Rezone Application Submittal Information

1. Project number.

SDCI Project No. 3027063

2. Subject property address(es).

4715 and 4725 25th Avenue NE, Seattle, WA 98105

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

The existing zoning of the site is C1-40.

The proposed zoning is NC2-75(M1). The NC2-75(M1) designation is the preferred alternative for the site in the Final Environmental Impact Statement for the City Implementation of Mandatory Housing Affordability (MHA). The NC2-75(M1) designation is also the proposed legislative rezone for the site in the SEPA Draft legislation which has been forwarded to the Seattle City Council as part of the City's MHA initiative.

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

The total site area is approximately 56,974 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 is in a liquefaction-prone area (ECA5) similar to most of the Ravenna Urban Center Village.

The southern portion of the site is in a peat settlement prone area (ECA11) The MUP application will meet the application requirements of SMC 25.09.330 and CAM 103B, including requirements for geotechnical reports.

6. Applicant information:

Contract Purchaser: CV U Village, LLC, a Delaware limited liability company Contact person for project:

Jon O'Hare, 17479 7th Avenue SW, Normandy Park, WA 98166

Phone: 425-301-9541

Email: jon@permitcnw.com

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

Abbreviated legal descriptions below. Full legal description is included on the project survey submitted with MUP documents.

Parcel A (tax parcel 092504-9404):

BEG AT SE COR OF NE 1/4 OF SE 1/4 OF SW 1/4 TH N 256.22 FT TO TPOB TH W PLW E 47TH ST 82 FT TH S 43 FT TH W 56 FT TO ELY MGN OF 24TH AVE NE TH NLY ALG SD MGN 249.19 FT TO SLY MGN OF E 49TH ST TH ELY ALG SD MGN 138 FT TH S TO TPOB

Parcel B (tax parcel 092504-9070):

POR OF SE 1/4 OF SW 1/4 LY WLY OF 25TH AVE NE & SLY OF E 49TH ST & ELY OF 24TH AVE NE & NLY OF E 47TH ST LESS POR NLY OF LN BEG AT PT 256.22 FT N OF SE COR OF NE 1/4 OF SE 1/4 OF SW 1/4 TH W 82 FT TH S 43 FT TH W TO W LN

8. Present use(s) of property.

There is currently a one-story bank and fitness center on the south portion of the site. There is a two-story motel on the north portion of the site. Much of the overall site is developed with surface parking for the on-site uses.

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

All current structures on the site will be demolished.

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

The proposed project is a seven-story mixed use project (multi-family residential with retail in the ground floor along 25th Avenue NE). The project will include amenities for residents such as fitness facilities, lounges, guest suites, and roof decks. One level of below grade parking for the residential use would be provided. The project includes approximately 350,000 square feet of development, consisting of 214 residential units, approximately 241 parking

stalls, and 9,700 square feet of retail use along the 25th Avenue NE street frontage. Construction type is assumed as Type IIIA (or VA) over Type 1A.

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

Yes. Full MUP-level plans for the proposed project are being submitted contemporaneously with this rezone application. The project was reviewed by the Northeast Design Review Board at an EDG public meeting on June 4, 2018.

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

The proposal will provide needed housing in the Ravenna Urban Center Village (which is a part of the larger University Neighborhood Urban Center) of Seattle. The site is served by transit, close to a major retail hub at the University Village shopping area to the east, and close to the University of Washington to the south.

The proposed development is consistent with the goals of the City's MHA initiative as it increases the overall production of housing in the City and allows the City to leverage the production of housing to address the pressing need for affordable housing (the proposal is for a "M1" MHA designation). The proposal is also consistent with the City's goas of distributing the benefits and burdens of growth equitably – as identified in the EIS for City Implementation of Mandatory Housing Affordability, the project site is in an area with low displacement risk and high access to opportunities.

The requested NC2-75(M1) zoning is consistent with the preferred alternative in the Final EIS for the City Implementation of Mandatory Housing Affordability (MHA) and consistent with the proposed legislative rezone designation in the SEPA Draft Ordinance before City Council for implementation of the City's MHA legislative rezones. Final timing of that legislative rezone is uncertain, which is why the applicant has chosen to initiate this site-specific "contract rezone" application.

13. Anticipated benefits the proposal will provide.

See answer to #12 above. The proposal will be consistent with the City's MHA housing goals by providing needed housing in Seattle's Ravenna Urban Center Village, leveraging that development with MHA contributions to the production of affordable housing, and help balance the burdens/benefits of

growth by focusing development in an area (and site) with low displacement risk and high opportunity access.

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

No significant negative impacts are anticipated. Construction impacts and any other environmental impacts will be addressed in the City's project-level SEPA review. The Transportation Impact Analysis for the project shows that the project will generate the same number of AM peak trips and four fewer PM peak trips than the existing uses of the site.

