

City of Seattle
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Applicant _____
Department ☒ ADMITTED ☒
Public _____ DENIED
FILE # CF-314441

10

Exhibit 10

Rezone Request, 2nd Amended Rezone Request Analysis

February 3, 2021

Memorandum

To: Nathan Torgelson, SDCI Director
From: Aaron M. Laing
Date: February 3, 2021
Subject: SDCI Record No. 013750-18PA/3033516-EG - Park at Northgate Site-Specific Rezone Request – 2ND AMENDED Rezone Criteria Analysis

CAM 228 REZONE APPLICATION SUBMITTAL INFORMATION

In response to Item 5 of SDCI's January 5, 2021 Correction Notice #2, Applicant provides the following amended responses to item 8 on page 3 and item 12 on page five below. Newly-added text is in red font, stricken text is shown in red-strike-through font. Previously submitted Attachments A – L are also re-submitted and references to new height, massing and shadow studies prepared in response to Items 3 and 4 of Correction Notice # 2 have been added.

- 1. Project number:** SDCI Record No. 013750-18PA/3033516-EG. A pre-application meeting was held on January 3, 2019. There is no associated Master Use Permit.
- 2. Subject property address(es):** The Site is comprised of two tax parcels located at 10713 Roosevelt Way NE, Seattle, WA 98115, King County tax parcel no. 292604-9617 ("North Parcel") and King County tax parcel no. 292604-9626 ("South Parcel") per King County's July 2020 parcel segregation approval as shown in **Figure 1**.
- 3. Existing zoning classification(s) and proposed change(s):** Per Ordinance No. 125791 / Council Bill 119444 effective April 19, 2019, the Site's existing zoning designation is Lowrise 3 with a fifty foot (50') height limit and a Mandatory Housing Affordability (MHA) suffix of (M) or LR3(M). The proposed zoning designation for the Site is Midrise with an eighty foot (80') height limit and MHA suffix of (M1) or MR(M1), per newly-revised SMC Chapter 23.45.

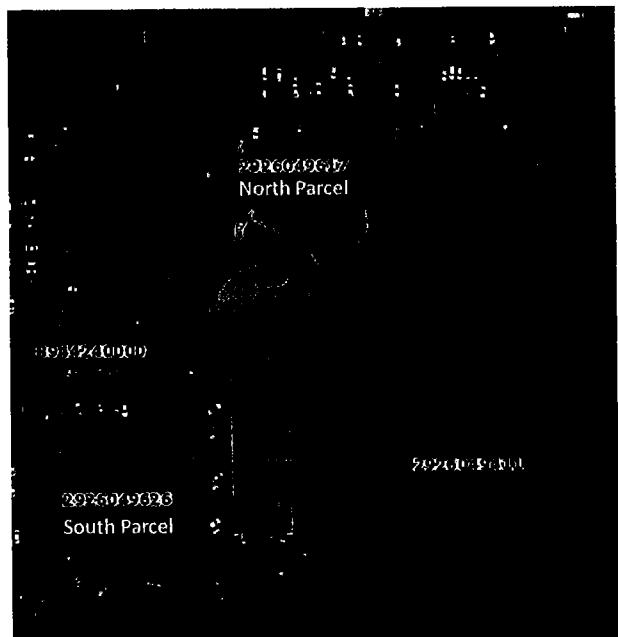
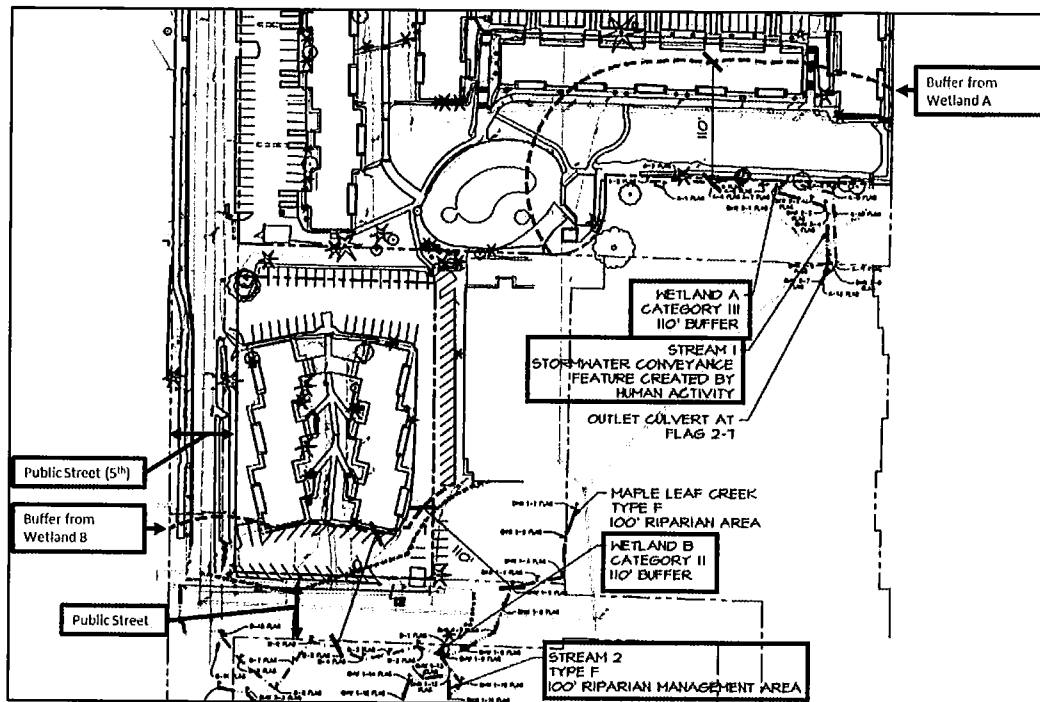


