

FINDINGS, CONCLUSIONS, AND DECISION  
OF THE CITY COUNCIL OF THE CITY OF SEATTLE

In the matter of the Petition:	)	Clerk File 314447
Application of Hugh Schaeffer, SHW	)	FINDINGS, CONCLUSIONS,
for a contract rezone of a site located	)	AND DECISION
at 7012 Roosevelt Way NE from	)	
Lowrise 1 with an M1 Mandatory	)	
Housing Affordability (MHA) suffix	)	
(LR1 (M1)) to Neighborhood	)	
Commercial 2-55 with an M2 MHA	)	
suffix (MR (M2)) and the Roosevelt	)	
Station Area Overlay (Project No.	)	
3034865-LU; Type IV).	)	

Introduction

This matter involves a petition by Hugh Schaeffer, SHW (“Applicant”) for a contract rezone from Lowrise 1 multifamily residential with an M1 mandatory housing affordability suffix (LR1 (M1)) to Neighborhood Commercial 2-55 with an M2 mandatory housing affordability suffix (NC2-55 (M2)) and the Roosevelt Station Area Overlay of the east 30 feet of property located at 1007 NE 71<sup>st</sup> Street (“Property”). The remainder of the parcel at 1007 NE 71<sup>st</sup> Street is zoned Neighborhood Commercial 2-55 with an M mandatory housing affordability suffix (NC2-55 (M)) and the Roosevelt Station Area Overlay. The adjacent parcel to the west, 7012 Roosevelt Avenue N, is also zoned NC2-55 (M) with the Roosevelt Station Area Overlay. The applicant proposes to build a 91-unit multifamily structure on the two parcels (“development site”).

The development site is addressed 7012 Roosevelt Way NE and is located in the Roosevelt Urban Village, at the southeast corner of the intersection of NE 71<sup>st</sup> Street and Roosevelt Way NE. A vacant commercial structure is located at 7012 Roosevelt Way NE and a

single-family house is located at 1007 NE 71<sup>st</sup> Street. The development site comprises 9,801 square feet, of which 3,000 square feet is within the rezone area. Attachment A shows the area to be rezoned.

On May 2, 2022, the Director of the Seattle Department of Construction and Inspections (SDCI) recommended approval of the proposed rezone, with conditions. SDCI also issued a State Environmental Policy Act threshold determination of non-significance.

The Seattle Hearing Examiner held an open record hearing on the rezone on July 6, 2022. On August 3, 2022, the Hearing Examiner issued Findings and Recommendation that recommended approval of the rezone, subject to conditions. On September 14 and September 22, 2022, the Land Use Committee of the Council reviewed the record and the recommendations by SDCI and the Hearing Examiner and recommended approval of the contract rezone to the City Council.

### **Findings of Fact**

The Council hereby adopts the Hearing Examiner's Findings of Fact as stated in the Findings and Recommendation of the Hearing Examiner dated August 3, 2022, with the following corrections to update the name of single-family zones to neighborhood residential:

3. Properties to the north, east and south are zoned NC2-55(M). Properties to the west are zoned LR1 (MI). Neighborhood Commercial (NC2-55) zoning continues north and south along Roosevelt Way NE. One block to the south the height limit increases to 75'. Immediately east of the project site the zoning designation shifts to multifamily lowrise (LRI) before transitioning to ~~((single family))~~ neighborhood residential zoning the next block to the east.

### **Conclusions**

The Council hereby adopts the Hearing Examiner's Conclusions as stated in the Findings and Recommendation of the Hearing Examiner dated August 3, 2022, with the following addition:

37. Weighing and balancing the applicable sections of Chapter 23.34 SMC together, the most appropriate zone designation for the subject site is NC2-55 (M2) with the Roosevelt Station Area Overlay (RO) and with a PUDA.

### **Decision**

The Council hereby **GRANTS** a rezone of the Property from LR1 (M1) to NC2-55 (M2) with the Roosevelt Station Area Overlay (RO), as shown in Exhibit A. The rezone is subject to the execution of Property Use and Development Agreements requiring the owners to comply with the following conditions found in the Hearing Examiner's recommendation.

#### **For the Life of the Project**

1. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation phase of review and in the materials submitted after the Recommendation phase of review, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Tami Garrett, tami.garrett@seattle.gov) or a SDCI assigned Land Use Planner.

#### **Prior to Issuance of Demolition, Excavation/Shoring or Construction Permit**

2. Provide a Construction Management Plan that has been approved by Seattle Department of Transportation (SDOT). The submittal information and review

process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.

Prior to Issuance of a Master Use Permit

3. The rezone includes a Mandatory Housing Affordability designation of M2.
4. The rezoned property shall be subject to the provisions of SMC Chapter 23.58C.
5. Development of the rezoned property shall be in substantial conformance with the approved plans for Master Use Permit record number 3034865-LU.

Dated this 18th day of October, 2022.

  
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City Council President

ATTACHMENT A

