

SUMMARY and FISCAL NOTE*

Department:	Contact Person/Phone:	Executive Contact/Phone:
Legislative	Eric McConaghy/615-1071	

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

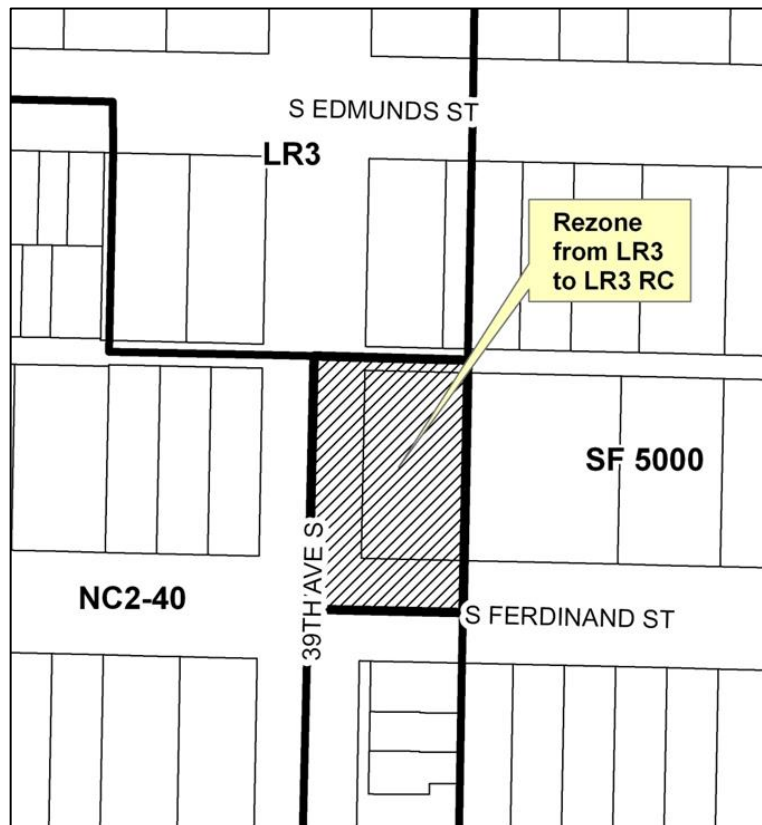
Legislation Title: An ORDINANCE approving an amendment of the Property Use and Development Agreement approved by Ordinance 123923 for property located at 3902 S. Ferdinand Street.

Summary and background of the Legislation:

The proponents are requesting that Council approve the minor amendment of a Property Use and Development Agreement (PUDA) binding on the property addressed as 3902 S. Ferdinand Street in the Columbia City neighborhood of Seattle. The PUDA, Clerk File (CF) #311662, was required as a condition of a contract rezone from Lowrise 3 (LR3) to Lowrise 3 with a Residential-Commercial overlay zone (LR3-RC) for a portion of the property.

Council approved the contract rezone under Ordinance 123923 on July 23, 2012. The other portion of the property remained zoned as Single Family 5000 (SF 5000). The associated Master Use Permit (MUP #3008629) authorized the reuse of an existing structure, formerly a church, for a mixed use including residential and commercial spaces.

Before the approval of the contract rezone and PUDA, the project proposal was for the conversion of the church building (formerly Mission Baptist Church) to an 8-unit residential structure on the LR3 portion and with a bed and breakfast on the SF 5000 portion. The approval of the rezone and the PUDA made possible the revision of the project to include the bed and breakfast, as before, and a mixed use structure on the rezoned LR3-RC portion.



The ownership of the property has changed since the approval of the PUDA. The conditions of the PUDA run with the property and the current owner is requesting an amendment to the PUDA to allow for redevelopment of the property differently than called for in the conditions of the PUDA. The proposed amendment would not change the zoning of the property established by the contract rezone in July 2012.

Proposed PUDA Amendments

The Director recommends that the Council approve the proponent’s amendments to the PUDA to allow the following changes:

<i>Amended Condition</i>	<i>Original PUDA</i>	<i>Proposed Amendment</i>
parking	9 stalls provided; 8 stalls required	none
commercial units	3	2; less overall square footage
residential units	8 proposed; 8.25 allowed	14; no maximum under current code
exterior modifications to existing structure	multiple upper-level decks	convert one shed roof to rooftop plaza
	add west-facing dormer	no added dormers
	basement parking with required alley improvements	no parking provided; no alley improvements required

Minor PUDA Amendment

The Planning Director (Director) has determined that the requested amendment to the PUDA is minor per the criteria set forth in Seattle Municipal Code (SMC) 23.76.058. The determination that the amendment is minor is Type I land use decision and is non-appealable.

Council may “receive any additional advice that it deems necessary” to decide on the approval of minor PUDA amendments (SMC 23.76.058). This is different than the general requirement that Council decisions on quasi-judicial, Type IV land use decision must “be based on the record established by the Hearing Examiner.” (SMC 23.76.054).

