

July 19, 2021

**CONTRACT REZONE APPLICATION**  
**Acer House – SDCI # 3037717**  
**2210 E Cherry St**

Dear Mr. Sachs,

It is with great pleasure that we submit the attached application for a Contract Rezone for the Acer House project at the corner of Cherry and 23<sup>rd</sup> in the Central Area.

Our project has the specific goal of establishing a new standard of equitable, community-oriented development. Acer House is an equitable development that is responsive to the cultural legacy of the Central Area and addresses immediate needs of the community.

Acer House will provide 107 residential units and 7 retail units, a restaurant and a childcare space, a community courtyard and porch, bringing ‘eyes’ to 23<sup>rd</sup> and Cherry and a rooftop food garden.

Acer House demonstrates that truly equitable, community focused development is possible. To this end, Acer House has made the following commitments:

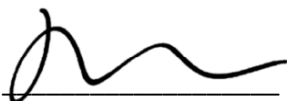
- **Affordability:** All units affordable below 100% AMI, and participation in MFTE and MHA
- **Zero displacement:** All existing on-site retail and residential tenants offered affordable spaces
- **Anti-racist vendor selection:** supporting minority and women-owned businesses
- **‘Afro-futurist’ design theme:** celebrating Black excellence in a way that is inclusive for all
- **Local wealth creation:** equity partnerships with land-owners and local neighbors
- **SEED certification:** Ensuring sustainability on social and environmental impacts

Achieving these goals requires more scale than the current zoning offers. We are requesting a height increase from NC1-40 to NC1-55. We are aware that a taller building will have impacts on shadows in the area, but we feel these are far outweighed by the positive benefits we bring.

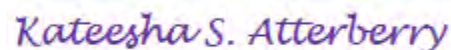
Acer is in an inequitably zoned commercial “node” that runs along E Cherry from 22<sup>nd</sup> to 28<sup>th</sup>. The East portion, largely White-owned, was up-zoned to 55’ in 2019. The Western portion, largely Black-owned was not up-zoned in 2019. Similarly, the parcels at 23<sup>rd</sup> and Union and 23<sup>rd</sup> and Jackson, which have parcels owned by large White-led developers, were up-zoned to 75’. None of the land-owners immediately around Acer were consulted about the 2019 rezone.

This is an opportunity to right this inequity in a way that will make a meaningful positive impact.

Sincerely,



Benjamin Maritz  
Arboreal  
Co-developer, Acer House



Kateesha Atterberry  
Urban Black  
Co-developer, Acer House

## Rezone Application Submittal Information per TIP #228

This property consists of 7 parcels to be redeveloped into one multifamily mixed-use project located at 23rd and East Cherry Street Seattle, WA 98122, together called 2210 E Cherry.

**1. Project number.**

3037717-EG; 3037185-LU

**2. Subject property address(es).**

704 22nd Avenue, 708 22nd Avenue, 700 22nd Avenue, 2210 East Cherry Street, 701-705 23rd Avenue, 707 23rd Avenue, 711 23rd Avenue -- Seattle, WA 98122

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

The 7 parcels called 2210 E Cherry are currently zoned NC1-40. This proposal is to rezone all 7 parcels to NC1-55, with the appropriate M suffixes.

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

19,343 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.**

Site is not within 25 ft of an ECA per SDCI GIS map.

**6. Applicant information:**

Sarah M. Haase  
Schemata Workshop  
1720 12th Ave  
Seattle, WA 98122

**a. Property owner or owner's representative:**

Acer House LLC  
Attn: Benjamin Maritz  
1112 Federal Ave E  
Seattle, WA 98102

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

Address	Parcel #
704 22 <sup>nd</sup> Avenue	9126101681
708 22 <sup>nd</sup> Avenue	9126101685
700 22 <sup>nd</sup> Avenue	9126101695
2210 East Cherry Street	9126101706
701-705 23 <sup>rd</sup> Avenue	9126101705

707 23<sup>rd</sup> Avenue  
711 23<sup>rd</sup> Avenue

9126101725  
9126101730

PARCELS #912610--1695, 912610--1685 & 912610--1681

(PER STEWART TITLE INSURANCE COMPANY ORDER NO. 820537, DATED JUNE 30, 2020)

PARCELS A, C, AND C, CITY OF SEATTLE LOT BOUNDARY ADJUSTMENT NO. 3032095-LU, RECORDED UNDER RECORDING NO. 20181024900003, RECORDS OF KING COUNTY, WASHINGTON. SITUATE IN THE COUNTY OF KING STATE OF WASHINGTON.

PARCEL #912610--1705

(PER FIRST AMERICAN TITLE INSURANCE COMPANY ORDER NO. 4201--3523432, DATED JULY 15, 2020)

THE EASTERLY 2/3 OF LOTS 11 AND 12, BLOCK 17, WALLA WALLA ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 5 OF PLATS, PAGE 81, IN KING COUNTY, WASHINGTON.

PARCEL #912610--1725

(PER FIRST AMERICAN TITLE INSURANCE COMPANY ORDER NO. 4201--3547292, DATED AUGUST 07, 2020)

LOT 13, BLOCK 17 WALLA WALLA ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 5 OF PLATS, PAGE 81, IN KING COUNTY, WASHINGTON.

PARCEL #912610--1730

(PER FIRST AMERICAN TITLE INSURANCE COMPANY ORDER NO. 4201--3547283, DATED AUGUST 07, 2020)

LOT 14, BLOCK 17 WALLA WALLA ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 5 OF PLATS, PAGE 81, IN KING COUNTY, WASHINGTON.

PARCEL #912610--1706

(PER FIRST AMERICAN TITLE INSURANCE COMPANY ORDER NO. 4201--3523524, DATED JULY 15, 2020)

THE WEST ONE-THIRD OF LOTS 11 AND 12, BLOCK 17, WALLA WALLA ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 5 OF PLATS, PAGE 81, IN KING COUNTY, WASHINGTON.

**8. Present use(s) of property.**

The project site is comprised of 7 parcels along East Cherry Street flanked by 22<sup>nd</sup> and 23<sup>rd</sup> streets. The site consists of 3 vacant lots which include 2 residential buildings, and 2 commercial buildings. Current tenants of the property include a barber shop and two residential units on Parcel D; a flower

shop and two vacant commercial spaces on Parcel E; and single-family residences on Parcel F and Parcel G. Exterior areas of the Property include landscaping on Parcels F and G, and overgrown vegetation and trash on the vacant Parcels A, B, and C.

Vacant Parcels A, B, and C previously were the site of the Cherry Hill Baptist Church, the structure of which was demolished by a different developer who had proposed a townhouse project on the site and then sold it to Acer House LLC.

#### **9. What structures will be demolished or removed?**

4 existing structures are proposed to be demolished. The first located, on parcel D, is a 2 story, mixed use retail space with shop fronts along East Cherry Street and a residential unit upstairs. The second located, on parcel E, is a single-story retail building with a shop on the corner of 23<sup>rd</sup> Street and E Cherry Street, and 2 vacant spaces along E Cherry Street. Two single family residences on parcels F and G are also proposed to be demolished.

As discussed elsewhere, Acer House is committed to a policy of no displacement. All residential and commercial tenants on the property will be offered affordable rentals in the new building. Temporary accommodation will be arranged by Acer House, and relocation assistance, if applicable, will be provided through the city TRAO program.

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

A multifamily building of 107 units which will provide more affordable housing options in this neighborhood. 20% of units will be affordable at levels prescribed by the MFTE program ranging from 40%-85% AMI<sup>1</sup>. Acer House will provide “on site performance” under MHA, meaning an additional 11% of the units will be affordable to 40-60% AMI<sup>2</sup>. 6,254 square feet of retail space including a childcare, an all-day restaurant, and at least 4 units for local, community-based small businesses with priority access given to the current tenants to avoid displacement. 1,932 square feet of publicly accessible open courtyard space, which will provide an accessible route and useable outdoor space for the retail spaces.

The requested rezone would provide the underlying zoning needed to complete the development proposal that advances the neighborhood goals and the City’s focus on creating more housing and on equity. Not only has the Acer House project undergone extensive review through the Early Design Guidance process, Acer House has also voluntarily reached out to the community outside of the EDG process, including three community meetings, door knocking in the neighborhood, and regular consultation with the Central Area LURC. Through this extensive outreach, the applicant has identified potential negative impacts and mitigated the same, as identified in item 14 below.

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<sup>1</sup> Under SMC 5.74, MFTE compliant SEDUs are 40% AMI, studios are 60%, one bedrooms are 70% and two bedrooms are 85%. The specific mix of units in the program at Acer is not yet known.

<sup>2</sup> Under SMC 23.58C, following the rezone the Acer site will be in the “M2” category. Since it is in an MHA “High Zone” the required ratio of affordable units is 11%. Most Acer units are over 400sf and will be 60% AMI under MHA. Some units are below 400sf and will be 40% AMI. The specific mix of units in the program at Acer is not yet known.