Figure 1 – Site's North Parcel and South Parcel

4. **Approximate size of property/area to be rezoned:** The Site is approximately 5.24 acres/ 228,319 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.** Please refer to the April 14, 2020 "Off-Site Wetland & Stream Delineation for 10735 Roosevelt Way NE Parcel 292604-9617, Seattle, WA City File # 3033517-LU" prepared by Altmann Oliver Associates LLC and the April 29, 2020 Memorandum titled "Project #3033517-LU - Park at Northgate Site-Specific Rezone: Response to December 3, 2019 Correction Notice #1 ECA Issue" prepared by Schwabe, Williamson & Wyatt PC. The North Parcel does not contain any ECAs. A small portion of the parking lot on the South Parcel is encumbered by a *riparian management area* ("RMA") from an offsite stream segment (the area south of the yellow line in the map below). The South Parcel is separated from the stream segment by a public street, and the RMA (*i.e.*, the stream buffer) is the ECA.



Map from Altmann Oliver report indicating location of Wetlands, Streams, Buffers and Riparian Management Areas. Blue boxes were added by the author of the April 29 memo to highlight the areas discussed therein.

6. Applicant information:

a. Property owner or owner's representative or – Property Owner: The property owner/Applicant is Wallace Properties – Park at Northgate LLC, and the property owner's representative is Kevin Wallace.

b. Other? (Explain) – N/A

7. Legal description of property(s) to be rezoned: The Site's full legal description and depiction are attached hereto as Attachment A, Bush, Roed & Hitchings, Inc.'s July 25, 2019 January 14, 2021 revised ALTA Survey of the Site. The Site's short form legal description is as follows:

South ½ of NE ¼ of SW ¼ of SE ¼, Section 29, Township 26 N, Range 4 E, W. M., situated in King County, WA

8. Present use(s) of property: The Site is developed with a series of two-story wood-framed garden-style apartments, surface parking and a swimming pool, comprising a 148-unit apartment complex in six separate structures built in 1967. All units are two-bedroom, one bathroom, market-rate apartments that currently lease at rates affordable between 70% and 90%+ of Area Median Income (AMI). The Site is comprised of two tax parcels, the North Parcel and the South Parcel as shown in **Figure 1** above. Per BCRA's response to Item 5 of SDCI's January 5, 2021 Correction Notice #2, the tables below provide the existing and proposed development condition:



Proposed MR(M1)	South Parcel	North Parcel	North Parcel	North Parcel Total	Total Parcels	Percentage
BUILDING	Building 1	Building 2	Building 3	Building 2+3	North+South	Total Parcels
MHA Units	27	32	38	70	97	9%
MFTE Units	59	71	84	155	214	20%
MRKT Units	209	252	301	553	762	71%
TOTAL Units (620 Avg. SF)	295	355	423	773	1073	100%
TOTAL Stalls	217	291	262	550	770	

