



Seattle City Council

Central Staff - Memorandum

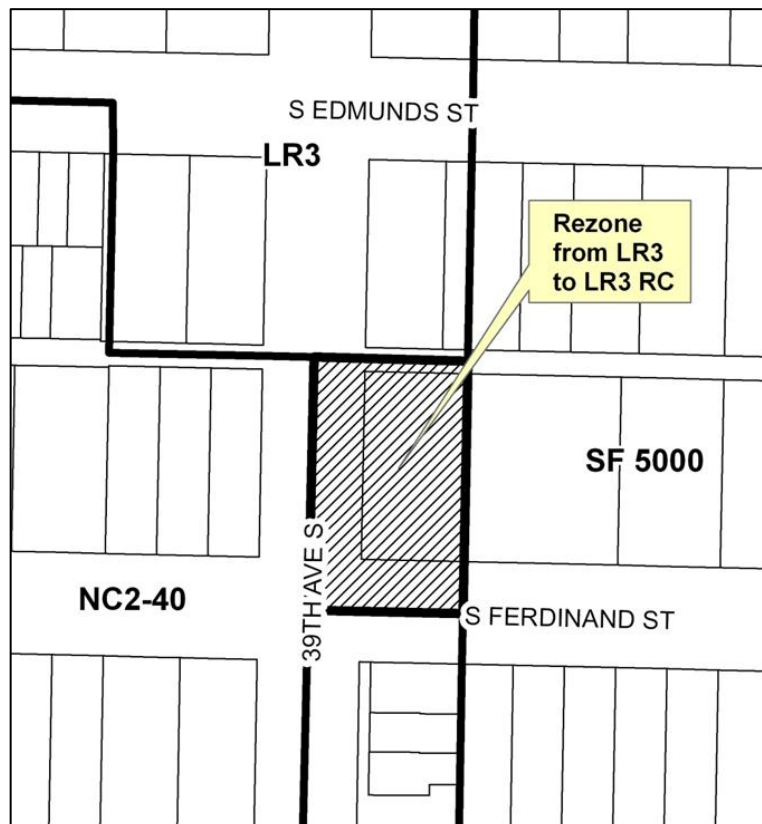
Date: February 16, 2016
To: Planning, Land Use and Zoning Committee
From: Eric McConaghy, Legislative Analyst
Subject: 3902 S. Ferdinand Street PUDA Amendment (CF 314316)

Summary

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

Some views of the project with the proposed changes are shown on Attachment A.

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. A draft PUDA amendment and the draft ordinance approving it are attached to this memorandum.

Proposed schedule

February 19, 2016	Briefing, discussion, and possible vote
February 29, 2016	Introduction and referral of the ordinance with PUDA amendment
March 1, 2016	Potential: further discussion and possible vote
March 7, 2016	Full Council vote

Attachments

Attachment A: Views of proposed project
Attachment B: Draft PUDA amendment
Attachment C: Draft PUDA amendment ordinance