

Seattle Department of Construction and Inspections is reviewing

NEW 5-STORY APARTMENT & 1-STORY RETAIL BUILDING

Project:
3028501

What is it?

- Units: 64
- Parking: 37
- Ground Level Retail
- Demo of existing structure

Required Approvals:

- Environmental Review
- Contract Rezone
- Conditional Use
- Shoreline Substantial Development

318 NICKERSON ST

Sign company
Insert Map Here

Submit comments to:

- Email: PRC@seattle.gov
- Mail: SDCI/PRC, P.O. Box 34019
Seattle, WA 98124-4019

Include the project number and address.

(The comment period may be extended by written request prior to the date below.)

More Information:

- Online: Enter project number 3028501 at
www.seattle.gov/dpd/documentlibrary
- Phone: (206) 684-8467 (message line)

Insert project photo here

Submit comments by _____.

* All comments are posted on our website in their entirety.



Representation only; approved project may vary.

Rezone Application Submittal Information

Please provide the following information with your rezone application at the time of your appointment:

1. Project number.

3028501

2. Subject property address(es).

314 Nickerson Street, 318 Nickerson Street and 2955 4th Ave N

3. Existing zoning classification(s) and proposed change(s).

The Existing Zoning is C2-40 & C2-40 UG; the proposed rezone is to C2 – 65 & C2 65 UG, self-limiting to 55'. This is consistent with the proposed MHA/HALA rezone for this area (C2 – 55).

Proposed Zoning – C2-65 & C2-65 UG

4. Approximate size of property/area to be rezoned.

The total property area is 15,587 square feet

5. If the site contains or is within 25 feet of an environmentally critical area, provide information if required pursuant to SMC 25.09.330 and CAM 103B, *Environmentally Critical Area Site Plan*

Requirements.

The Site does not contain or is within 25 feet of an environmentally critical area.

6. Applicant information:

- a. Property owner or owner's representative or

Owner's Representative:
Scott Bevan
Senior Development Manager
The Schuster Group
2505 2nd Avenue, Suite 520
Seattle WA 98121-1484

- b. Other? (Explain)

7. Legal description of property(s) to be rezoned (also include on plans – see #16, below).

PARCEL A:

LOT 3, EXCEPT THE WEST 2.61 FEET AND THE WEST 15 FEET OF LOT 4, BLOCK A, MAYFAIR ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 14 OF PLATS₁ PAGE 66, RECORDS OF KING COUNTY₁ WASHINGTON.

PARCEL B:

THE EAST 10 FEET OF LOT 4 AND ALL OF LOT 5, BLOCK A, MAYFAIR ADDITION TO THE CITY OF SEATTLE₁

ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 14 OF PLATS, PAGE 66, RECORDS OF KING COUNTY, WASHINGTON.

PARCEL C:

LOTS 1 AND 2, BLOCK 1 OF B.F. DAY'S ELDORADO, AS PER PLAT RECORDED IN VOLUME 3 OF PLATS PAGE 139, RECORDS OF KING COUNTY, WASHINGTON;

EXCEPT THOSE PORTIONS THEREOF AS CONDEMNED IN KING COUNTY SUPERIOR COURT CAUSE NOS. 61981 AND 6218, AS PROVIDED BY ORDINANCE NOS. 17628 AND 17629 OF THE CITY OF SEATTLE, FOR STREET PURPOSES.

EXCEPT THAT PORTION CONVEYED TO CITY OF SEATTLE, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED FEBRUARY 14, 2005 UNDER RECORDING NO. 20050214000195.

8. Present use(s) of property.

The existing use is a restaurant with lounge on the first floor of the structure, and the restaurant office and leased office space on the second floor.

9. What structures, if any, will be demolished or removed?

All existing structures will be demolished.

10. What are the planned uses for the property if a rezone is approved?

The proposed project is a mixed use multifamily building that is being designed as a bike loft concept to maximize upon its bike and transit friendly location. Parking for both the residential and commercial portions of the project will be provided on a single underground level. The existing restaurant/lounge will be relocated to the first floor of the new building. The first floor will also house the residential lobby, a bike storage and repair facility, and a tenant space for lease that is intended as a fitness center. Floors 2 through 5 are residential floors with 16 units per floor for a total of 64 units, of which 18 are planned to be affordable units utilizing both the City of Seattle MHA and MFTE programs. There will also be a rooftop amenity space for use by the residential tenants. Within the Shoreline setback for this site a single story auxiliary retail structure to house the existing coffee shop tenant on the site has been proposed. Running between the structures is a landscaped public private plaza and pedestrian muse that promotes pedestrian activity.