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

Yes, we have a Master Use Permit 3037185 and Construction Permit 6804313 in review with SDCl.

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

The rezone would provide enough scale for the Acer project to execute its stated mission of equitable development and would make meaningful progress towards meeting the goals of the Central Area neighborhood plan.

55' height allows for a five-story wood-frame construction building, which has significantly lower per-unit costs than a four story, 40' version. These lower unit costs permit an ambitious program of equitable development, detailed below, which we believe will both provide benefit to the local community but also set an example for other developers in the City of Seattle and beyond.

The rezone will also correct a historical inequity under which portions of the 23<sup>rd</sup> and Cherry "node" had their height increased to 55' but others did not. The 23<sup>rd</sup> and Cherry node runs along E Cherry from 22nd to 28th. The East portion, with many White-owned parcels, was up-zoned to 55' in 2019. The Western portion, largely Black-owned, was not up-zoned in 2019.

This inequity has strong echoes of previous policies of redlining which intentionally excluded Black families and investors from the most lucrative areas for real estate investment. None of the land owners immediately around Acer were consulted about the 2019 rezone, and all were surprised to learn the eastern portion of the street had higher zoning.

Similarly, while 23<sup>rd</sup> and Cherry is a "node" given the same importance in the Central Area planning documents, the nodes at 23rd and Union and 23rd and Jackson, which are owned by large White-led developers, were up-zoned to 75'. Unsurprisingly, the Union and Jackson nodes today are hotbeds of development.

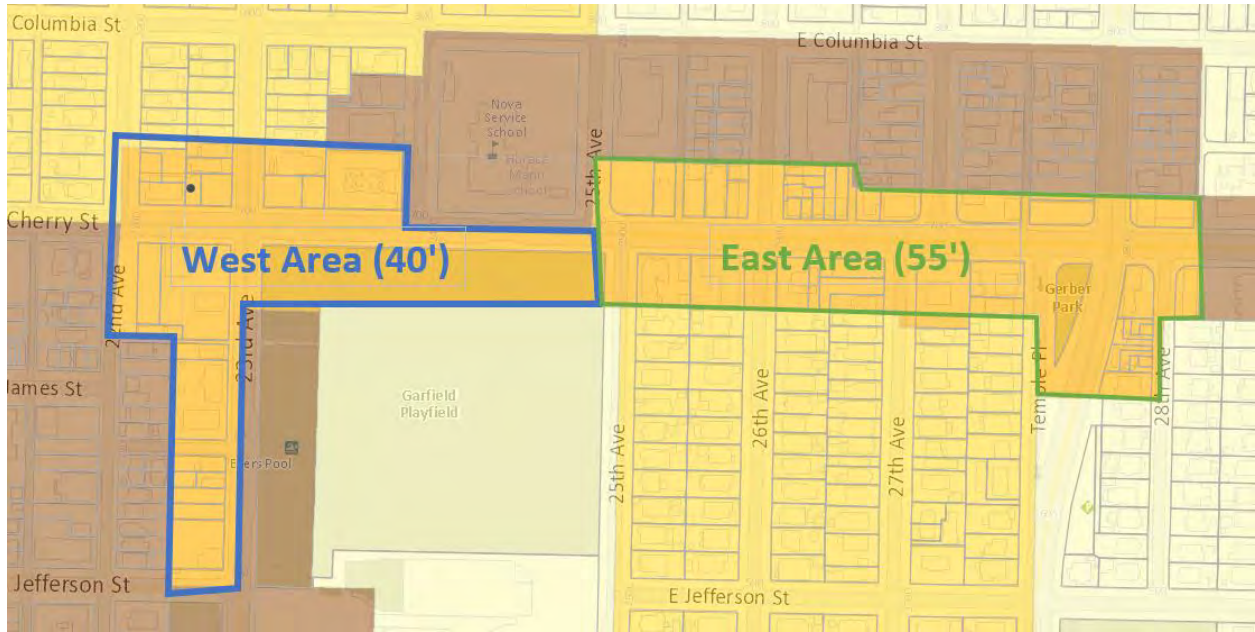


Figure 1. Map of 23rd and Cherry "commercial node", with West (40' height limit) and East (55' height limit) areas shown

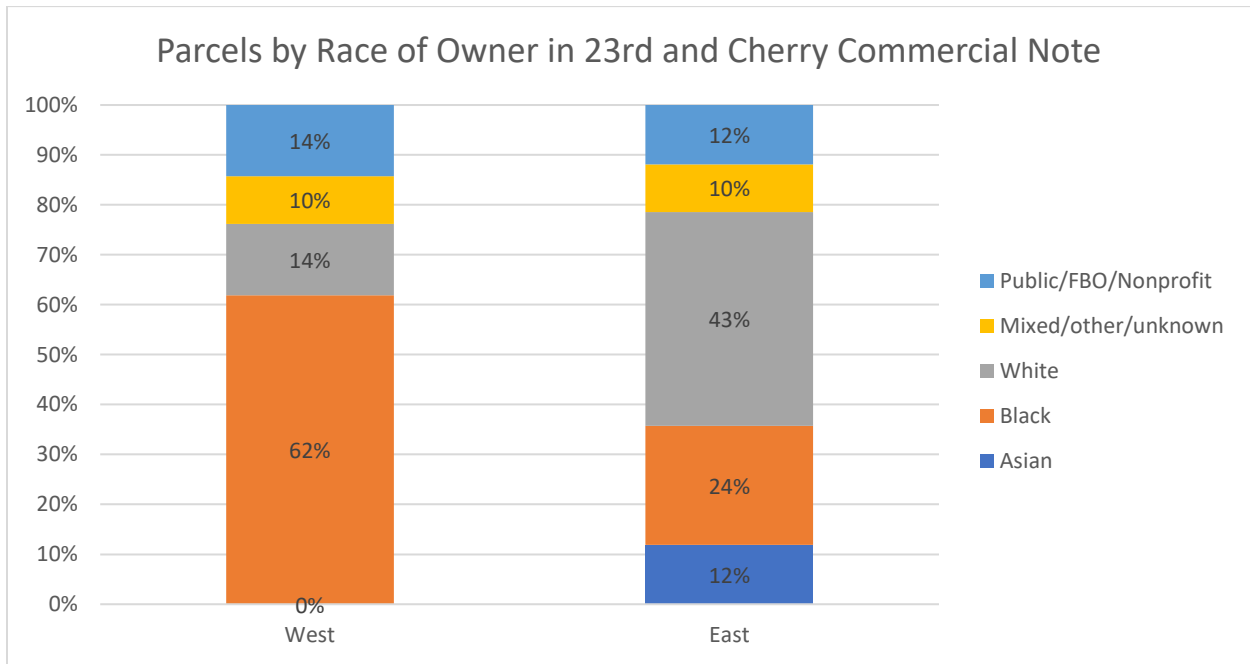


Figure 2. Chart of parcels in the 23<sup>rd</sup> and Cherry node, by race of owner, West vs. East<sup>3</sup>

**13. Anticipated benefits the proposal will provide.**

<sup>3</sup> Based on parcel-by-parcel analysis by applicant. Source file available at [this link](https://netorgft6278573-my.sharepoint.com/:x/g/personal/ben_grtexp_co/EQajvWlaCDpPjtnHgspAQJEbB0OdxKEzdMnRVN-75iwMsQ?e=eQ6qo3): https://netorgft6278573-my.sharepoint.com/:x/g/personal/ben\_grtexp\_co/EQajvWlaCDpPjtnHgspAQJEbB0OdxKEzdMnRVN-75iwMsQ?e=eQ6qo3

The rezone to 55' height will have the immediate impact of adding 24 more residential units, of which 8-9 will be deeply affordable under MHA and MFTE. Units on the additional floor will be offered first on an affordable basis to the 10-15 current residential tenants on the Acer site, most of whom are Black, and many of whom are immigrants<sup>4</sup>.

