commercial use, with residential zoning directly across California Ave SW. As noted in earlier analysis, California Ave SW is a busy 80' wide collector arterial, which provides an effective separation between this residential zone with limited commercial use and residential zones.

South of the site is a residential and commercial zone facing California Ave SW. The rezone proposal has been designed to have the commercial use facing away from the adjacent single family residential area to the west.

4. *In general, height limits greater than forty (40) feet should be limited to urban villages. Height limits greater than forty (40) feet may be considered outside of urban villages where higher height limits would be consistent with an adopted neighborhood plan, a major institution's adopted master plan, or where the designation would be consistent with the existing built character of the area.*

As described in response to SMC 23.34.007.D above, the rezone is located within the Morgan Junction Residential Urban Village. The rezone is for LR2/RC, which allows 30' height limits. The proposal is consistent with this criterion.

SMC 23.34.008.E Summary:

The rezone would result in a zoning transition that is reflective of similar conditions along California Ave SW, between multi-family and single-family zones with 30' height limits. The rezone would align with the platted lot.

To the west, the adjacent alley would create a modest buffer. To the south of SW Mills St, the rezone would match the conditions along California Ave SW.

F. Impact Evaluation. The evaluation of a proposed rezone shall consider the possible negative and positive impacts on the area proposed for rezone and its surroundings.

1. ***Factors to be examined include, but are not limited to, the following:***

- a. ***Housing, particularly low-income housing;***

The proposal has one new dwelling unit and does not include low-income housing. Currently one dwelling unit is on the site. Potentially the site could be developed with 3 dwelling units or an unlimited number of units meeting the Green Structure performance standards and Small Efficiency Unit standards. The negative impact on the area is the site could accommodate more units. The positive impact is a restaurant use on the site, within walking distance to the residential surroundings. The proposed new dwelling unit is for market rate housing.

- b. ***Public services;***

Approval of the proposal would result in a restaurant and a dwelling unit at this site. Though demand for public services may increase with this commercial use, the proposal will strengthen the community by contributing a supporting neighborhood service. The increased security provided by a restaurant with security lighting is seen as having a positive impact. The potential increased demand for public services would have little negative impacts on the area.

- c. ***Environmental factors, such as noise, air and water quality, terrestrial and aquatic flora and fauna, glare, odor, shadows, and energy conservation;***

Noise – No significant impacts are anticipated from the change in zone. With development in the future, noise will be limited to that typically generated by residential and small scale neighborhood commercial activities.

Air quality – No noticeable change in impacts will result from a change in zoning. Future Air Quality measures will comply with applicable Federal, State, and City emission control requirements.

Water quality – No noticeable change in impacts will result from change in zoning. Storm water runoff from future development will be conveyed to a city drainage system. The Stormwater Code includes requirements for Green Storm water Infrastructure (GSI), which includes pervious concrete paving, rain gardens, and green roofs. Storm water collection and management would be in conformance with City of Seattle standards. The proposed rezone would not create the potential for more impervious surface than would be possible under existing zoning.

Flora and fauna – No noticeable change in impacts will result from a change in zoning, with or without the rezone. Existing landscaping and trees will potentially be removed for future construction, but future vegetation is required to comply with Land Use Code requirements. The change in zoning would not reduce the vegetation requirements for future development.

Glare – No noticeable change in impacts will result from a change in zoning.

Odor – No noticeable change in impacts will result from a change in zoning.

Shadows – No noticeable change in impacts will result from a change in zoning.

Energy – No noticeable change in impacts will result from a change in zoning. Development will be required to comply with the City of Seattle energy codes.

d. Pedestrian safety

No noticeable change in impacts will result from change in zoning. The proposed development includes public right of way improvements for pedestrian safety.

e. Manufacturing activity;

Not applicable; not permitted by the existing or proposed zoning.

f. Employment activity;

The proposed zoning would allow for limited commercial uses, which could result in slightly more employment activity than the existing zoning.

g. Character of areas recognized for architectural or historic value;

The nearest historic landmark is the Gatewood School southeast of the intersection of Fauntleroy Way and SW Frontenac St, approximately one block southwest of the site. The site is not in a historic district.

The existing structure on the development site is more than 50 years old and was examined for potential eligibility for a historic landmark. The Department of Neighborhoods determined that the existing structure was not likely to be eligible for landmark nomination (Landmarks Preservation Board, reference number LPB 304/16), and no further analysis was required.

h. Shoreline view, public access and recreation.