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

The proposed development will require Type IV Master Use Permit review, which includes Design Review, SEPA review, zoning review and rezone criteria review with a recommendation to the Seattle Hearing Examiner, who will hold a public hearing and forward a recommendation to the City Council for final action.

Building permits (demolition, excavation/shoring, and phase 1 and 2 building permits) will be required. A street improvement permit will be required from Seattle Department of Transportation for any work in the rights-of-way.

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.

A written analysis of the applicable rezone criteria is attached as **Appendix A** to this application.

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.

This application is accompanied by drawings and other documentation meeting application requirements.

APPENDIX A

Analysis of Rezone Criteria SDCI Project No. 3027063 4715 and 4725 25th Avenue NE, Seattle, WA 98105

23.34.007 - Rezone Evaluation

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.

The applicable zoning criteria are discussed below. There are no provisions specified as sole criteria for the proposed rezone.

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.

This intent of this criterion is to make sure that there is sufficient future predicted growth (more than 125% of zoned capacity) to justify the proposed rezone. Here, the proposed rezone is in the Ravenna Urban Center Village, which is part of the larger University Neighborhood Urban Center. The Seattle Comprehensive Plan (as revised in 2017) shows that the residential development capacity of the University Neighborhood Urban Center is 8,933 dwelling units. *See* Comp Plan Housing Index, Figure A. The growth estimates for the University Neighborhood Urban Center shows 9,802 housing units as of 2015 and projects 3,500 additional housing units between 2015 and 2035, for a total growth expectation of 13,302 dwelling units. *See* Comp Plan Growth Strategy Appendix. Thus, the zoned capacity is 149 percent of the growth estimates in the Seattle Comprehensive Plan, which satisfies criterion 23.34.008.A.1.

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.

Not applicable.

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 site is currently zoned C1. The locational criteria for C1 (SMC 23.34.080.B) indicate that C1 zoning is most appropriate for sites "either abutting a state highway or in use as a shopping mall." So C1 is very appropriate for the University Village site to the east, but less appropriate for the proposed site, which has small service uses and a motel, and is proposed for mixed-use (residential with ground floor retail). C1 sites should also have the "presence of edges that buffer residential or commercial areas of lesser intensity" and here there are no strong edges between the existing C1 zoning and the LR zones to the west. C1 zones also typically have "limited pedestrian and transit access" and the existing site has good pedestrian access (Burke Gilman Trail), and the proposed project will significantly improve pedestrian access along 25th Avenue NE.

The NC zone proposed in the application is more appropriate for this location. The locational criteria for NC2 (SMC 23.48.076.B) is for "secondary business districts in urban centers" which fits the site because it is a secondary business area to the University Village shopping center. The NC2 locational criteria also emphasize locations "on streets with good capacity, such as principal and minor arterials, but generally not on major transportation corridors" which fits with the site location on 25th Avenue NE. The NC2 criteria also emphasize the "lack of strong edges to buffer the residential areas" which is true of the site because there are not very strong edges to the west (although the hillside does provide a good buffer for the less intense residential uses uphill bordering 22nd Avenue NE).

Note that NC2 zoning (NC2-75(M-1)) is the preferred alternative for this site in the City's Final EIS for Implementation of Mandatory Housing Affordability and is the proposed zoning in the City's SEPA Draft Ordinance implementing the MHA initiative.

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

The proposal is consistent with proposed zoning changes in the area in the City's Mandatory Housing Affordability legislative rezone. The preferred alternative in the Final EIS is to zone the site NC2-75(M1). The proposed rezone designation for the site in the Draft SEPA legislation forwarded to City Council is to zone the site NC2-75(M1).

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

The University Community Urban Center Plan was adopted August 29, 1998. That neighborhood plan is 20 years old and is somewhat out of date, There is, however, nothing inconsistent in that neighborhood plan with the proposed rezone of the site. The neighborhood plan does not address the 25th Avenue NE corridor in the vicinity of the site. Instead, the plan focused more on the residential areas to the east (uphill) and to the north. The plan does emphasize the importance of linkages and connections for this urban village due to its geography. The proposed project would significantly enhance linkages across 25th Avenue NE and especially with the Burke Gilman Trail.

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 neighborhood plan does not include any rezone criteria.

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.

Not applicable.

- 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 proposed rezone and mixed-use project provides a transition from the more intensive commercial zone (University Village) to the east to the more residential areas to the west. Note that the property immediately to the east (Trailside Apartments) is currently LR but is proposed for NC2-85(M1) zoning in the Final EIS for Implementation of Mandatory Housing Affordability and in the City's Draft SEPA ordinance. Properties further to the west are buffered by the Burke Gilman Trail corridor and by the steep hillside.