In addition to these additional units, the scale will allow Acer to implement our strategy of equitable development, including many items that are simply not possible in a smaller building. These benefits include:

- **Maximum affordability: All units affordable below AMI, and participation in MFTE and MHA.** While MFTE is likely viable without the rezone, MHA on site performance is likely not.
- **Zero displacement: all retail and residential tenants offered spaces at affordable rents.**
  - The units in the top floor which the rezone is adding will be offered first to residents on the current site at affordable rents, which in many cases may be lower than their current rent. The developers of Acer House will secure temporary housing during construction and pay all moving costs to and from the site.
  - The retail units will also be offered to current businesses first, also at affordable rents. Acer House is exploring private and public sector partnerships to make these commercial units permanently affordable through condominiumization and commercial ownership.
- **Anti-racist vendor selection: supporting minority and women-owned businesses.** Acer has committed to including at least one minority or woman-owned firm (MWBE) in the final round of procurement for each of our 30+ vendor categories. So far, MWBE business represent over 80% of all procurement at Acer.
- **'Afro-futurist' design theme: celebrating Black excellence in a way that is inclusive for all.** Acer has partnered with Donald King, a celebrated local Black architect to develop a design theme for Acer which celebrates the Black heritage of the Central Area and highlights the potential of its Black neighbors. Afro-futurism is an emerging design trend which has not been widely applied to architecture, making Acer House a leader nationally. The early designs for Acer House, which will go through Seattle's design review process, are attractive and fit well within the local design vernacular.
- **Local wealth creation: equity partnerships with land-owners and local neighbors.** Historically, Real Estate has produced tremendous wealth but has excluded many disadvantaged people, including the traditionally Black residents of the Central Area who were victims of redlining and other injustice. Acer House is building wealth in the community in multiple ways:
  - All land owners on the site are equity partners in the project. A portion of the income from the sale of their land will be reinvested back into the project, keeping them tied to the neighborhood and allowing them to profit from the project long after they sell their house or building. They have joined our weekly project calls and have made many valuable contributions.
  - We will be opening up a crowd-funded co-investment vehicle to allow all community members including immediate neighbors to invest in Acer House, support our mission,

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<sup>4</sup> Acer House will be in compliance with the City's First-in-Time ordinance

and earn a financial return as a real estate investor. This fund will be regulated by the SEC and will be affirmatively marketed to people of color with roots in the Central Area.

- **SEED certification to ensure our sustainability on social and environmental impacts.** Acer House will be the first privately funded SEED development in Seattle. SEED stands for “Social Economic Environmental Design,” and represents an approach which prioritizes environmental sustainability, affordability, and community benefit.

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

The potential negative impacts of going from 40’ to 55’ are limited. In our extensive conversations with neighbors, community groups, the Central Area LURC and the Central Area Design Review Board we heard three concerns:

**Shadow impacts.** The incremental shadow impact from an additional 15’ of building height is very small. There are two single family houses immediately to the north which will have sun partially blocked by sun even by a 40’ building.

- The 40’ building also allows a 8-10’ mechanical penthouse, so the total height increase from the rezone is only 5-7’
- The house most affected, to the northwest, is already largely covered in shade by large street trees, as can be seen in Figure X



Figure 3. Shadows cast on darkest day of the year in a 40’ height model (left) vs. a 50’ height model (right)<sup>5</sup>

<sup>5</sup> Full shadow study on page G130 of the MUP packet. 55’ model will have no penthouse in the western roof section





Figure 4. Photo of house to the northwest of the Acer site, showing the shade provided by an existing tree. Photo taken June 2021

**Parking Impacts.** The project proposes zero parking stalls; if it were proposed at a 40-foot height, it would also propose zero parking stalls. The potential impact due to parking from the small number of additional units in the fifth floor is very small, and will be further studied through a traffic impact analysis. Parking is not required by code at the Acer site, given it is in an Urban Village with frequent transit. Car free living supports many of the City’s goals, not least reducing carbon emissions

- Based on other similar projects, we anticipate about 25% of tenants will have cars.
- Seattle has passed “peak car” and as such the overall number of cars in the city will be declining as people move to a car free lifestyle, freeing up parking in the neighborhood
- Most of the houses in the immediate area have off-street parking and/or garages
- A reduction of built parking reduces project costs and therefore reduces rents/makes the project more affordable. The connection between parking requirements and affordability of multifamily units is well-documented.

**Height, bulk, and scale impacts; aesthetics, “neighborhood character” impacts.** This claim made by some neighbors is highly subjective, and is consistent with objections to development that have

historically excluded People of Color and led to rapid escalation in housing costs, to the benefit of homeowners and the detriment of renters.

- The “bulk and scale” of the Acer project is identical to that which is allowed by right on the eastern side of the 23<sup>rd</sup> and Cherry node, in a NC1-55 zone that also abuts an RSL zoned area of houses
- The Acer project is across the street from two privately held parcels which are NC1-40, and which can support buildings that are four stories in height, very similar to what we propose (the current Coyote Central facility and the AM/PM gas station)
- The design guidelines for 23<sup>rd</sup> and Cherry do call for “smaller scale” relative to the larger nodes at 23<sup>rd</sup> / Union and 23<sup>rd</sup> / Jackson, but those nodes are zoned for 75’, meaning the requested 55’ zoning is still going to be smaller scale
- The project design team is committed to taking many actions to moderate the visual impact of the size of the building, including pulling the mass back from the street, changing building materials at upper levels, and generally ensuring high quality attractive design
- Acer will go through the full Design Review process, intended to mitigate height bulk and scale, and aesthetic impacts.

Renters in the area have noted that all of the homeowners in the immediate vicinity have seen increases in property values of 200% or more in the past decade due to underproduction of housing in the area.

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

No special permits or approvals are necessary other than code-required processes for a project this scale. Those processes include: SEPA determination, design review approval, and zoning approval. A Building Permit, as well as various other civil permits, will be required to construct the proposal.

**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.**

*Please see Appendix A*

**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.**

*Please see MUP packet*

## Appendix A – Response to Rezone Criteria

**Response to Tip Question #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.

Applicable SMC sections include

- 23.34.008 - General rezone criteria
- 23.34.009 - Height limits of the proposed rezone

Code citations are printed below in **bold italics**

### 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.**
- 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 Growth Strategy Element of the Comprehensive Plan.**

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Analysis

- Acer House is in the 23rd and Union-Jackson Residential Urban Village (RUV)
- Zoned capacity for the Urban Village is **4,295 dwelling units**<sup>6</sup>, and the growth estimate in the 2035 comprehensive plan, adopted in 2016 and amended in 2020 is **1,600 units**<sup>7</sup>. Therefore, the zoned capacity is not less than 125 percent of the growth estimates. **The proposal meets this criterion.**
- The densities established for a RUV in the Growth Strategy Element of the 2035 Comprehensive Plan is **12 dwelling units per gross acre**<sup>8</sup>. The 23<sup>rd</sup> and Union-Jackson RUV is **516 gross acres**<sup>9</sup> and has zoned capacity of **9,746 dwelling units** (5,451 existing and 4,295 capacity)<sup>10</sup>, or **18.9 dwelling units per acre**. Therefore, the zoned capacity for the Residential Urban Village is not less than this density established in the 2035 Comprehensive Plan. **The proposal meets this criterion.**

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**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.**

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<sup>6</sup> Page 424 of the [Council Adoped Comprehensive Plan dated November 2020](#)

<sup>7</sup> Page 417 of same

<sup>8</sup> Page 25 of same

<sup>9</sup> Page 422 of same

<sup>10</sup> Page 424 of same

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## Analysis

- Our requested zoning is **NC1-55**, which is a change only in height from the current NC1-40 zoning.
  - NC1, as defined by SMC 23.34.074, is well suited to the Acer House objectives due to the desired function of providing a small shopping / retail area on the ground floor that serves the local neighborhood and the locational criteria of being in an urban village but adjacent to low density residential areas. **The Proposal Meets this criterion.**
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### ***C. Zoning History and Precedential Effect. Previous and potential zoning changes both in and around the area proposed for rezone shall be examined.***

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## Analysis

- The current zoning of the Acer House parcels is NC1-40. The parcels were up-zoned in 2017 by [CB 118981](#) as part of the 23<sup>rd</sup> Avenue Action Plan, itself part of HALA process. The specific motivation cited at the time was to address residential, commercial, and cultural displacement<sup>11</sup>
  - Prior to 2017, the Western parcels (Parcels A, B and C on the site plan) were SF 5000, and were home to the Cherry Hill Baptist Church.
  - Prior to 2017, the Eastern parcels (Parcels D, E, F and G on the site plan) were NC1-30
  - At the time of the 2017 rezone, the Acer parcels were brought to 40' to match the zoning along Cherry Street directly to the east.
- The entire stretch of E Cherry from 22<sup>nd</sup> to 28<sup>th</sup> was then NC1-40, until the 2019 MHA rezone ([CB 119444](#)) up-zoned only the eastern portion of this segment to 55'. It is unclear why the western part of this area was excluded.
  - During the 2019 re-zone, the single family homes to the north of the Acer site were changed to RSL.
- Upzoning the Acer Site will form a near-continuous stretch of NC1-55 along Cherry from 22<sup>nd</sup> to 28<sup>th</sup>, creating significant capacity for affordable housing and community focused retail spaces.
- **As noted in the main portion of this attachment, there is a clear racial disparity between the 55' eastern portion of the node and the 40' western position. The 40' western portion is majority Black-owned where as the eastern portion is mixed. Up-zoning the Acer site will begin to correct this disparity.**

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<sup>11</sup> Pages 7-10 of the [presentation to council](#) at the time of the rezone