The proposed development and rezone are located outside of the shoreline.

2. Service Capacities. Development which can reasonably be anticipated based on the proposed development potential shall not exceed the service capacities which can reasonably be anticipated in the area, including:

- a. *Street access to the area;*
- b. *Street capacity in the area;*
- c. *Transit service;*
- d. *Parking capacity;*

The proposed development fronts on two streets: California Ave SW and SW Mills St. California Ave SW is a collector arterial. SW Mills St is a non-arterial street.

Street access to the area will be unchanged by the proposal. Street capacity to the area will be unchanged by the proposal. Transit services may see an increase in ridership. Parking capacity will be unchanged by the proposal, however parking demand could be increased by the proposal.

- e. *Utility and sewer capacity;*

Seattle Public Utilities (SPU) has indicated that the existing sewer and water utility systems in this area have capacity for the proposed development at this site. Any future development will go through city review and be required to meet/conform to city of Seattle standards, codes and/or ordinances.

- f. *Shoreline navigation*

The area of the rezone is not located within a shoreline environment so shoreline navigation is not applicable to this rezone.

SMC 23.34.008.F Summary:

The rezone as proposed will result in a structure and use that considers the possible impacts on the area and surroundings. Public services, environments factors, and public safety impacts are anticipated to be relatively minor or not applicable. The rezone would result in a restaurant use available to the area and employment activity/opportunity for its surroundings.

G. Changed circumstances. Evidence of changed circumstances shall be taken into consideration in reviewing proposed rezones, but is not required to demonstrate the appropriateness of a proposed rezone. Consideration of changed circumstances shall be limited to elements or conditions included in the criteria for the relevant zone and/or overlay designation in this chapter.

A Growing Population and Economy: In 1990 the Puget Sound Council of Governments projected the need for 34,000 new households over the next 30 years (2020). Since that time the economy in Seattle and the region experienced considerable growth. As a result, in 2004 Seattle projected the need for 47,000 additional households by 2024 to accommodate expected growth.

Growth Management Act (GMA): In 1990 the Legislature found that “uncoordinated and unplanned growth, together with a lack of common goals ... pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state. It is in the public interest that citizens, communities, local governments, and the private sector cooperate and coordinate with one another in comprehensive land use planning.” (RCW 36.70A.010) This is the foundation for the Growth Management Act (GMA).

As a result, the State directed 29 counties and the 218 cities within the state to establish plans for growth based on certain requirements. These jurisdictions included Seattle and some of the other fastest-growing counties and the cities.

Several goals of the GMA were to focus urban growth in urban areas, reduce sprawl, provide efficient transportation, encourage affordable housing, and encourage sustainable economic development.

Seattle Comprehensive Growth Plan: In 1994, in response to the State Growth Management Act of 1990, the City of Seattle adopted a Comprehensive Growth Plan. The Comprehensive Plan established 20-year housing unit growth targets for Urban Centers, Center Villages, Hub Urban Villages, and Residential Urban Villages.

Investing in Seattle's Urban Villages: By the year 2000, Seattle's urban village areas housed 32% of the city's population. As part of the Comprehensive Growth Plan they are expected to accommodate most of Seattle's new housing units. As a result, the city continues to make infrastructure investments in and around urban villages to improve transit access, to create more walkable communities and to provide attractive residential and commercial environments.

In the 2004 Comprehensive Plan updated the Morgan Junction Residential Urban Village (RUV) was given a 2024 growth target of 200 additional households.

The Comprehensive Plan is subject to updates and is currently in the process of being updated to guide the next 20 years of growth in the City of Seattle.

The adoption of the Comprehensive Plan (1994), the designation of the Morgan Junction RUV, and the adoption of the 2024 growth target for Morgan Junction RUV (2004) are all circumstances that have changed since the most recent zoning change for this area in 2011 (described in response to 23.34.008.C above).

Transportation: Since 1990, the city of Seattle and its transit partners have made significant street and transit investments to keep people, goods and services moving. As part of the Complete Streets initiative investments are being made to provide people with options to single occupancy vehicles.

The area surrounding the subject property rezone proposal is well-served by frequent transit lines. The nearest bus stop is on California Ave SW between SW Willow St and SW Mills St (on the same block front as the proposal). This stop serves routes 22, and 128 with transit service approximately every 15 minutes between 4:30 am and 10:56 pm and an Express route stop 2 block south at SW Myrtle St C during peak commute hours.