11. Does a specific development proposal accompany the rezone application? If yes, please provide plans.

Yes, the proposal includes a development proposal, please see attached plans.

12. Reason for the requested change in zoning classification and/or new use.

The project is seeking to rezone under the City of Seattle's Housing Affordability and Livability Agenda. We are seeking early approval under this agenda in order to comply with the City's goals of providing additional affordable housing, and to allow the Owner to build a maximized project that can house a diverse community.

13. Anticipated benefits the proposal will provide.

The rezone would contribute to housing supply outside of the Downtown Core, and will provide 18 affordable and 46 market rate dwelling units in a highly sustainable building. This benefits the City by providing an opportunity for a diverse community to live in the City close to their places of work. The proposal will implement the currently proposed MHA, and, in addition, will opt into the Multifamily Tax Exemption program. These will be efficient homes that will provide a variety of affordable living options to Seattle's residents in a walkable and centrally located neighborhood.

The ground level design will benefit both the neighborhood and local small businesses by maintaining and adding to the local retailers, improving pedestrian mobility, and providing a beautiful and timeless structure and public/private plaza. There will be street facing retail with a high degree of transparency, plus the proposal will have a publicly accessible interior open-air pedestrian muse with additional retail.

14. Summary of potential negative impacts of the proposal on the surrounding area.

We do not believe there are any potential negative impacts for the project's early compliance with the Housing and Affordability Agenda.

15. List other permits or approvals being requested in conjunction with this proposal (e.g., street vacation, design review).

Master Use Permit

Conditional Use Permit

Shoreline Substantial Development Permit

Building and Trade Permits

Street Improvement Permit

Street and Public Space Use Permit

16. Submit a written analysis of rezone criteria (see SMC 23.34.008 and applicable sections of 23.34.009-128). Include applicable analysis locational criteria of 23.60.220 if a shoreline environment redesignation is proposed.

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 percent of the growth estimates adopted in the Comprehensive Plan for that center or village.

The proposal is not within an urban center or urban 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 proposal is not within an urban center or urban village.

B. Match Between Zone 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.

The property is currently zoned C2-40. The proposed change is to rezone the property to C2-65. The project would self-limit at 55 feet, 15' above the existing allowable height of the current zoning C2-40, but as proposed by the MHA rezone. The intent is to opt into early compliance with the MHA program and rezone.

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

Previous zoning:

1923 Zoning Map: Zoning – Commercial District; Height Limit – 80 feet

1947 Zoning Map: Zoning – Commercial District; Height Limit – 80 feet

1973 Zoning Map: Zoning – M- Manufacturing; Height Limit – not available

Current Zoning:

C2-40/ C2-40 UG

The proposed HALA/MHA rezone proposes increasing the current C2-40 zoning to C2-55(M).

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.

No Neighborhood plan has been adopted for this area.

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

No Neighborhood plan has been adopted for this area.

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.

No Neighborhood plan has been adopted for this area.

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.

No Neighborhood plan has been adopted for this area.

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 proposal is requesting an upzone to C2-65 but will self-limit the height of the building to 55', equal to the forthcoming zoning associated with the HALA/MHA rezones, to address impacts on surrounding properties.

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 proposal is bounded on three sides by city arterials.

- 1) Florentia Street N is a two-lane principal arterial adjacent to the project site and a collector arterial west of Fourth Avenue N and Nickerson Street. Parking, curbs, gutters and sidewalks are provided on both sides of the street. The curb-to-curb pavement width is approximately 33 feet adjacent to the project site.
- 2) Nickerson Street is generally a four-lane principal arterial and the roadway narrows to two lanes with a two-way, center left-turn lane west of Warren Avenue N. Parking, bicycle lanes (with flow of traffic and then striped west of Warren Avenue N), curbs, gutters and sidewalks are provided on both sides of the street. Travel lanes are about 11 to 12 feet. Adjacent to the project site there are 5 lanes, with 3 lanes traveling eastbound and 2 lanes traveling westbound.
- 3) Fourth Avenue N is generally a four-lane principal arterial with two lanes in each direction and bicycle lanes, curbs, gutters and sidewalks on both sides of the street. Travel lanes are 11- to-12 feet. Adjacent to the project site there are 5 lanes, with 2 lanes traveling northbound and 3 lanes traveling southbound.