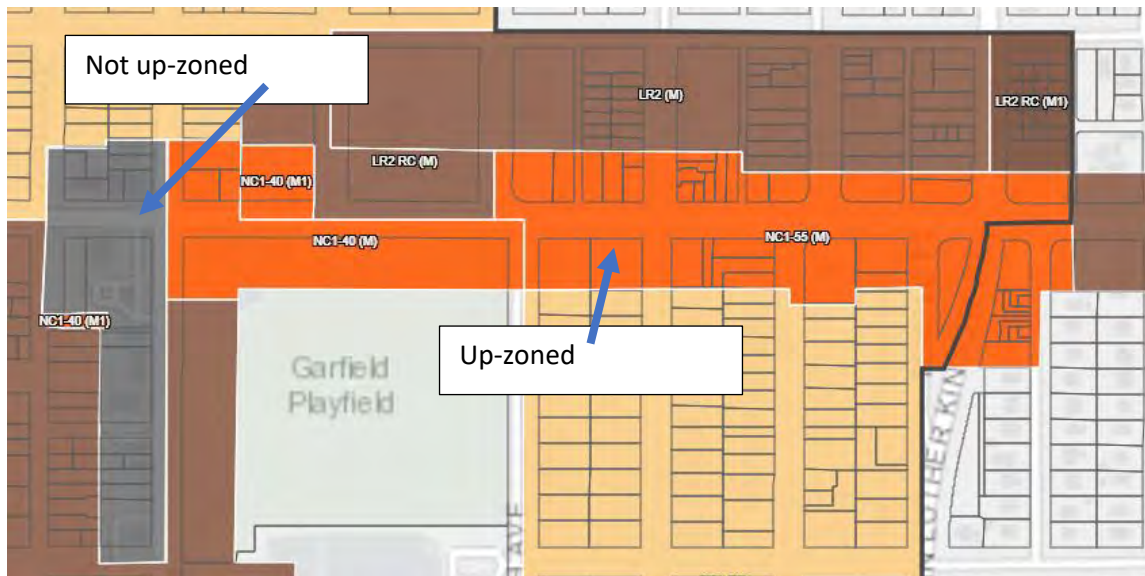


Figure 5 Map of 2019 rezone from CB 119444. Only the area to the east of 25<sup>th</sup> was increased from 40' to 55'

#### 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.
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.
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.

#### Analysis

- The 2020 update of the [2035 Comprehensive Plan](#) has an extensive section on the Central Area neighborhood plan, including notes about the 23<sup>rd</sup> and Cherry intersection, which we discuss in detail in Appendix A. Our conclusion is:
  - This community-informed project embodies the goals of the Central Area Neighborhood Plan, especially in the Community Identity & Character and Land Use, Transportation and Infrastructure, Housing, and Economic Development sections. Our proposal improves pedestrian infrastructure and access, creates pockets of culture for community-building, provides retail spaces designed for small businesses, and adds 107 units of affordable housing, 30% of which are income regulated, to the Central Area. The design intentionally expresses the African and

Black American presence within the neighborhood, while our anti-displacement approach seeks to preserve and elevate the already thriving Black, immigrant and refugee owned businesses at 23<sup>rd</sup> and Cherry, as well as foster the growth of new community-based small businesses.

- The applicable neighborhood plans do not include rezone policies.
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***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.***

***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.***

***3. Zone boundaries***

***a. In establishing boundaries, the following elements shall be considered:***

- 1) Physical buffers as described in subsection 23.34.008.E.2; and***
- 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.***

***4. In general, height limits greater than 55 feet should be limited to urban villages. Height limits greater than 55 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.***

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**Analysis**

- The zoning directly to the north of Acer House is RSL and contains a mix of owner occupied and rental houses, both single family and duplex / triplex units. The houses immediately to the north of Acer House are representative in how they have increased in value due to lack of housing supply in the area:
  - The house immediately adjacent on the northwest, 712 22<sup>nd</sup> Ave, is a duplex with an owner occupant and a renter. It was acquired in 2015 for \$350,000 and is valued by Zillow at \$1,083,600 in July 2021
  - The house immediately adjacent on the northeast, 713 23<sup>rd</sup> Ave, is a rental owned by a large investor. It was acquired in 2017 for \$387,500 and is valued by Zillow at \$707,500 in July 2021
- The transition between the Acer House project and the RSL zone to the north will be managed through:

- Maintaining residential units on 22<sup>nd</sup> Ave, which is clearly a largely residential street. This will require an administrative exception from standard land use policies for the NC zone
  - Maintaining a 15' setback from the Acer House building to the property line to the north for the majority of the building. This setback is not required by code. The setback will be used for private, screened play area for the day care and as private patios for certain units. This is an open space and green space as described in 23.34.008.E.2
  - Upper level setback of 3' on the fifth floor on the north, which will hide the mass of the building from the most immediate neighbors to the north
  - The height difference relative to other structures will not be as abrupt given the local zoning and topography.
    - From the East and North: The Acer House site is located at a low point in the grade, significantly lower than the RSL zone to the north. Therefore, the increase in height of Acer House will not be as noticeable since the base of the building is lower.
    - From the West: The height of the zone to the west is 55' already, so when developed Acer House will be consistent here
    - From the South: The Garfield block contains several large structures, the most prominent of which is Garfield High School. The High School is a large building which is situated on grade much higher than Acer House.
  - Acer House seeks to rezone to 55', and the area is within an Urban Village.
- 

***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;***
- b. Public services;***
- c. Environmental factors, such as noise, air and water quality, terrestrial and aquatic flora and fauna, glare, odor, shadows, and energy conservation;***
- d. Pedestrian safety;***
- e. Manufacturing activity;***
- f. Employment activity;***
- g. Character of areas recognized for architectural or historic value;***
- h. Shoreline view, public access, and recreation.***

***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;***
- e. Utility and sewer capacity;***
- f. Shoreline navigation.***

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## Analysis

- The specific impact of the rezone is to add an additional floor and 24 more residential units. This additional scale will have a significant positive impact on the project and allow us to achieve our goals for equity and community benefit. It will have a moderate impact on the neighborhood and infrastructure.
- A specific analysis on the factors in 23.34.008.F.1 follows:
  - **a. Housing:** The additional scale will add 2 additional MHA unit at 40+% AMI and 5 additional MFTE units at 60+% AMI. But more importantly, the addition of the 5<sup>th</sup> floor makes possible on-site performance for MHA for the entire building. MHA on-site performance is very challenging for a building, especially one that is sub scale at only four floors.
  - **b. Public services:** Public services will be 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 one story of housing made possible by the zone change. The project has obtained confirmation that adequate water, sewer, transit, storm water, and electrical services exist to serve the proposed project. The Preliminary Assessment Report is part of the MUP record reflecting these adequacies.
  - **c. Environmental factors:** No adverse impacts are expected from the change in zone or the additional 24 units. However, the increase in scale for the project permits investments such as constructing an entirely fossil fuel-free building. Acer House will be vested under the 2018 Seattle Energy Code, but before the requirement for heat pump hot water heaters was added. The Acer House team has opted to use heat pump hot water heaters anyway at substantial incremental cost, and this cost can only be recovered through the additional units.
  - **d. Pedestrian safety:** The project is improving sidewalks and landscaping on all three street-facing facades, which will have the impact of encouraging more pedestrian activity and calming traffic including on both the E Cherry and 23<sup>rd</sup> arterials and the 22<sup>nd</sup> Ave residential street.
  - **e. Manufacturing activity:** Not applicable
  - **f. Employment activity:** The residential building, pre-school, restaurant and retail spaces will all be a driver of employment in the neighborhood. Because of Acer House's commitment to equity, anti-racism, and no displacement, the primary beneficiaries of this employment will be BIPOC and minority owned businesses, especially the BIPOC owned businesses currently on site. These BIPOC businesses would otherwise be at significant risk of displacement, a fate too many other BIPOC owned businesses in the Central Area have suffered. The childcare space will bring much needed childcare service to working families in the area, further supporting employment.
  - **g. Character of areas recognized for architectural or historic value:** 23<sup>rd</sup> and Cherry is the heart of the Central Area, a diverse neighborhood that is currently undergoing a renaissance. Acer House is within site of important cultural landmarks such as the Garfield High School and the Quincy Jones Performing Arts Center. The Central Area and the Cherry Hill sub-area was traditionally the heart of Seattle's African American community but has suffered from significant gentrification due to real estate speculation and many other developments that did not have equity as a primary focus. The addition of Acer House as a celebration of anti-racism, afro-futurism and inclusion at this prominent intersection will reinforce the message of the historic monuments in the neighborhood and accelerate the renaissance of the Central Area. The rezone of Acer House and the additional scale it will bring is critical for achieving this goal.