Council’s decision regarding the approval of the PUDA amendment is a quasi-judicial, Type IV land use decision and must be approved by ordinance.

2. CAPITAL IMPROVEMENT PROGRAM

N/A

_____ This legislation creates, funds, or amends a CIP Project.

(If box is checked, please attach a new (if creating a project) or marked-up (if amending) CIP Page to the Council Bill. Please include the spending plan as part of the attached CIP Page.)

Project Name: Project I.D.: Project Location: Start Date: End Date: Total Cost:

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3. SUMMARY OF FINANCIAL IMPLICATIONS

Please check one:

This legislation has direct financial implications. (If the legislation has direct fiscal impacts (appropriations, revenue, positions), fill out the relevant sections below. If the financial implications are indirect or longer-term, describe them in narrative in the “Other Implications” section.)

This legislation does not have direct financial implications.
 (Please skip to “Other Implications” section at the end of the document and answer questions a-i.)

Budget program(s) affected: N/A				
Estimated \$ Appropriation change:	General Fund \$		Other \$	
	2016	2017	2016	2017
Estimated \$ Revenue change:	Revenue to General Fund		Revenue to Other Funds	
	2016	2017	2016	2017
Positions affected:	No. of Positions		Total FTE Change	
	2016	2017	2016	2017
Other departments affected:				

3.a. Appropriations

N/A **This legislation adds, changes, or deletes appropriations.**
 (If this box is checked, please complete this section. If this box is not checked, please proceed to Revenues/Reimbursements.)

Fund Name and number	Dept	Budget Control Level Name/#*	2016 Appropriation Change	2017 Estimated Appropriation Change
TOTAL				

**See budget book to obtain the appropriate Budget Control Level for your department.*
 (This table should reflect appropriations that are a direct result of this legislation. In the event that the project/programs associated with this ordinance had, or will have, appropriations in other legislation please provide details in the Appropriation Notes section below. If the appropriation is not completely supported by revenue/reimbursements listed below, please identify the funding source (e.g. available fund balance) to cover this appropriation in the notes section. Also indicate if the legislation changes appropriations one-time, ongoing, or both.)

Appropriations Notes:

3.b. Revenues/Reimbursements

N/A **This legislation adds, changes, or deletes revenues or reimbursements.**
 (If this box is checked, please complete this section. If this box is not checked, please proceed to Positions.)

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2016 Revenue	2017 Estimated Revenue
TOTAL				

(This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below. Do the revenue sources have match requirements? If so, what are they?)

Revenue/Reimbursement Notes:

3.c. Positions

N/A

This legislation adds, changes, or deletes positions.
 (If this box is checked, please complete this section. If this box is not checked, please proceed to Other Implications.)

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:

Position # for Existing Positions	Position Title & Department*	Fund Name & #	Program & BCL	PT/FT	2016 Positions	2016 FTE	Does it sunset? (If yes, explain below in Position Notes)
TOTAL							

* List each position separately

(This table should only reflect the actual number of positions created by this legislation. In the event that positions have been, or will be, created as a result of previous or future legislation or budget actions, please provide details in the Notes section below.)

Position Notes:

4. OTHER IMPLICATIONS

a) **Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?**

No.

b) **Is there financial cost or other impacts of not implementing the legislation?**

(Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential

costs or consequences.) No.

c) Does this legislation affect any departments besides the originating department?

(If so, please list the affected department(s) and the nature of the impact (financial, operational, etc.), and indicate which staff members in the other department(s) are aware of the proposed legislation.) No.

d) Is a public hearing required for this legislation?

(If yes, what public hearing(s) have been held to date, and/or what public hearing(s) are planned for the future?) No.

e) Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

(If yes, please describe the measures taken to comply with RCS 64.06.080.) No.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

(For example, legislation related to sale of surplus property, condemnation, or certain capital projects with private partners may require publication of notice. If you aren't sure, please check with your lawyer. If publication of notice is required, describe any steps taken to comply with that requirement.) Yes. In accordance with Council Quasi-Judicial Rules (Resolution 31602), Council staff provided notice of the committee meeting at which the action was considered, the Planning, Land Use and Zoning Committee, to the applicant, those who commented to DPD on the application, and those who requested notification of Council meetings on the matter.

g) Does this legislation affect a piece of property?

(If yes, and if a map or other visual representation of the property is not already included as an exhibit or attachment to the legislation itself, then you must include a map and/or other visual representation of the property and its location as an attachment to the fiscal note. Place a note on the map attached to the fiscal note that indicates the map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.) Yes, see above.

h) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

(If yes, please explain how this legislation may impact vulnerable or historically disadvantaged communities. Using the racial equity toolkit is one way to help determine the legislation's impact on certain communities.) No perceived implication.

i) If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.

(This answer should highlight measurable outputs and outcomes.) No.

j) Other Issues: n/a

List attachments/exhibits below: n/a