The adjoining property to the west is zoned C2-40, the same as the subject property. All adjacent properties across the arterials are also zoned C2-40. All of these properties are subject to the pending HALA up zone to C2-55(M), and some have sought and received conditional use permits.

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.

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.

Zone boundaries would continue to follow established platted lot lines and street rights of ways.

5. 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.

The C2-65 designation, with a self-limit of 55', is consistent with the HALA/MHA proposed zoning of the area. The site is also just outside of Fremont's urban village zoning.

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 will replace an existing commercial structure with a mixed use multifamily building providing ground level commercial space and 64 for rent apartment units.

The project will comply with HALA/MHA and set aside 5 units to be affordable for households making 80% AMI or less. In addition the project will voluntarily participate in the Multi-Family Tax Exemption Program, setting aside an additional 13 units for households making 80% AMI or less.

- b. Public services;

Public services are available to the project due to its location in a highly developed urban area. No appreciable impacts to public services are anticipated due to the additional story of housing made possible by the rezone. The City has acknowledged that adequate water, sewer, stormwater, and electrical services are available to serve the proposed project.

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

The proposed rezone will allow one story of additional height. That additional story will contain an additional 16 units. The additional story will not appreciably increase shadows as a result of set-backs and building design. The proposed materials do not produce glare. No odor or noise producing uses are proposed as part of the project.

- d. Pedestrian safety;

The area is currently developed with sidewalks, street lights and crosswalks and will continue to be so developed as part of the proposal. The project will have approximately 5,500 square feet of neighborhood retail providing neighborhood use throughout the day, increasing pedestrian activity and eyes on the street. The Proposal will add planter strips for street trees and landscaping between the

sidewalk and right-of-way along Fourth Avenue North, Nickerson and Florentia Streets where none currently exists.

The ground floor design is centered on a publicly accessible, open-air pedestrian muse as an amenity open to the neighborhood. The muse is designed to encourage pedestrian traffic through the project.

e. Manufacturing activity;

No Manufacturing Activity will take place on site

f. Employment activity;

The proposal includes approximately 5,500 square feet of ground floor retail space that will provide employment opportunities.

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

The proposed project is across the street from the Bleitz Funeral home which recently was awarded landmark Status. There are no other Historic Landmarks in the area.

h. Shoreline view, public access and recreation.

The site is currently occupied by one and two-story buildings and fencing. Views through the site from elevations higher than these elements may include the new building, but as noted below, do not significantly impact the existing views.

Residential properties within 500 feet of the site are at elevations 20 to 70 feet above the site, and their downward views of the ship canal are currently impacted by topography, trees and vegetation between them and the water, and existing single-story (largely-industrial) development south and west of the site.

This proposed development will have no additional or adverse impact on those views.

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;

A Traffic Impact Analysis was done for the project and submitted with the MUP application. The TIA indicated there were minimal traffic related impacts related to the proposed project

e. Utility and sewer capacity;

The Preliminary Assessment Report indicated adequate capacity for water, sewer and electrical power supplied to the project

f. Shoreline navigation.

The proposal will have no impact on shoreline navigation.

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 designations in this chapter.

The 2035 Comprehensive Plan indicates the area around the proposed project would be rezoned to C2-55. The proposal does not seek to change the zoning designation, only to increase the height to match the forthcoming HALA/MHA rezone by the City, and comply HALA/MHA standards.

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

The proposal is not in an overlay district

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 proposal is not in or adjacent to a critical area

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

The proposal is not located in a zone with an incentive zoning suffix; however, the proposal includes affordable housing.

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 2035 Comprehensive Plan indicates the area around the proposed project would be rezoned to C2-55 with an affordable housing incentive. The project will comply with the forthcoming HALA/MHA rezone.

SMC 23.34.008 – Height limits of the proposed rezone

Raising the height of the zone to 65', but self-limiting the project to 55' results in a project that is consistent with the type and scale of development intended for the C2 zone in this area under HALA. The project includes neighborhood retail spaces, continuous storefronts and a public pedestrian muse built to the property line which encourages walking through the site. The additional height allows for additional housing that will help support the neighborhood commercial district.

17. Provide six copies of scale drawings with all dimensions shown that include, at a minimum, existing site conditions, right- of-way information, easements, vicinity map, and legal description. See SMC 23.76.040.D, Application for Council Land Use Decisions for other application materials that may be pertinent. Plans must be accompanied by DPD plans coversheet.



3028501

318 NICKERSON ST
MAP 89



Feet

0

150