- **h. Shoreline view, public access, and recreation.** Acer House is located directly across the street from the Garfield Playfields, the largest park in the area. Traditionally low-income families and people of color have been excluded from park infrastructure in Seattle and nationwide. Acer House, with its 107 affordable units, of which 33 are deeply affordable through MHA and MFTE, will improve access to the City's recreation for the community that needs it most.
- Service capacities: A specific analysis on the factors in 23.34.008.F.2 follows:
  - **a. Street access to the area:** the impact of the additional XX units on street access will be minimal. 23<sup>rd</sup> Avenue was recently improved by the city to accommodate growth in the region.
  - **b. Street capacity in the area:** the impact of the additional XX units on street capacity will be minimal. 23<sup>rd</sup> Avenue was recently improved by the city to accommodate growth in the region. Given that the project does not provide parking, we anticipate that the vast majority of our residents will be car free, further limiting impact on street capacity.
  - **c. Transit service:** 23<sup>rd</sup> and Cherry is well served by transit, and the Acer House project will provide additional ridership to these services. The 3, 4 and 48 stop directly in front of the project. Express routes to destinations outside the city such as the 63, 64X, 193X, 303X are within a few blocks. The Judkins Park light rail station is within walking distance or can be reached by bus on the 3, 4 route which has 6 minute peak head times.
  - **d. Parking capacity;** Acer House is encouraging a car-free lifestyle for residents and will not be providing parking. No parking is required by code given the location in an Urban Village with frequent transit Based on surveys done in other parking-free buildings, less than 25% of residents will have cars. Most of the neighborhood is single family housing with off-street parking.
  - **e. Utility and sewer capacity;** There is adequate utility and sewer capacity in the area and the additional height and units will not meaningfully affect capacity.
  - **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 23.34.***

#### Analysis

- Since the 2017 re-zone, a process that was started as early as 2012, much has changed in the Central Area. The area has continued to gentrify with the Black population continuing to drop. Rents for both residential and retail units have increased significantly. Overall, the need for equitable and affordable developments such as Acer has grown.
- Changes in factors related to the criteria in Chapter 23.34 include
  - **Housing:** the rents for an apartment in Seattle and the central area continues to outpace income growth, leading to a greater need for affordable housing (regulated and unregulated)
  - **Public services:** The improvements to 23<sup>rd</sup> Avenue including construction of new sewer infrastructure have been completed

- **Environmental factors:** The pressure for action on climate change has increased significantly, as has the stringency of building standards. Acer will be in full compliance with the nation-leading 2018 Seattle Energy Code, even before such compliance is required
  - **Pedestrian safety:** Violent crime at 23<sup>rd</sup> and Cherry has worsened, with two shootings at the intersection in the past year. The addition of the Acer project and its “eyes on the street” will have a significant positive impact on safety
  - **Employment activity:** Minority owned small businesses have been particularly hard hit by COVID-19, especially as real estate values have risen accelerating displacement. The need for affordable commercial spaces that prioritize no displacement is higher than ever.
  - **Street capacity:** 23<sup>rd</sup> Ave has been fully upgraded
  - **Parking capacity:** Since the last rezone, Seattle has passed “peak cars”, meaning that the number of cars in the has remained stable. This suggests that demographic trends against car ownership have lessened the need for parking.
  - **Utility and sewer capacity:** The improvements to 23<sup>rd</sup> Avenue including construction of new sewer infrastructure have been completed
- 

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

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Analysis

- Not applicable
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***I. Critical areas. If the area is located in or adjacent to a critical area (Chapter 25.09), the effect of the rezone on the critical area shall be considered.***

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Analysis

- Not applicable
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### 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 Section 23.34.008, 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.***

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## Analysis

- Acer House's mission is to provide an equitable development that provides housing, commercial spaces, childcare and open space for the local community – all “permitted goods and services” that the community demands. These are being provided with a lens of equity and inclusion, addressing past injustices and displacement in the area.
- The current zoning of 40' allows for only a four-story building. Four stories is simply not sufficient scale to provide the Acer House program. A four story building would have 24 less units, but more importantly it would have significantly higher per-unit construction costs given it has less unit area across which to amortize the fixed costs of the development.
- So, not only does the additional height add more units, it also enables the mission of the development.

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***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.***

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## Analysis

- The incremental height from the rezone from 40' to 55' will not block any views. The houses that are directly across the street from Acer to the 22<sup>nd</sup> have views that are already severely limited by the large trees on 22<sup>nd</sup>, and what partial views they have will already be completely obscured by a 40' structure. Going to 55' has no further effect.
- Acer House is at a natural low point in the topography of the region, and the end of a gentle slope that runs down E Cherry St from the West and 23<sup>rd</sup> Ave from the North.
- As such the residential houses in the neighborhoods to the North and West are situated higher than Acer House, and view blockages are kept to a minimum



Figure 6. View from the upper floor of the house immediately opposite across 22nd. Code compliant 40' height is shown vs the proposed 55' design

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### **C. Height and scale of the area**

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

**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.**

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#### Analysis

- Acer is on the western edge of a commercial stretch on East Cherry Street that contains both 40' zoning and 55' zoning. We are asking for a rezone so that our site can have the same zoning as the 55' areas immediately to the East.
- The eastern portion of commercial area was up-zoned to 55' in 2019. Our conversations with the (mostly Black, mostly immigrant) land owners in the eastern area suggest that they were not aware of the up-zone process in 2019 and were excluded from it.

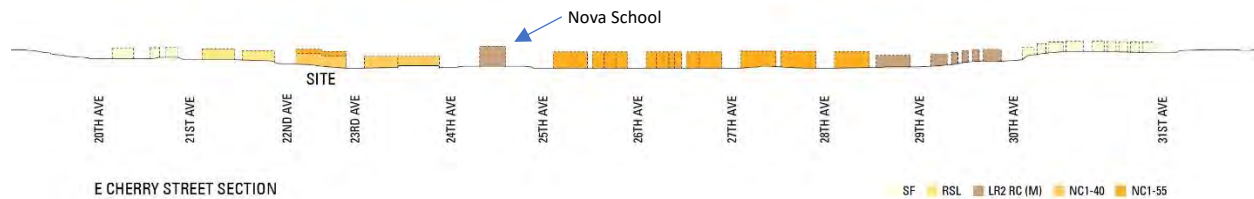


Figure 7. Acer site shown relative to the commercial node that runs along E Cherry from 22nd to 28th

#### **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.**

**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.**

#### Analysis

- There is existing major development a few blocks to the north at 23rd and Union and a few blocks to the south at 23rd and Jackson that is 75' in height. The zoning at these intersections has led to significant development, but the lower zoning currently at 23rd and Cherry has made it uneconomical to develop so far.
- As discussed elsewhere in this application, Acer House will have a transition to the RSL zones to the north in the form of an optional ground level setback.
- This transition is consistent with other transitions in the area, as the eastern part of the node has a transition from NC1-55 to SF5000

- Neighborhood Commercial
- High-Density Multi-Family
- Lowrise Multi-Family
- Residential Small Lot
- Single Family

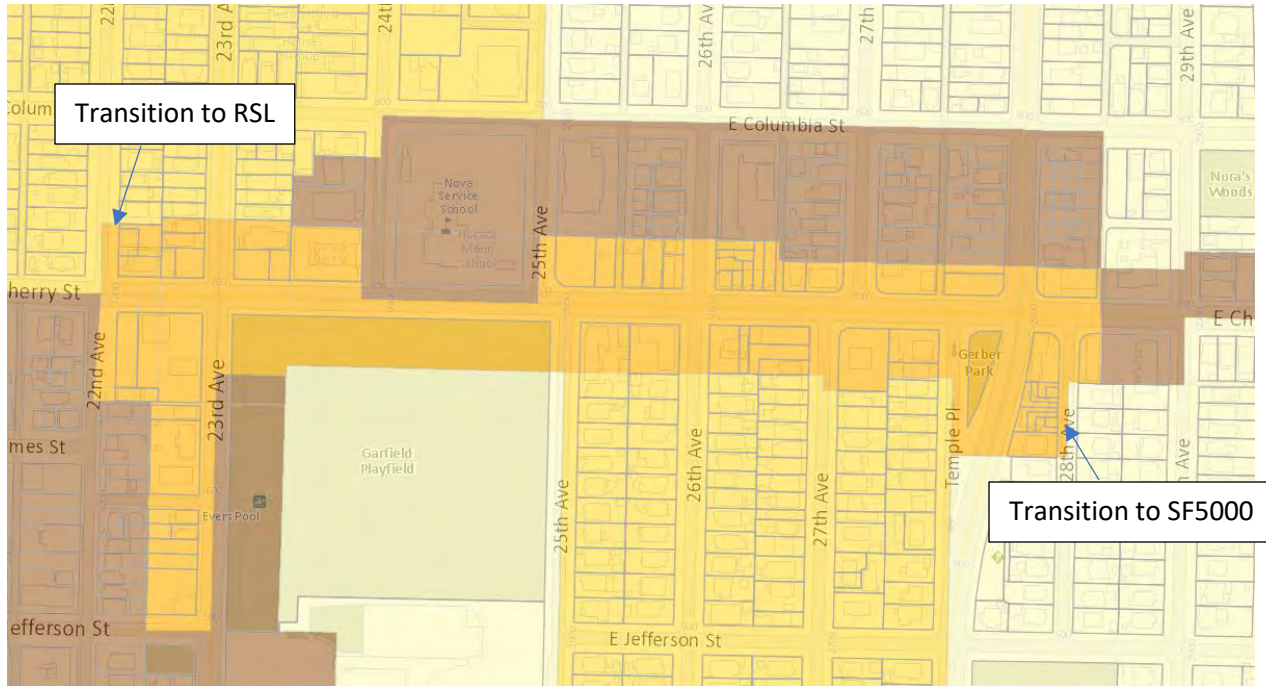


Figure 8. Zoning map of the 23rd and Cherry area. Note the transition from NC1-55 to SF500 in the east