Seattle Department of Transportation (SDOT), as part of *Bridging the Gap*, is making a number of improvements to the city transportation network. Some of these improvements are targeted to increase transit speed and reliability in West Seattle.

These transportation improvements are additional circumstances that have changed since the most recent zoning change for this area in 2011 (described in response to 23.34.008.C above).

SMC 23.34.008.G Summary:

The rezone responds to the changing circumstances in the area and the function and locational criteria. The increased dwelling unit density in the neighborhood creates a restaurant demand/need, the structure design is moderate in scale. The redevelopment is appropriate based on the adjacent RC zoning and the urban village business district policies and housing and land use polices.

Additionally, the rezone maximizes the benefits of transit and pedestrian investments in Urban Villages.

H. Overlay Districts. If the area is located in an overlay district, the purpose and boundaries of the overlay district shall be considered.

The site is located in the Morgan Junction Residential Urban Village Overlay. The Comprehensive Plan Urban Villages element notes that Residential Urban Villages are intended to take the second highest amount of residential growth in the City (the highest growth intended for Urban Centers). Comprehensive Plan Goal UVG33 states, “Encourage growth in Seattle between 2004-2024, to be generally distributed across the city as shown in Figure 8.” Figure 8 shows that Residential Urban Villages such as the Morgan Junction RUV are expected to accommodate 25% of the residential growth across the City. The rezone would support this goal by providing a commercial service to the residents of the Morgan Junction Residential Urban Village.

The site is located in a Frequent Transit Overlay, with transit service as described in response to SMC 23.34.008.G. Frequent Transit areas have reduced parking requirements, in anticipation of higher rates of transit and non-motorized transportation. The proposed development includes 2 parking spaces for restaurant and dwelling unit, which reflects a 1:1 parking to residential unit ratio.

SMC 23.34.008.H Summary:

The proposed rezone and development is consistent with the purpose of applicable overlays at this site.

I. Critical Areas. If the area is located in or adjacent to a critical area (SMC Chapter 25.09), the effect of the rezone on the critical area shall be considered.

The site is not within a critical area, therefore this criterion does not apply.

J. Incentive Provisions. If the area is located in a zone with an incentive zoning suffix a rezone shall be approved only if one of the following conditions are met:

- 1. The rezone includes incentive zoning provisions that would authorize the provision of affordable housing equal to or greater than the amount of affordable housing authorized by the existing zone; or***
- 2. If the rezone does not include incentive zoning provisions that would authorize the provision of affordable housing equal to or greater than the amount of affordable housing authorized by the existing zone, an adopted City housing policy or comprehensive plan provision identifies the area as not a priority area for affordable housing, or as having an adequate existing supply of affordable housing in the immediate vicinity of the area being rezoned***

The rezone is not located in a zone with an incentive zoning suffix, therefore this criterion does not apply.

SMC 23.34.008 Conclusion: The proposed rezone will result in a zoning pattern that reflects most of the zoning transitions along California Ave SW.

The proposed development complies with development standards to ease the transition to less intensive adjacent zones.

The rezone meets all other requirements of SMC 23.34.008, per the analysis above.

23.34.009 Height limits of the proposed rezone. Where a decision to designate height limits in Neighborhood Commercial or Industrial zones is independent of the designation of a specific zone, in addition to the general rezone criteria of Section 23.34.008, the following shall apply:

A. Function of the zone. Height limits shall be consistent with the type and scale of development intended for each zone classification. The demand for permitted goods and services and the potential for displacement of preferred uses shall be considered.

The rezone will not add additional height as it will comply with standard in the LR2 zone.

As Seattle’s Comprehensive Plan states, “The preferred development character is to be achieved by directing future growth to mixed use neighborhoods, designated as “urban villages”, where conditions can best support increased density.” These villages should “function primarily as compact neighborhoods providing opportunities for a wide range of housing types and a mix of activities that support the residential population”. The rezone lies within the boundaries of the Morgan Junction Residential Urban Village. The project will have a dwelling unit and goods and services for the zone.

The existing zoning allows a combination of multi-family and limited commercial uses. The rezone would increase the commercial uses that are allowed.

B. Topography of the Area and its Surroundings. Height limits shall reinforce the natural topography of the area and its surroundings, and the likelihood of view blockage shall be considered.