- 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;

The steep hillside west of the site and the Burke Gilman Trail corridor provide a natural break between the project site with 75-foot heights and the LR-zoned areas further up the hill. The Trailside Apartments property immediately west of the site is proposed for NC2-75(M1) zoning in the City's MHA Implementation Final EIS and in the SEPA Draft legislation currently before Council. That site (Trailside) has also applied for a contract rezone for the same reasons as the subject site. Because of the significant elevation

change to the west, views would be retained from properties along the west side of Ravenna and along 22^{nd} Avenue NE, as those properties would look out over the proposed development.

b. Freeways, expressways, other major traffic arterials, and railroad tracks;

Not applicable.

c. Distinct change in street layout and block orientation;

Not applicable.

d. Open space and greenspaces.

The Ravenna Woods and the Burke Gilman Trail corridor provide a natural break between the more commercial and mixed-use zoning in the site area with the more residential areas further west.

- 3. Zone Boundaries.
- a. In establishing boundaries the following elements shall be considered:
- (1) Physical buffers as described in subsection E2 above;

See discussion above. The principal arterial 25th Avenue NE provides a natural boundary with the more intensive commercial development of University Village. The hillside, the Ravenna Woods, and the Burke Gilman Trail corridor provide a natural break with the more residential areas to the west.

(2) Platted lot lines.

The proposed rezone is for an entire block, and no split-zoned lots would be created.

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 propose project would have retail uses along the 25th Avenue NE corridor, across the street from the University Village shopping center.

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.

The proposal is in an urban <u>center</u>, where greater height limits and density are appropriate under the Seattle Comprehensive Plan. The land use discussion in the EIS for the City's MHA Implementation shows that the site is in an area with low displacement risk and high access to opportunity. These areas are appropriate for density increases of "M1" or greater.

- 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;

No housing would be demolished for the proposal. The project would provide approximately 229 units of housing, and would make significant financial contributions to the City's Mandatory Housing Affordability program. The EIS for the City's MHA Implementation shows that the site area has low displacement risk. This particular site has no displacement risk because there is no housing developed on the site.

b. Public services;

Public services are readily available in the area and would not need to be extended.

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

No adverse impacts are anticipated. Any project-specific environmental impacts will be mitigated by compliance with the City's SEPA policies.

d. Pedestrian safety;

The project will make better pedestrian connections with the Burke Gillman Trail and across 25th Avenue NE. There are currently three pedestrian-unfriendly curb cuts along 25th Avenue NE, all of which would be eliminated.

e. Manufacturing activity;

Not applicable.

f. Employment activity;

The site is not intensely developed, so there is not significant employment activity on the site currently. Employment opportunities will be provided by the on-site retail and residential building uses. The Seattle Comprehensive Plan (Land Use Appendix) notes that the Ravenna Urban Center Village currently has only moderate population density

but high employment density. The proposed project will help balance that disparity and located needed housing near employment opportunities.

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

Not applicable.

h. Shoreline view, public access and recreation.

Not applicable.

- 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:

Street access and capacity to the site is excellent. Note that the proposed project is primarily residential, which has little effect on AM or PM peak traffic.

b. Street capacity in the area;

Street access and capacity to the site is excellent. Note that the proposed project is primarily residential, which has far less effect on AM or PM peak traffic than commercial development.

c. Transit service;

The site is well-served by Metro bus service. Light rail service is available at the University District light rail station to the south of the site.

d. Parking capacity;

The project will provide sufficient parking capacity for the proposed on-site uses.

e. Utility and sewer capacity;

This is an infill development. There is adequate utility and sewer to the site.

f. Shoreline navigation.

Not applicable.

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.

Since this site was last rezoned, the need for housing in Seattle has changed significantly. This is discussed at length in the EIS for Implementation of Mandatory Housing Affordability. The housing and land use sections of that EIS are incorporated here by reference.

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

Not applicable.

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

The site is in a liquefaction-prone critical area (along with most of the Ravenna Urban Center Village). The southern half of the site is in a peat settlement prone critical area. The proposed rezone will not affect the critical areas. The current structures on the site, however, are not built to current SBC standards for location in those critical areas. The proposed new construction will be much more able to withstand any seismic events.

- 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 proposed rezone would comply with the City's new Mandatory Housing Affordability program. Consistent with the preferred alternative in the Final EIS for MHA Implementation, a "M1" MHA designation is proposed for the site. This is also consistent with the SDCI Director's Rule 14-2016 – Application of Mandatory Housing Affordability for Residential Development (MHA-R) in contract rezones.

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.

Not applicable.