### 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.**
- 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.**

### Analysis

- Neither of the neighborhood plans directly address height recommendations or limits, and both plans were adopted after 1995. The Central Area neighborhood plan, the 23<sup>rd</sup> Avenue Action Plan, and the Central Area Design Guidelines are all council-approved documents which have a similar set of goals: creating more equitable development in the Central Area in a way that “celebrates its culture, heritage and diversity” and promotes affordability for residents and businesses alike. The attachments to this document detail the way in which Acer House’s vision is fully consistent with this goal.
- The Neighborhood Plan specifically addresses 23rd and Cherry with the following statements:

- 23rd and Cherry goals (CA-G18): “This is a smaller-scaled community-serving node with finer grained mixed-use developments. This node has an abundance of community assets including parks/open space, Garfield High School and Community Center, teen center, arts programs, and small businesses, in particular ethnic restaurants, that create a unique identity for this node. It draws a broad mix of people, especially youth.”
  - 23<sup>rd</sup> Ave policies related to 23<sup>rd</sup> and Cherry: (CA-P66): “Preserve small-scale neighborhood character, immigrant- and refugee-owned businesses while providing a greater variety of shops and services at 23rd and Cherry and an activated street frontage.”
  - Acer House address these elements of the plan in multiple ways:
    - Maintaining a “smaller scaled” node by keeping the height limit at 55’, instead of 75’ as is the limit at the other two main nodes (23/Union and 23/Jackson). 55’ is already the height of much of the commercial node along E Cherry near 23<sup>rd</sup>.
    - Providing a “finer grade mixed use development” by prioritizing smaller retail spaces around our community courtyard, allowing diverse small businesses to thrive
    - Adding to the “community assets” in the form of a low income childcare and a restaurant that will benefit from the rooftop garden on Acer House
    - Committing to no displacement of the small business on site, including five Black-owned business, two of which are Black immigrant owned
    - Adding 107 housing units, which will be natural customers for the businesses and cultural assets at the node
-

## Appendix B – Response to Neighborhood Plan

### Conclusion

This community-informed project embodies the goals of the Central Area Neighborhood Plan, especially in the Community Identity & Character and Land Use, Transportation and Infrastructure, Housing, and Economic Development sections. Our proposal improves pedestrian infrastructure and access, creates pockets of culture for community-building, provides retail spaces designed for small businesses, and adds 107 units of affordable housing, 30% of which are income regulated, to the Central Area. The design intentionally expresses the African and Black American presence within the neighborhood, while our anti-displacement approach seeks to preserve and elevate the already thriving Black, immigrant and refugee owned businesses at 23<sup>rd</sup> and Cherry, as well as foster the growth of new community-based small businesses.

### Detailed responses

#### OVERALL CENTRAL AREA COMMUNITY IDENTITY & CHARACTER AND LAND USE GOALS & POLICIES

	Goal / policy	Acer House response
<b>CA-G1</b>	The Central Area is a community proud of its culture, heritage, and diversity of people and places. This richness derives from the fact that this neighborhood has always been a place of welcome and it has been, and continues to be the center of the African American community.	This project’s Afrofuturist design intentionally expresses the African and Black American presence within the neighborhood and in a future where Black people gain true equity in the global community. Our project creates a pocket of culture to represent the Black American identity within the Central Area. Beyond the design, we are working with Black/Immigrant small business owners currently operating on the site as well as current residential tenants to avoid displacement and smoothly transition to the new building.
<b>CA-G2</b>	The Central Area is a community that provides inclusive opportunities for everyone to participate in community projects.	We have gone beyond the procedural avenues to reach community members and include them in every step of this project. We are also creating a crowd-funded community co-investment fund which allows people with roots in the Central Area to share in the financial value created by the project-- a process that Central Area residents, especially Black folks, have historically been excluded from.
<b>CA-P1</b>	Strengthen a unique identity for the Central Area that celebrates its culture, heritage, and diversity; enhance the sense of community;	The Cultural Placemaker map in the Central Area Design Guidelines identifies 23rd and Cherry as a key



	and increase the feeling of pride among Central Area residents, business owners, employees, and visitors through excellent physical and social environments.	intersection in the Central Area that serve as cultural and social anchors for their surrounding areas. The project, located at this corner, will stimulate activity and create visual interest to enhance the Central Area’s identity through design elements like street furniture, public art, landscape elements, pedestrian lighting, and mosaics, as well as by providing affordable housing and commercial space for community members.
<b>CA-P2</b>	Recognize the historical importance and significance of the Central Area’s existing housing stock, institutional buildings (old schools, etc.), and commercial structures as community resources. Incorporate their elements into building design and possible designation of historic and cultural resources.	Our site is at the heart of some of the Central Area’s most important community resources—Garfield Community Center and High School for example. The building form divides massing so that it does not appear as one, monolithic structure and smoothly transitions to other nearby structures. Modulated facades keep the building inviting and consistent with the finer-grain fabric found in the Central Area neighborhood. Our proposal also includes visual art, signage and markers that tell the story of the neighborhood’s history in engaging ways.
<b>CA-P3</b>	Seek opportunities for community-based public improvements that would create a sense of identity, establish pride of place, and enhance the overall image of the Central Area.	As a community-focused design, the project will provide cultural and place-specific open spaces that can be used for a variety of uses including social gathering and other cultural celebrations.
<b>CA-P4</b>	Create opportunities for public spaces, public art, and gateways that engage and express the Central Area’s unique heritage and identity.	This project includes 1,932 square feet of publicly accessible open courtyard space, with artwork incorporated into the metal railing, pavement, and siding. The proposal also features a community porch with overhead coverage and a rooftop gathering area for building residents.
<b>CA-P5</b>	Identify activities and spaces for people with diverse cultures, ages, and background to meet, share, learn, and strengthen community ties.	Our public courtyard will be a community hub connecting 23 <sup>rd</sup> and Cherry to a childcare, community-based retail spaces, and 107 affordable housing units, 33 of which are income regulated

<b>CA-P6</b>	Create an appealing environment that enhances the historic character while providing opportunities for existing and new development to grow, and serve the emerging needs of the diverse community.	See CA-G1
<b>CA-P7</b>	Create a vibrant commercial district, encouraging dense urban development in the commercial areas and encouraging housing supportive of the community through land use tools, such as rezones, design guidelines, and incentives.	In the project’s pedestrian-oriented commercial areas, entrances are provided at regular intervals to accommodate and encourage smaller retailers and community-oriented businesses. A rezone from NC-40 to NC-55 would allow for a small shopping / retail area on the ground floor that serves the local neighborhood and the locational criteria of being in an urban village but adjacent to low density residential areas.
<b>CA-P8</b>	Support existing and new Central Area community programs and expand on existing partnerships so these programs prioritize services to those who consider the Central Area to be central to their identity, such as the African American community.	N/A
<b>CA-P9</b>	Support a network of community-based organizations that can coordinate diverse volunteers to implement community building programs and projects that serve to anchor the cultural diversity of the Central Area.	Our project team consists of community members who are part of various CBOs in the Central Area. We are also partnering with CBOs to apply for the city’s Strategic Investment Fund to promote BIPOC ownership of retail spaces. Additionally, Acer House’s public spaces can serve as a gathering place for community organizing and building.