Existing	South Parcel	North Parcel	North Parcel Total	Total Parcels	
Existing buildings	2		15	7	
Existing Units (950 Avg. SF)	36		110	146	
Existing Stalls	44		157	201	

PROPOSED MR(M1) TOTALS

	Unit Count	Avg Size (sf)	FAR	Density	Parking Provided	Percent Increase In # of Units
MR(M1)	1073	620	4.5	207 units/ac	770	154% (of base)

9. **What structures, if any, will be demolished or removed?** For the rezone, none of the structures identified in item #8 will be removed. Upon redevelopment of the Site, all of the structures and improvements on the Site identified in item #8 will be removed and replaced with new multifamily residential structures and associated parking and amenities. In Section 13 below, Applicant proposes to phase the demolition in order to reduce potential displacement impacts on existing Park at Northgate residents. No site-disturbing activities are proposed as part of or will result from the rezone.
10. **What are the planned uses for the property if a rezone is approved?** Applicant seeks both to rezone the Site to MR(M1) and to enter into a Property Use and Development Agreement (PUDA) with a 20-year term to allow development of multifamily housing, including affordable housing units, and associated parking and amenities. Per BCRA's response to Item 5 of SDCI's January 5, 2021 Correction Notice #2. Based on our current analysis, if the Site is rezoned to MR(M1), Applicant may develop up to 1,100 multifamily dwelling units, of which:
- i. 9% (~97 units) would be rent-restricted at 60% of area median income (AMI) rents per the Mandatory Housing Affordability (MHA) requirement;
 - ii. 20% (~214 units) would be rent-restricted per the Multifamily Tax Exemption program (MFTE) 20% at 65-85% AMI requirements in 2019; and
 - iii. 71% (~778 units) would be at market-rate.

Through the PUDA, Applicant proposes to: provide the MHA units on-site as opposed to paying the fee-in-lieu that is available under SMC Chapter 23.58C.; include at least 148 two-bedroom units to replace the existing 148 two-bedroom units; and phase development to reduce potential displacement impacts during construction. The phasing plan would prohibit the demolition of more than two existing buildings during any nine-month period during the PUDA's term. Applicant will also provide an east-west pedestrian connection along the Site's northern property line in conjunction with redevelopment of that portion of the Site / phase to facilitate access to transit and improve pedestrian connectivity in the neighborhood. Redevelopment will also allow for enhanced water quality for storm water leaving the Site and discharging to Thornton Creek and its associated wetland complex.

11. **Does a specific development proposal accompany the rezone application? If yes, please provide plans.** No. A general phasing plan along with two massing diagrams prepared by BCRA for the PUDA are included as Attachment B. Please also refer to the updated phasing plan materials prepared by BCRA and submitted with this amended analysis in response to Item 16 of SDCI's May 22, 2020 Correction Notice #1. No development is proposed for any portion of the Site's South Parcel encumbered by the offsite stream's RMA, and Applicant proposes to include that as a requirement in the PUDA. Alternatively, if necessary to comply with SMC 23.34.024.B.2, Applicant is amenable to having the portion of the South Parcel that contains the RMA excluded from the rezone and remain LR3(M), consistent with the approach the City has taken in similar circumstances (*i.e.*, offsite stream but onsite RMA). *See, e.g., In the Matter of the Application of TODD CURRY* for approval of a rezone of property located at

3012 NE 140th Street, Hearing Examiner File: CF 307580, SDCI # 3002989 (August 15, 2006). Applicant is amenable to exploring other options to address this condition, as well.

- 12. Reason for the requested change in zoning classification and/or new use.** While well-maintained, the Site's existing wood-framed units are over 50 years old and nearing the end of their useful life. The City and region have made significant transportation investments in the Northgate Urban Center, and the City has ongoing planning initiatives to leverage such investments and provide more affordable housing and a wider range of housing opportunities in the neighborhood.

On November 9, 2017, the City issued the Mandatory Housing Affordability SEPA Final Environment Impact Statement (MHA FEIS) with a LR3(M) as the Preferred Alternative for the Site. During the MHA SEPA process, Applicant requested that the Site be rezoned to MR(M1) due to the infeasibility of redeveloping the Site under the LR3(M) designation and the opportunity that the MR(M1) designation would provide for the development of a significant number of family-sized affordable units. Please see June 30, 2017 and August 7, 2018 correspondence, Attachment C.