Topography of the surrounding area is described with a site plan in response to SMC 23.34.008.E.2 above. Generally, the Morgan Junction neighborhood slopes from east down to west, towards Puget Sound. The rezone does not result in a higher structure possible on the subject property than would currently be permitted. The rezone would result in an east to west zoning transition that reflects similar transitions along the California Ave SW corridor.

The existing zoning transition pattern on the west side of California Ave SW does not necessarily reinforce the natural topography of the area. Zoning for taller structures along California Ave SW may allow taller structures that the single family zone to the west. The rezone would not change this pattern.

Due to existing development and vegetation, there are no views of the Puget Sound or the Olympic Mountains to pedestrians standing across the site from California Ave SW or other nearby streets. There are no nearby public parks with views to these items across the subject property. Some views of Puget Sound and the Olympic mountains are possible from the California Ave SW and SW Mills St public rights of way.

As noted in response to SMC 23.34.008.F.1.h: The Land Use Code does not include criteria for protection of views from private property.

Puget Sound and the Olympic Mountains are also visible from private property uphill to the east, as described in response to SMC 23.34.008.F.1.h. Some nearby private properties to the east of the site may have views of Puget Sound and the Olympic Mountains blocked by development at this site, as the development will increase the height of the existing structure.

Considering the bulk and scale of the structure that could be built on the site, the proposal has less bulk than what could be built under full development. Any development would have some impact on private property views to the east. The proposal maximizes the width of the public views adjacent to SW Mills St by meeting or exceeding the setbacks for the south property line.

C. Height and Scale of the Area.

- 1. The height limits established by current zoning in the area shall be given consideration.**
- 2. In general, permitted height limits shall be compatible with the predominant height and scale of existing development, particularly where existing development is a good measure of the area's overall development potential.**

The existing zoning at this site is LR2. The proposed zoning is LR2/RC. This rezone analysis also considers the presence of LR3 zoning and SF5000 nearby.

LR2 zoning allows the following heights for the applicable uses:

Type of Development	LR2 Height (feet)
Cottage housing developments	18
Rowhouse and townhouse developments	30
Apartments	30

The site is located within an Urban Village and is within 50 feet of a Single Family zoning.

LR3 zoning would therefore allow the following heights for the applicable uses at this site:

Type of Development	LR3 Height at this site (feet)
Cottage housing developments	18
Rowhouse and townhouse developments	30
Apartments	40

Certain rooftop features are permitted above the 30' height limit per SMC 23.47A.012, including mechanical equipment and stair/elevator penthouses such as the ones proposed with this development. Zoning review for compliance with all structure height provisions in SMC 23.47A.012 is a Type 1 review as defined in SMC 23.76.004.

Single Family zoning allows the following heights for the applicable uses:

Type of Development	SF Height (feet)
Single family housing	30
on a lot 30 feet or less in width	25

Certain rooftop features are permitted above the 30' height limit per SMC 23.44.012 C.2.

The current height limit at this site is thirty (30) feet. Nearby zones include height limits of 30' and 40'. The proposed development would be consistent with the predominant height and scale of nearby newer development, which is representative of the area's overall development potential. The 1-2 story development is not representative of the development potential for zoning in this area. The 3-4 story multi-family residential structures are closer in height to the area's overall development potential. There are several examples of both types of development in the blocks immediately north and south of the subject property.

D. Compatibility with Surrounding Area.

- 1. Height limits for an area shall be compatible with actual and zoned heights in surrounding areas excluding structures developed under Major Institution height limits; height limits permitted by the underlying zone, rather than heights permitted by the Major Institution designation, shall be used for the rezone analysis.***
- 2. A gradual transition in height and scale and level of activity between zones shall be provided unless major physical buffers, as described in Subsection 23.34.008.D.2, are present.***

The subject property is not in or near a Major Institution.

The pattern of zoning transitions is described in response to SMC 23.34.008.D.2. As noted in that response, a zone allowing 30' heights, such as single family, is commonly found adjacent to a zone allowing 30' and 40' heights for properties along California Ave SW. The proposed development includes setbacks. A 16' alley at the west edge, a 60' wide public right of way (SW Mills St) at the south edge, and a 80' wide arterial (California Ave SW) at the east edge separate the project site from its neighbors.

The rezone would be consistent with the transition of zoned heights and scale of development in the area.