**TRANSPORTATION & INFRASTRUCTURE GOALS & POLICIES**

	<b>Goal / policy</b>	<b>Acer House response</b>
<b>CA-G3</b>	A community where residents, workers, students, and visitors can choose from a variety of comfortable and convenient modes of transportation including walking, bicycling, and transit and where our reliance	This project will provide 107 units of affordable housing along a main artery of the Central District, with bus, bicycle, and walking access to

	on cars for basic transportation needs is minimized or eliminated.	Downtown Seattle--a major employment center. Affordable housing in this area allows people to live closer to their work, minimizing transit needs.
<b>CA-G4</b>	The neighborhood has an efficient and effective network of transit including linkages to the proposed East Link light rail station that supports land use goals and adequately serves the community.	There are 2 different bus lines connecting Acer House to the proposed East Link station at Judkins Park with a travel time of about 12 minutes.
<b>CA-P10</b>	Facilitate movement of residents, workers, visitors, and goods within the Central Area with a particular focus on increasing safety.	This project will result in increased eyes on the street (many unit windows facing south), as well as a safe, comfortable environment for pedestrians with components of planter zones, wide sidewalks, and building setbacks to allow for usable porches, stoops, and courtyard outdoor seating. The community members identified concerns for public safety and crime at this intersection.
<b>CA-P11</b>	Support a multimodal transportation network that connects community destinations such as economic centers, schools, recreational facilities, shopping nodes, and social gathering places and that links the Central Area to other neighborhoods.	In addition to the above highlighted linkages with current transit modes and the proposed East Link and RapidRide line, this project adds bike infrastructure (bicycle room and exterior racks) and increases pedestrian safety.
<b>CA-P12</b>	Consider traffic-calming measures on Central Area arterial streets.	The design has created pedestrian-friendly sidewalks by utilizing planter strips with lush landscaping to help create a protective space from vehicular traffic.
<b>CA-P13</b>	Work with institutions/businesses to develop creative solutions for minimizing single-occupant auto usage by employees and students.	Adding affordable housing near schools (Garfield, NOVA, childcare) will help reduce auto usage for students.
<b>CA-P14</b>	Maintain and improve pedestrian infrastructure including sidewalks, stairways, pedestrian underpasses, and planting strips and medians on arterial streets to enhance pedestrian safety, mobility, and access.	To protect pedestrians along the sidewalk, the project provides overhead weather protection at all non-residential frontages. The design

		encourages a quality pedestrian environment to provide safe, comfortable routes for pedestrians that improve the existing character of the neighborhood fabric. A safe, comfortable environment for pedestrians with components of planter zones, wide sidewalks, and building setbacks to allow for usable porches, stoops, and courtyard outdoor seating is incorporated in the design.
<b>CA-P15</b>	Consider improvements to unimproved rights-of-way such as street ends or alleys to foster pedestrian access and mobility.	See CA-P14
<b>CA-P16</b>	Coordinate transportation and infrastructure project planning with adjacent neighborhoods if they are affected by these projects.	N/A
<b>CA-P17</b>	Facilitate convenient transit access to local and regional employment centers for Central Area residents.	See GA-C3
<b>CA-P18</b>	Encourage shared parking at business nodes in order to meet parking demand while minimizing the size of surface parking lots and maximizing space for other uses.	The proposal does not include parking.
<b>CA-P19</b>	Encourage coordination of construction work within the street right-of-way in order to maximize the public benefit and minimize the disruption of the street surface.	We will coordinate with SDOT and any other neighborhood construction projects.
<b>CA-P20</b>	Improve road safety through public education, targeted enforcement, and engineering measures.	In addition to eyes on the street & plantings, road safety will be improved by 400 square feet of stormwater planting on the north side of the site, which will aid in stormwater management.
<b>CA-P21</b>	Develop a multimodal access plan for proposed and future high-capacity transit stations (Bus Rapid Transit, light rail) that serve or are near to the Central Area.	Our site on 23 <sup>rd</sup> Avenue is near the route of the proposed RapidRide G Madison bus line.
<b>CA-P22</b>	Create safe pedestrian and bicycle access to bus and light rail service and to the business districts.	See CA-P14
<b>CA-P23</b>	Encourage King County Metro to provide effective bus service through the neighborhood to the light rail stations and surrounding community facilities.	A thriving commercial and residential hub at 23 <sup>rd</sup> and

		Cherry would increase Metro ridership.
<b>CA-P24</b>	Improve the visual quality of the neighborhoods by encouraging undergrounding of utilities including service lines for all new construction and remodel projects and minimizing the impact of new telecommunication facilities such as towers.	The project will be relocating an existing power line to be closer to the intersection of 22nd of Cherry, clearing a visual obstruction from the center of the block

**HOUSING GOALS & POLICIES**

	<b>Goal / policy</b>	<b>Acer House response</b>
<b>CA-G6</b>	The Central Area is a stable community that provides a range of housing types and affordable options to support the sociodemographic diversity of this neighborhood.	Acer House will offer a range of affordable housing, all for residents 80% AMI and below. 20% of units will be affordable at levels prescribe by the MFTE program ranging from 40%-80% AMI. Acer House will provide “on site performance” under MHA, meaning an additional 10% of the units will be affordable to 40-60% AMI.
<b>CA-P25</b>	Advocate for more flexible options for mortgage financing, and strive to remove barriers to homeownership and renovation loans for local residents.	N/A
<b>CA-P26</b>	Support sweat-equity housing programs.	N/A
<b>CA-P27</b>	Support housing services that encourage age integration.	Having a childcare facility on-site will promote age integration.
<b>CA-P28</b>	Ameliorate the potential impacts of gentrification and displacement of existing residents through a variety of affordable housing programs including preserving existing multifamily affordable housing and producing new affordable housing.	This project will replace 4 current units of housing with 107 affordable units. Existing tenants have an apartment reserved for them in Acer House should they choose. For existing retail tenants, we have procured micro units nearby to minimize disturbance to their business during construction. All commercial tenants have a spot in the new building should they choose.

<b>CA-P29</b>	Maintain and create affordable housing to keep a range of housing prices and unit sizes including affordable family-sized units with amenities for families, and a balance of rental and owner-occupied housing.	Acer House units range from studios to 2 bedrooms. Amenities for families include on-site childcare facility, nearby Garfield Community Center, and access to bus lines.
<b>CA-P30</b>	Assist low-income, senior, and disabled renters and homeowners by encouraging supportive services that will allow them to continue to live in the neighborhood.	We work with tenants to procure vouchers and rental assistance when necessary, as well as other wrap around services. Acer House is located near several services and amenities including Garfield Community Center, Byrd Barr Food Bank, Swedish Medical Center, mini parks, and several houses of faith.
<b>CA-P31</b>	Encourage affordable housing in close proximity or with easy access to community assets and amenities	See CA-P30
<b>CA-P32</b>	Target affordable housing investments near investments in high-frequency transit to reduce the transportation costs of low-income households.	Acer House is located along more than 5 bus lines and is 12 minutes by bus from the proposed East Link station at Judkins Park.
<b>CA-P33</b>	Leverage publicly owned properties to produce affordable housing.	N/A
<b>CA-P34</b>	Provide development incentives or requirements for the provision of affordable housing units within market-rate housing projects.	All housing in Acer House will be affordable, and we are utilizing the MHA and MFTE programs to provide regulated affordable housing.

## ECONOMIC DEVELOPMENT GOALS & POLICIES

	<b>Goal / policy</b>	<b>Acer House response</b>
<b>CA-G7</b>	The Central Area is a culturally and ethnically diverse and economically strong community. Its business districts provide the goods and services needed for the multicultural community who live, work, worship, and shop there.	There are community-based, Black and Immigrant owned small businesses at 23 <sup>rd</sup> and Cherry such as Update Barber and Flowers Just 4 U. This project features retail spaces designed with them, and other local small businesses in mind.
<b>CA-G8</b>	The Central Area has vibrant commercial districts with diverse economic opportunities for area residents,	The childcare facility and other businesses will provide jobs. Acer House will also provide

	including career-path family-wage jobs for its residents.	necessary affordable housing for Central Area residents who work or hope to work in the Downtown Seattle employment center.
<b>CA-G9</b>	The Central Area has strong entrepreneurship that creates jobs and grows the local economy for the benefit of its residents.	Our retail spaces will be commercially affordable. We are partnering with CBOs to apply for a grant through the Strategic Investment Fund (SIF) with the goal of supporting Central Area entrepreneurs to build their business with a path to ownership in our space.
<b>CA-G10</b>	This neighborhood is, and feels, safe and inviting for people and businesses.	The design promotes transparency and “eyes on the street.” No reflective or obscure glass will be used. Commercial tenants will be encouraged to refrain from putting display cases or window film up against windows to maintain transparency into commercial spaces.
<b>CA-P35</b>	Support efforts to encourage existing and new minority and locally owned businesses in the Central Area to grow and expand.	We are supporting current business tenants with anti-displacement efforts and hope to support new tenants through commercial affordability and the SIF grant.
<b>CA-P36</b>	Support implementation of coordinated long-term strategies to improve commercial districts including support for existing or expanding small businesses and ethnically based businesses in order to maintain the multicultural character.	This project includes a strategy for relocation of existing businesses to a space less than a block away on East Cherry during construction to minimize disruption should they choose.
<b>CA-P37</b>	Support strong, culturally inclusive business associations that support the vitality of business districts serving the entire community.	The addition of 7 affordable commercial spaces will help the strengthening of local business associations.
<b>CA-P38</b>	Support vibrant, diverse, and distinct commercial districts that provide a range of goods and services for the entire community.	The design consolidates this segment of 23 <sup>rd</sup> and Cherry into a community-focused cultural site for small businesses to thrive.