Due to displacement concerns, the Site was rezoned to LR3(M) effective April 19, 2019, per Ordinance No. 125791 / Council Bill 119444. The rezone from LR3 to LR3(M) did not convey enough additional density to offset the cost of the MHA requirements, increasing the FAR from 2.0 to 2.3, a value of \$12.90/land square foot, but imposing an MHA requirement at a cost of \$30.48/land square foot; as such, redevelopment of the Site is infeasible without this requested rezone to MR(M1). Please see May 17, 2018 correspondence, Attachment C.

Applicant now requests that the Site be rezoned through this process to MR(M1), which will enable Applicant to provide the benefits outlined in Section 13 below. As explained in response to item #10 above, if granted, Applicant's request will allow for an increased density on the Site from 148 market-rate units to approximately 1,100 units, of which 29% will be affordable units per SMC Chapter 23.58C (MHA – 9%) and SMC Chapter 5.73 (MFTE – 20%). If granted, the proposed rezone also provides the opportunity to create an east-west pedestrian connection from Roosevelt Way NE across the Site and allow for enhanced water quality for storm water leaving the Site and discharging to Thornton Creek and its wetland complex.

Per BCRA's response to Item 5 of SDCI's January 5, 2021 Correction Notice #2, there are two buildings, 778 units and 553 parking stalls proposed for future development on the North Parcel, of which 70 will be MHA units and 155 will be MFTE units (225 total affordable units). For the South Parcel, one building, 295 units and 217 parking stalls are proposed for future development, of which 27 will be MHA units and 59 will be MFTE units (86 total affordable units). For reference, below please find the same chart prepared by BCRA and referenced in response to Item 8 above.

Proposed MR(M1)	South Parcel	North Parcel	North Parcel	North Parcel Total	Total Parcels	Percentage
BUILDING	Building 1	Building 2	Building 3	Building 2+3	North+South	Total Parcels
MHA Units	27	32	38	70	97	9%
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PROPOSED MR(M1) TOTALS

	Unit Count	Avg Size (sf)	FAR	Density	Parking Provided	Percent Increase in # of Units
MR(M1)	1073	620	4.5	207 units/ac	770	154% (of base)

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

- The timely replacement of an aging, low-density apartment complex with a modern, energy efficient, transit-oriented development that will provide up to 1,100 homes, of which 29% will be rent-restricted affordable units in the heart of the Northgate Urban Center. The ~319 rent-restricted units alone will more than double the current rent-restricted unit count on Site under LR(3)(M) zoning.
- Support and leverage the City's planning, affordability, and pedestrian goals through additional density and the opportunity for a pedestrian connection from Roosevelt Way NE to 5th Avenue NE.
- Allow for enhanced storm water treatment of water leaving the Site and discharging into Thornton Creek and the associated wetland complex south of the Site through compliance with current storm water regulations.
- Meet the City's transportation, land use and housing objectives, including providing transit-oriented affordable housing per the goals established in the City's Seattle 2035 Comprehensive Plan and the goals of the HALA / MHA process.
- Under the current LR3(M) zoning, it is not feasible to redevelop the Site as the cost of compliance far exceeds the value of the nominal increase in FAR provided by the rezone from LR3 to LR3(M). See May 17, 2018 correspondence, Attachment C. Even if redevelopment were feasible, the (M) zoning designation means only 5-7% of new homes would be reserved at 60% AMI affordable rents, as opposed to 9% with the requested (M1) zoning suffix. Redevelopment under the LR3(M) zoning would not require any phasing, retention of the family-sized two-bedroom units or other mitigation to reduce displacement impacts. By contrast, the proposed rezone, coupled with the proposed PUDA, will result in development of a significantly greater number of affordable, rent-restricted, family-sized units and mitigate displacement impacts.

- f. Applicant proposes to provide the 9% MHA units on-site, as opposed to paying the fee in lieu available under SMC Chapter 23.58C.
- g. Applicant proposes to provide 20% of the units at affordable rates pursuant to the (MFTE) incentive, as it currently exists in SMC Chapter 5.73.
- h. Applicant proposes to provide at least 148 two-bedroom family-sized units in the redevelopment, which is would replace the existing units at a minimum ratio of 1:1.
- i. To minimize impacts on existing residents of the Site, Applicant will agree to phase the redevelopment such that no more than two of the existing six buildings will be demolished within nine months of the others. Please refer to the updated phasing plan materials prepared by BCRA and submitted with this amended analysis in response to Item 16 of SDCI's May 22, 2020 Correction Notice #1.