E. Neighborhood Plans

- 1. Particular attention shall be given to height recommendations in business district plans or neighborhood plans adopted by the City Council subsequent to the adoption of the 1985 Land Use Map.***
- 2. Neighborhood plans adopted or amended by the City Council after January 1, 1995 may require height limits different than those that would otherwise be established pursuant to the provisions of this section and Section 23.34.008.***

As described in response to SMC 23.34.008.D above, portions of the Morgan Junction Neighborhood Plan were adopted by City Council and are included in the Seattle Comprehensive Plan. Policies that relate to height in the Morgan Junction neighborhood include:

Housing and Land Use Policy MJ-P19 “ Explore methods to discourage increasing height limits in the commercial and multi-family zones above the currently existing levels and encourage developers of new multifamily and commercial structures to locate mechanical, heating, ventilation and air conditioning equipment within the envelope of the structure.”

Adding RC to the existing zoning would not increase the allowable height.

SMC 23.34.009 Conclusion: No additional increased height would result with the change of zoning from LR2 to LR2/RC and the proposal would meet the criteria of SMC Section 23.34.009, as described above.

SMC 23.34.013 Designation of Multifamily Zones:

- A. An area zoned single family that meets the criteria of Section 23.34.011 for single-family designation, may not be rezoned to multifamily except as otherwise provided in Section 23.34.010 B.***

The rezone would not designate any properties from single-family to multifamily.

SMC 23.34.018 Lowrise 2 (LR2) Zone, Function and Locational Criteria.

- A. Functions. The dual functions of the LR2 zone are to:***
- 1. Provide opportunities for a variety of multifamily housing types in existing multifamily neighborhoods and along arterials that have a mix of small scale residential structures; and***
 - 2. Accommodate redevelopment in areas within urban centers, urban villages, and Station Area Overlay Districts in order to establish multifamily neighborhoods of low scale and density.***

The area includes a mix of densities. Nearby structures include multi-family housing ranging from 1-4 stories and a 1-story single-family residence.

The site, located in the Morgan Junction Residential Urban Village is zoned LR2. The rezone would meet the functions outlined.

- B. Locational Criteria. The LR2 zone is most appropriate in areas generally characterized by the following conditions:***
- 1. The area is either:***
 - a. located in an urban center, urban village, or Station Area Overlay District where new development could help establish a multifamily neighborhood of small scale and density; or***

The site is located in the Morgan Junction Residential Urban Village. The nearby neighborhood is predominantly single family and multi-family, with a mix of multi-family development along California Ave SW. The immediate neighborhood ranges from 1-4 stories in height.

- b. located in or near an urban center, urban village, or Station Area Overlay District, or on an arterial street, and is characterized by one or more of the following conditions:*
- 1. small-scale structures generally no more than 35 feet in height that are compatible in scale with SF and LR1 zones;*
 - 2. the area would provide a gradual transition between SF or LR1 zones and more intensive multifamily or neighborhood commercial zones; and*

The site is located on an arterial (California Ave SW) in the Morgan Junction Residential Urban Village. The immediate neighborhood ranges from 1-4 stories in height (approximately 10' to 40'). Several nearby structures are 4 stories (approximately 40') tall, a moderate scale and height.

As described in response to SMC 23.34.008.E.1, the nearby zoning is predominantly a mix of LR2 and LR3. The nearest Single Family (SF) is adjacent to the west and Lowrise Multi-family 3 (LR3) zoning is across Californian Ave SW to the east. Zoning of LR2/RC at this site does provide a gradual transition to nearby SF or LR2 zoning.

- 2. The area is characterized by local access and circulation conditions that accommodate low density multifamily development;*

Access and circulation to the subject property is available from California Ave SW, SW Mills St, and an alley to the west. Access at the east edge of the subject property is characterized by collector arterial connector with transit service, and vehicular, bicycle, and pedestrian use. California Ave SW provides access and circulation conditions that adequately accommodates low density multifamily development.

- 3. The area has direct access to arterial streets that can accommodate anticipated vehicular circulation, so that traffic is not required to use streets that pass through lower density residential zones; and*

As noted in response to the previous criterion, the site is adjacent to California Ave SW, an arterial with transit service, and vehicular, bicycle, and pedestrian use. The proposed vehicular access to the site is from the alley as required by the Land Use Code. In order to access the alley, vehicles must travel along SW Mills St or SW Willow St to enter the alley to the subject property. This route does require travel through a single family zone, such as the neighborhood located across the alley to the west of the site. Traffic would not be required to use streets that pass through lower density residential zones.