<b>CA-P39</b>	Support projects that increase affordable, culturally appropriate and healthy food.	Our all-day restaurant or café will reflect the cultural diversity of the Central Area and 23 <sup>rd</sup> and Cherry more specifically. Our rooftop garden will provide residents with fresh produce and connect them to the production of their own food.
<b>CA-P40</b>	Create strong linkages to tie job and vocational training, apprenticeship programs, and jobs to members of the community in need of such services, especially youth.	N/A
<b>CA-P41</b>	Build strong partnerships and support projects that provide opportunities for local jobs for Central Area residents and pathways to living wage jobs in the region’s employment centers.	Commercial affordability will allow small businesses at Acer House to provide good jobs.
<b>CA-P42</b>	Strive to develop healthy workplaces where employees are treated with respect, and have a voice in decisions that impact their jobs, lives, and community.	By providing retail space designed for and affordable to small, community-based businesses, we hope to foster the growth of healthy workplaces.
<b>CA-P43</b>	Provide opportunities and support to facilitate start-up small businesses.	See CA-G9
<b>CA-P44</b>	Encourage partnerships among businesses to create a safe and active commercial district.	We are actively facilitating group meetings with business owners at 23 <sup>rd</sup> and Cherry
<b>CA-P45</b>	Seek opportunities to strengthen partnerships between the community and the Seattle Police Department.	N/A
<b>CA-P46</b>	Support crime prevention programs that create partnerships between the broad diversity of the community, the businesses, and the City to decrease crime and to address underlying conditions that may encourage crime.	Our community outreach has shown that residents and neighbors support "eyes on the street" as a crime prevention measure. The design incorporates transparent and open outdoor community gathering spaces at the ground level. The project will avoid having any window coverings or window film that permanently obscure views into or out of the interior space. The proposed building relates to the earth, using building forms and



		massing that engage the ground plane, rather than floating above it. Ground level transparency occurs on major pedestrian and commercial streets.
<b>CA-P47</b>	Support efforts to improve the appearance and cleanliness of business districts.	This project proposes major aesthetic improvements for the 23 <sup>rd</sup> and Cherry urban village. The design proposes special treatment through pavement and building materials to highlight each business's presence along the street. There will be no blank facades at the sidewalk edge and the only barriers to the sidewalk will be fall protection at the grade change between the sidewalk and the Courtyard. The project will provide celebrated business entries to encourage a slower pedestrian pace where people have inviting space to stop and gather.

**HUMAN SERVICE AND COMMUNITY BUILDING GOALS & POLICIES**

	<b>Goal / policy</b>	<b>Acer House response</b>
<b>CA-G11</b>	The Central Area is a connected and caring community that nurtures and supports all its members especially the children, youth, and the elderly, and provides programs and services needed by its diverse community.	Acer House creates space for community-building. The project designs of the Stoop, Community Porch and Courtyard encourage human activity by providing opportunities for neighbors to connect, walk, and talk together with those on the sidewalk.
<b>CA-G12</b>	The Central Area has strong schools with excellent programs and strong enrollment with no achievement gap, providing opportunities for all students to succeed and have bright futures.	N/A
<b>CA-G13</b>	The Central Area is a neighborhood in which the community, community-based organizations, service	N/A

	organizations, education/training institutions, and the City work together to create pathways to meaningful employment for all its youth.	
<b>CA-G14</b>	To support cultural diversity, there is improved access to education and employment training opportunities for all, especially for its diverse youth.	N/A
<b>CA-G15</b>	All Central Area youth are empowered and have strong leadership skills.	N/A
<b>CA-G16</b>	The Central Area has strong organizations and local leaders who work to anchor the cultural diversity of this neighborhood.	N/A
<b>CA-P48</b>	Encourage local institutions, community-based organizations, and other agencies to provide lifelong learning opportunities needed by the Central Area's diverse community.	N/A
<b>CA-P49</b>	Provide all Central Area youth with required skills and experience needed for future careers. Maximize the capability of local institutions and program providers such as Seattle Vocational Institute to serve such needs.	N/A
<b>CA-P50</b>	In the Central Area, support the growth of jobs for teenagers, especially those most in need of a path to a successful future.	See CA-P41
<b>CA-P51</b>	Provide the Central Area youth with cultural education and recreational opportunities that embrace its diversity.	The design includes interpretive opportunities through visual art, signage and markers that tell the story of the neighborhood's history in engaging ways.
<b>CA-P52</b>	Enhance community pride through multicultural activities such as community festivals, youth mentoring, and other youth programs.	N/A
<b>CA-P53</b>	Support innovative and effective youth services.	N/A
<b>CA-P54</b>	Encourage Central Area youth to actively engage in community activities and develop leadership skills, especially those most in need of such support.	See CA-G11
<b>CA-P55</b>	Provide seniors with needed resources and assistance and opportunities to engage with the community.	Acer House will house people of all ages--small business customers, the childcare, and ample community spaces will allow opportunities for intergenerational community building.
<b>CA-P56</b>	Provide supportive services for the immigrant/refugee and African American communities.	N/A
<b>CA-P57</b>	Support programs and organizations that nurture local leadership within the Central Area.	See CA-G9

## PARKS AND OPEN SPACES GOALS & POLICIES

	Goal / policy	Acer House response
CA-G17	A community with functional, well-maintained and connected parks, open space, and recreational facilities to serve the Central Area's diverse population.	See CA-G-11
CA-P58	Facilitate community involvement such that park facilities, improvements, and programming better reflect the needs of the neighborhood.	This project will bring hundreds more residents and small business customers steps from Garfield Playfield and other nearby mini parks, increasing the pool for community involvement.
CA-P59	Seek opportunities within the commercial districts to create open spaces for community gathering.	See CA-G11
CA-P60	Seek opportunities for public open space on unused or unimproved properties.	We are in the process of transforming the vacant lots on the property into a dog park for public use before construction begins. This was the result of extensive community outreach and ongoing conversations with neighbors.
CA-P61	Promote greening and beautification of the neighborhood through local citizen participation.	This proposal provides opportunities for resident and small business stewardship of parks, especially programs through the childcare.
CA-P62	Work with community members, organizations, schools, and institutions to provide park stewardship.	See CA-P61

## 23<sup>RD</sup> AVENUE CORRIDOR GOALS & POLICIES

	Goal / policy	Acer House response
CA-G18	23rd and Cherry—This is a smaller-scaled [compared to Jackson-larger, and Union-medium] community-serving node with finer grained mixed-use developments. This node has an abundance of community assets including parks/open space, Garfield High School and Community Center, teen center, arts programs, and small businesses, in particular ethnic restaurants, that create a unique identity for this node. It draws a broad mix of people, especially youth.	NC-55 zoning would render 23 <sup>rd</sup> and Cherry the desired scale along the 23 <sup>rd</sup> avenue corridor, with 23 <sup>rd</sup> and Union and 23 <sup>rd</sup> and Jackson Zoned for NC-75. Smaller and varied building forms are utilized. The building form divides massing so that it does not appear as one,

		<p>monolithic structure. Vertical and horizontal patterns provide articulation and break down the overall massing. Modulated facades keep the building inviting and consistent with the finer-grain fabric found in the Central Area neighborhood. The design features public art and setbacks to provide open spaces. Wide sidewalks and new plantings provide a safe and comfortable path for pedestrians to access community assets. Commercially affordable retail for community-based small businesses with priority to existing tenants.</p>
<b>CA-P66</b>	<p>Preserve small-scale neighborhood character, immigrant- and refugee-owned businesses while providing a greater variety of shops and services at 23rd and Cherry and an activated street frontage.</p>	<p>Acer House proposes to accomplish exactly this vision. Our design includes existing businesses and transforms the street frontage into a lush community corridor.</p>
<b>CA-P67</b>	<p>Improve access and connectivity to community assets at 23rd and Cherry and activate space around Garfield High School, Garfield Community Center, and Medgar Evers Pool.</p>	<p>Our design improves the street frontage and facilitates safe and comfortable pedestrian passage with wider sidewalks, overhead coverage, and building setbacks. This will activate routes to community amenities and transit modes.</p>
<b>CA-P68</b>	<p>Consider rezoning single-family zoned parcels to neighborhood commercial to support continuation and expansion of services provided by local institutions as the Cherry Hill Baptist Church.</p>	<p>N/A</p>



# 3037185-LU - Rezone;SEPA/

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