Applicant is willing to commit to provide the benefits listed in (f), (g), (h) and (i) above through execution of a PUDA with a 20-year term.

- 14. Summary of potential negative impacts of the proposal on the surrounding area:** None. See analysis of SMC 23.34.008, SMC 23.76.009 and SMC 23.76.024 below, for additional detail. Please also refer to the July 26, 2019 SEPA checklist submitted with this application and the studies referenced therein.
- 15. List other permits or approvals being requested in conjunction with this proposal (e.g., street vacation, design review).** Property Use and Development Agreement (PUDA) to allow conditional phased redevelopment of Site over a period of twenty (20) years. Please refer to the updated phasing plan materials prepared by BCRA and submitted with this amended analysis in response to Item 16 of SDCI's May 22, 2020 Correction Notice #1.
- 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.** See detailed analysis of SMC 23.34.008, SMC 23.76.009 and SMC 23.76.024 below and supporting attachments. The rezone criteria analysis below has been updated in response to Items 6, 7, 11, 12, 13, 14 and 15 of SDCI's May 22, 2020 Correction Notice #1 and Items 3, 4 and 5 of SDCI's January 5, 2021 Correction Notice #2.
- 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. See Attachment A.** Please also refer to the materials by BCRA and submitted with this amended analysis in response to Item 5 of SDCI's May 22, 2020 Correction Notice #1 and Item 2 of SDCI's January 5, 2021 Correction Notice #2.

BACKGROUND INFORMATION

Summary of Request

The Land Use Code, Section SMC 23.34, “Amendments to Official Land Use Map (Rezoning),” allows the City Council to approve a map amendment (rezone) according to procedures as provided in SMC Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. This proposal includes a rezoning of the Site from LR3(M) with a fifty-foot (50’) height limit and MHA suffix (M) or LR3(M)¹ to MR with an eighty-foot (80’) height limit and MHA suffix (M1) or MR(M1)) along with a Property Use and Development Agreement with a 20-year term that will require phased redevelopment, onsite performance / provision of affordable units, 1:1 replacement of the Site’s existing 148 two-bedroom units, provision of an east-west pedestrian connection along the Site’s northern property line and enhanced storm water treatment to Thornton Creek and its associated wetland complex. Please refer to the updated phasing plan materials prepared by BCRA and submitted with this amended analysis in response to Item 16 of SDCI’s May 22, 2020 Correction Notice #1.

The Seattle 2035 Comprehensive Plan seeks to add 3,000 housing units to the Northgate Urban Center by 2035. Although the 2035 Comprehensive Plan was updated in April 2019, the updates do not change the analysis below. Consistent with the applicable goals and policies of the Seattle 2035 Comprehensive Plan Land Use, Housing and Transportation elements and the Seattle 2035 Northgate Neighborhood Plan, the zoning designation change (*i.e.*, LR3(M) to MR(M1)) will allow for a significant increase in density on the Site, which is within both the City’s adopted Frequent Transit Service Area and within the 10-minute walkshed for the Northgate Transit Center and soon-to-open (2021) light rail station. The increased density will allow phased replacement of market-rate units affordable at the 70%-90%+ AMI level with a wide-range of affordable housing options on the Site, and the significant increase in residential density will support the growing mix of businesses and services in the Northgate Urban Center. Through the PUDA, redevelopment will allow for the provision of an east-west pedestrian connection from Roosevelt Way NE to 5th Avenue NE.

Site and Vicinity Description

The Site is located at 10713 Roosevelt Way NE, on the east edge of the Northgate Urban Center. Per both the prior and updated (April 2019) maps for the Northgate Neighborhood, the Site is within the Urban Center and abuts the Northgate Core along the Site’s west and north boundaries.²

¹ As shown in Tables A and B for newly-revised SMC 23.45.514, Structure height, the base height for, respectively, LR3-zoned properties in Urban Centers is 50’, and the base height for MR-zoned properties is 80’, provided that the property has an MHA suffix.