- 4. The area is well supported by existing or projected facilities and services used by residents, including retail sales and services, parks, and community centers, and has good pedestrian access to these facilities.*

The surrounding area includes a mix of multi-family, mixed-use multi-family and commercial, and single family structures. A limited range of retail services are located along California Ave SW. The nearest park is Lincoln Park (seven blocks to the southwest) and West Seattle Recreation Center (fourteen blocks to the northeast). The surrounding area includes sidewalks at most street frontages. The area is well supported by existing facilities and services.

SMC 23.34.018 Conclusion: The rezone site appears to meet the zone, function, and locational criteria for LR2 zoning. Overall, it appears that the area around the rezone site may be at or below the overall density and scale intended for LR2 zones.

23.34.070 - Residential-Commercial (RC) zone, function and locational criteria.

The RC zoning designation is not a part of the LR2 zoning that covers the subject property and the balance of the block to the north.

A. Function.

1. Purposes. Areas that serve as the following:

- a. As a means to downzone strip commercial areas which have not been extensively developed with commercial uses;**
- b. As a means to downzone small commercial areas which have not been extensively developed with commercial uses and where commercial services are available nearby;**

The two block fronts south of SW Mills St possess small scale commercial development. The block front development north of SW Holly St sites include mixed-use residential and commercial structures with commercial at the ground floor.

The rezone would not downzone any commercial properties.

- c. To provide opportunities for needed parking in areas where spillover parking is a major problem;**

On-street parking is well utilized in the Morgan Junction neighborhood. However, the rezone would provide parking spaces for the commercial use. Residential uses at sites with Frequent Transit service in Urban Villages (such as this site) are not required to provide any vehicular parking. Specific parking requirements are described in SMC 23.54.015.

- d. As a means of supporting an existing commercial node.**

As noted in response to SMC 23.34.008.E.1, the nearby pattern of zoning and commercial uses is linear in the Morgan Junction neighborhood, with commercial uses focused at the intersection of California Ave SW and Fautleroy Way SW.

2. Desired Characteristics. Areas that provide the following:

- a. Physical appearance resembling the appearance of adjacent residential areas;**
- b. Mixed use with small commercial uses at street level.**

As noted in response to SMC 23.34.018, the immediate neighborhood ranges from 1-4 stories in height (approximately 10' to 40'). Several nearby structures are 3 stories (approximately 30') tall, a moderate scale and height. The overall appearance and scale of development in the nearby RC zone resembles nearby multi-family and single-family.

Mixed-use development along California Ave SW tends to be 3 stories tall, with small commercial uses at the street level. Older one-story commercial structures also include small commercial uses at street level.

B. Location Criteria.

- 1. Requirement. A residential-commercial designation shall be combined only with a multifamily designation.**

The existing multi-family zoning designation is LR2. The proposed rezoning is LR2/RC.

- 2. Other Criteria. Residential-Commercial zone designation is most appropriate in areas generally characterized by the following:**

- a. Existing Character.**

- 1. Areas which are primarily residential in character (which may have either a residential or commercial zone designation), but where a pattern of mixed residential/commercial development is present; or**

The area includes both residential and commercial uses, with predominantly residential uses on the California Ave SW block fronts north of SW Mills St. A pattern of mixed residential commercial development is present south of SW Mills St.

- 2. Areas adjacent to commercial areas, where accessory parking is present, where limited commercial activity and accessory parking would help reinforce or improve the functioning of the commercial areas, and/or where accessory parking would help relieve spillover parking in residential areas.**

The rezone is south of a commercial area that is north of SW Holly St along California Ave SW. South of SW Mills along Californian Ave SW are commercial areas. As described in response to SMC 23.34.070.A.1.c, parking requirements are minimal in this zone and Urban Village. An RC zoning designation would not result in additional parking requirements at this site.

- b. Physical Factors Favoring RC Designation.**

- 1. Lack of edges or buffer between residential and commercial uses;**

As described in response to SMC 23.34.008, properties along California Ave SW frequently transition directly from Neighborhood Commercial to Lowrise Residential zoning with limited or no buffers.

- 2. Lack of buffer between major arterial and residential uses;**

The collector arterial (California Ave SW) is generally the separation from LR3 and LR2 zoning to the east and west. A western block front segment of LR2/RC south of SW Mills St fronts on California Ave SW. California Ave SW separates LR2/RC ZONING from nearby LR3 zoned sites and residential uses.