23.34.009 - Height Limits of the Proposed Rezone

If a decision to designate height limits in residential, commercial, or industrial zones is independent of the designation of a specific zone, in addition to the general rezone criteria of <u>Section 23.34.008</u>, 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.

There is sufficient larger-scale retail in the area. The proposal would not displace any preferred uses. The NC2 classification includes height limits to 85 feet. The proposed rezone is for NC2-75(M1) which is consistent with the City's planned legislative rezone for this area. There are 75-foot heights proposed for properties to both the east and west of the site. As discussed above, the lower height-limited residential zones up the steep hill to the west, will largely look out over the development proposed for the site and neighboring sites.

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.

The likelihood of view blockage is low. The site immediately to the west (Trailside) is also proposed for 75-foot height limits. Development further to the east is up a steep hill. Development immediately to the west includes the parking garage for University Village.

C. Height and scale of the area

1. The height limits established by current zoning in the area shall be given consideration.

Current zoning to the south and east is 65 feet. Current zoning to the north and west is 40 feet. Proposed zoning per the City's MHA implementation ordinance would be heights of 75 feet to the east, south, and west of the site, and 55-foot height limits to the north.

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 scale of development is best illustrated by the 65-foot tall University Village parking garage to the east. All other properties around the site are underdeveloped. There is a proposal to rezone the property to the west to a 75-foot height limit. And the City's MHA implementation plans to significantly upzone heights in the entire area.

- D. Compatibility with surrounding area
- 1. Height limits for an area shall be compatible with actual and zoned heights in surrounding areas excluding buildings 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.

The requested height is only ten feet higher than allowable limits to the south and east. The requested height is 35 feet higher than existing heights to the west and north, but those areas are going to be dramatically increased pursuant to the City MHA implementation rezones.

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. **Editor's note**— Subsection 23.34.009.D.2 refers to 23.34.008.D.2. The correct reference is subsection 23.34.008.E.2.

The heights are consistent with the City's planned legislative rezone for the area. The steep hillside to the west presents a major physical between the site area and the less intense residential development up the hill

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.

The 1998 neighborhood plan did not contain specific height recommendations for the 25th Avenue NE corridor.

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 23.34.009 and Section 23.34.008.

Not applicable.

23.34.076 - Neighborhood Commercial 2 (NC2) Zones, Function and Locational Criteria

A. Function. To support or encourage a pedestrian-oriented shopping area that provides a full range of household and personal goods and services, including convenience and specialty goods, to the surrounding neighborhoods, and that accommodates other uses that are compatible with the retail character of the area such as housing or offices, where the following characteristics can be achieved:

The proposed project is consistent with NC2 functions because it accommodates smaller scale retail and housing.

1. A variety of small to medium-sized neighborhood-serving businesses;

The project will provide retail along the 25th Avenue NE corridor and adjacent to the Burke Gilman Trail corridor along the project's southern boundary.

2. Continuous storefronts built to the front lot line;

Retail along the front lot line along 25th Avenue NE is proposed.

3. An atmosphere attractive to pedestrians;

The current configuration of the site is not friendly to pedestrians – the 25th Avenue NE frontage is devoted to curb cuts and surface parking. The proposed project would have retail and a pedestrian-friendly façade along 25th Avenue NE. It would have a more residential feel along 25th Avenue NE with ample pedestrian spaces. And the connection with Burke Gilman Trail along the south edge of the site would be significantly enhanced.

4. Shoppers can drive to the area, but walk from store to store.

The area will be very walkable. Residents will have easy walking access to the major retail center of University Village immediately to the east.

- B. Locational Criteria. A Neighborhood Commercial 2 zone designation is most appropriate on land that is generally characterized by the following conditions:
- 1. Primary business districts in residential urban villages, secondary business districts in urban centers or hub urban villages, or business districts, outside of urban villages, that extend for more than approximately two blocks;

The site is secondary to the to the major business district of University Village. The site itself is two blocks long (from 47th to 49th) and connects to the north to other small-scale business areas along 25th Avenue NE.

2. Located on streets with good capacity, such as principal and minor arterials, but generally not on major transportation corridors;

25th Avenue NE is a principal arterial.

3. Lack of strong edges to buffer the residential areas;

There is a strong edge one block further to the west with the hillside; and 25th Avenue NE to the west buffering the major retail center from the proposed residential development on the site and on the Trailside site to the west.

4. A mix of small and medium sized parcels;

There is a mix of parcel sizes in the area. University Village to the east and the University of Washington sites to the south are quite large. The immediately surrounding parcels are a little smaller than the subject site. And there are smaller parcels further to the east and north.

5. Limited or moderate transit service

Transit service is moderate to good. There are acceptable bus headways along NE 45t Street and along 25th Avenue NE. The University District light rail station is approximately one mile to the south.

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