² Item 10 of SDCI’s May 22, 2020 Correction Notice states: “There are several instances in the rezone criteria analysis that describe the rezone site as being in the Northgate Core. However, the Northgate map of the North Core Area within the Northgate Urban Center and Overlay District in the Seattle 2035 Comprehensive Plan (pg. 356) shows that the project site is not within the ‘Core.’ In consideration of this fact, please amend your responses to rezone criterion SMC 23.34.008.D and elsewhere in the written analysis that references the project site as being located in the

The Site fronts on the east side of 8th Avenue NE midblock between NE Northgate Way and NE 106th Street NE, and it also fronts upon and has access to Roosevelt Way NE. Presently, it is zoned LR3(M). The Site is located within the ½-mile ten-minute walkshed of the Northgate Transit Center and soon-to-open Northgate Link Light Rail station and Seattle Kraken NHL practice facility and associated development. See Park at Northgate Transit Radius, Attachment E. The Site is also within a five-minute walk of stops served by the Metro 41, 67, 75, 347 and 348 routes, all of which meet the frequent transit standard, and the Site is adjacent to an existing transit stop on Roosevelt Way NE served by several such routes. As such the Site is within the City's adopted Frequent Transit Service Area, SMC 23.54.015.B.4. See Park at Northgate Transit Radius and Frequent Transit Service Map, Attachment E, and <http://www.seattle.gov/Documents/Departments/SDCI/Codes/ChangesToCodes/NeighborhoodParking/FrequentTransitMap.pdf>.

As shown in Attachment H, Site Elevation Cross Section, the Site is essentially flat, sits in a bowl and slopes from west to east and north to south. From north to south, there is an approximately 30' change in elevation across the Site, and the northernmost part of the Site sits 20' to 30' lower than NE Northgate Way. The southernmost portion of the Site along NE 106th Street sits at essentially the same elevation as the Thornton Creek wetland complex, and the topography rises steeply south of the creek moving up a hill toward the Maple Leaf neighborhood. The closest single-family neighborhoods to the south are along NE 105th Street, which is at an elevation approximately 40' higher than the lowest portion of the Site and in the same elevation as the northernmost portion of the Site. In sum, due to the topography, the Site sits significantly lower than the properties to the north along NE Northgate Way as well as properties to the south. The Site is not located within the shoreline environment. Please refer to the April 14, 2020 "Off-Site Wetland & Stream Delineation for 10735 Roosevelt Way NE Parcel 292604-9617, Seattle, WA City File # 3033517-LU" prepared by Altmann Oliver Associates LLC and the April 29, 2020 Memorandum titled "Project #3033517-LU - Park at Northgate Site-Specific Rezone: Response to December 3, 2019 Correction Notice #1 ECA Issue" prepared by Schwabe, Williamson & Wyatt PC. The Site's North Parcel does not contain any ECAs; a small portion of the parking lot on the South Parcel is encumbered by riparian management area (buffer) associated with an offsite stream segment. A public street lies between the South Parcel and the offsite stream segment.

Open space in the area includes a City Park (Hubbard Homestead Park) located between 5th Avenue NE and 3rd Avenue NE a few blocks northeast of the Site. Other open space includes Northgate Park and the Northgate Community Center approximately two blocks to the southwest, and the play area associated with Olympic View Elementary School about five blocks south of the Site. The soon-to-open (summer 2021) Seattle Kraken NHL practice facility and associated development on the Northgate Mall site will provide a significant park ringed by an amphitheater and commercial development. Open space also includes Thornton Creek Beaver Pond Natural

Northgate Core." All such references have been amended with similar language as provided here and the associated analysis amended accordingly.

Area adjacent to the Site. There are several other parks within approximately ten blocks of the site to the north, east, southeast and southwest.

Several schools are located nearby, including North Seattle Community College located approximately one mile southwest, across I-5. Nearby elementary schools include Olympic View Elementary School about five blocks south of the Site, Northgate Elementary approximately one-mile northwest of the Site across I-5 and Pinehurst Elementary School approximately nine blocks to the northeast. In addition to transit service, the Site is also well-served by the City's growing network of bicycle pathways. *See Attachment E.*

NE Northgate Way is a principal arterial, 5th Avenue NE is a minor arterial, Roosevelt Way NE is a minor arterial and 8th Avenue NE is a non-arterial access street. (*See* SDOT Street Classification Map). Parking in the area is a combination of structured parking, surface parking, and limited on-street parking.