- 3. Streets with adequate access and circulation;**

The collector arterial (California Ave SW) provides capacity for transit, vehicles, bicycles, and pedestrians. Other nearby streets provide neighborhood access or access to nearby neighborhoods, and commercial centers.

- 4. Insufficient parking in adjacent commercial zone results in parking spillover on residential streets.**

As described in earlier analysis, existing on-street parking is heavily utilized in this neighborhood.

SMC 23.34.070 Conclusion: The rezone site and immediate area meet most of the functional and locational criteria for RC zoning. Overall, it appears that the area around the rezone site is at or below the scale and range of development intended. However, if the site were rezoned for residential multi-family and residential commercial (LR2/RC), then an RC designation may be appropriate at this location.

RECOMMENDATION – REZONE

Based on the analysis undertaken in this report, and the weighing and balancing of all the provisions in SMC 23.34, the Director recommends that the rezone from Lowrise 2 (LR2) to Lowrise 2/Residential Commercial (LR2/RC) designation be **APPROVED**.

II. ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the updated environmental checklist submitted by the applicant. The information in the checklist and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The Seattle Department of Construction and Inspections has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans, including site survey, and any additional information in the file. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, “*Where City regulations have been adopted to address environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*” subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

Codes and development regulation applicable to this proposed project will provide sufficient mitigation from short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC22.800-808), the Grading Code (SMC22.170), the Street Use Ordinance (SMC Title 15), the Structure Code, and Noise Control Ordinance (SMC 25.08)

Short Term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Construction Parking and Traffic

During construction, parking demand is expected to increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The immediate area is subject to significant traffic congestion during the PM peak hours on nearby arterials, and large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic. The area includes limited and timed or metered on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking.

While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of traffic and construction parking demand from this project.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Noise

Construction activities for the proposed development, including demolition, site excavation, truck and equipment idling and use, materials movement, and construction personnel could adversely affect residents in the vicinity. The Noise Control Ordinance is intended to control the level of noise to '*protect, promote and preserve the public health, safety and welfare ... in a manner which promotes commerce; the use, value and enjoyment of property; sleep and repose; and the quality of the environment*' (SMC 25.08.010). The Ordinance contains regulations for sound level limits from construction equipment, allowing exceedances from non-construction limits during limited hours and days. The noise levels are based on the zoning of both the source and the receiving property, and the hours that the exceedances are allowed is based on the zoning of the source property.

Mitigation for construction impacts is subject to the SEPA Overview Policy. Construction activities are subject to the Noise Ordinance; so in order to require SEPA mitigation, there must be unusual circumstance that results in adverse impacts that "substantially exceed" those anticipated by City codes and regulations. No such unusual circumstances are identified; therefore, no addition mitigation is warranted.

Long Term Impacts

Long term or use-related impacts are also anticipated as a result of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; obstruction of private views, increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project. No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Height, Bulk, and Scale

Section 25.05.675.G.1.a. of the Seattle SEPA Ordinance provides the following: "The purpose of the City's adopted land use regulations is to provide for smooth transition between ... residential areas, to preserve the character of individual city neighborhoods and to reinforce natural topography by controlling the height, bulk and scale of development."

Section 25.05.675.G.2.a. of the Seattle SEPA Ordinance provides the following: "It is the City's policy that the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated ... and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning."

Development under the rezone would not result in any additional structure height. The project will have an extra floor but remains compliant with code.

The Land Use Code includes setback requirements for development adjacent to existing residential zones, intended to address the height, bulk, and scale impacts of new development.

The height, bulk and scale of the proposed development and relationship to nearby context has been addressed during the review/analysis process as proposed on the site. Additional mitigation is not warranted under SEPA.

Historic Landmarks

The existing structures on site are more than 50 years old. The Department of Neighborhoods reviewed the proposal for potential impacts to historic resources, and indicated the existing structures on site are unlikely to qualify for historic landmark status (Landmarks Preservation Board, reference number LPB 304/16). Therefore, no mitigation is warranted for historic preservation.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.
- Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

RECOMMENDED CONDITIONS – REZONE

None.

RECOMMENDED CONDITIONS – SEPA

None.

Colin R. Vasquez, Senior Land Use Planner
Seattle Department of Construction and Inspections

Date: June 16, 2016

CRV:bg

Vasquez/3018102

IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by Seattle DCI within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.