Other uses and developments in the area include Northgate Mall, one- to seven-story commercial development and parking garages, one- to eight-story residential and mixed-use structures, and offices. The soon-to-open (summer 2021) Seattle Kraken NHL practice facility and associated development on the Northgate Mall site will provide a significant park ringed by an amphitheater and commercial development. Existing development represents a wide range of ages and styles of construction. Two blocks north of the Site along 8th Avenue NE, there is an eight-story senior housing apartment complex (Northhaven Apartments), which was built in the early 1970s. To the east and south there are several three-to-four story apartment complexes with surface parking lots. Directly across from the Site's South Parcel along 8th Avenue NE, a five-story 400-unit apartment project, SDCI Project # 3035319-EG, has just completed the Early Design Guidance portion of Design Review. This project will have building heights exceeding 70' and sits higher than the Site due to the topography.

As shown in **Figure 3** below and Attachment G, the adjacent, abutting properties to the north are zoned NC2-55(M) and NC3-55(M); properties to the west along 8th Avenue NE are zoned NC3-95(M), NC3(75(M) and NC3-55(M), and abutting properties to the south are zoned LR3(M). The closest single-family zoning (SF 7200) is located to the southeast along Roosevelt Way NE. The single-family neighborhoods directly south of the Site along NE 8th Avenue are more than a block away and are physically separated by both public rights-of-way and the Thornton Creek Beaver Pond wetland complex.

As shown in the Figure 2 to the right, MR(M) zoning is located adjacent to and abutting LR3(M) zoning throughout the Northgate Urban Center. The proposed rezone of the Site to MR(M1) would result in this same common zoning condition as the adjacent property to the east of the South Parcel and south of the North Parcel (Northgate Manor Apartments) will remain LR3(M).

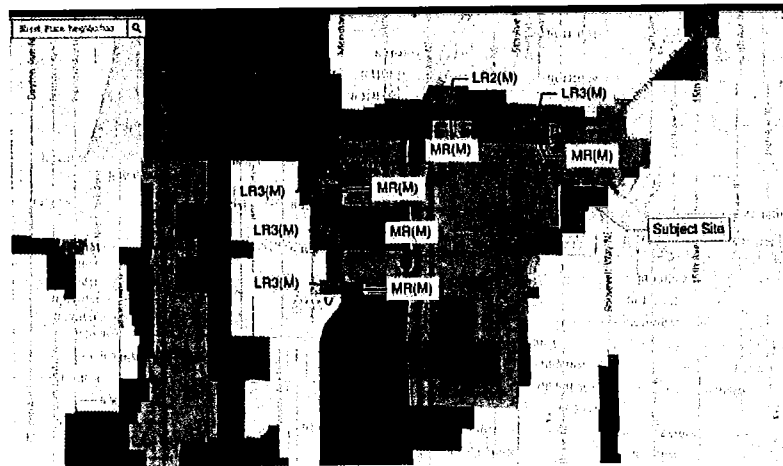


Figure 2 – Northgate Urban Center Zoning Map

MHA Adopted Zoning Changes on the web map: EqualHousingLife.seattle.gov

Search an address or click on the map to see information

Master Address

+ -

Basemap

10713 ROOSEVELT WAY NE
This is parcel 2928049017. It's 228,319 square feet in area. Learn more about this parcel from the King County Department of Assessments.

The new MHA zoning here is **LR3 (M)**.

In March 2019, the City Council voted 9-0 to adopt citywide MHA legislation, implementing affordable housing requirements in 27 urban villages throughout Seattle. The new MHA zoning took effect April 19, 2019.

LR3 (M) a Lowrise Multifamily zone. Learn more about the size and type of development allowed in LR3 (M) zones with our Director's Report.

The **(M)** suffix indicates that affordable housing requirements apply for development in this zone. MHA requirements vary both according to the suffix in the zone name, i.e., (M), (M1), or (M2), and geographically. This location is in a medium MHA area.

Interested in the specific MHA requirements for your property? Read our summary of how MHA works and consult Tip 257 from the Seattle Department of Construction and Inspections.

MHA Zoning Categories

- Residential Small Lot (RSL)

Figure 3- MHA Zoning (Effective April 19, 2019)

As shown in Figure 3 to the left and Attachment G, the height limits established by current zoning within the Northgate Urban Center in the area closest to and surrounding the Site are typically between fifty-five feet (NC2- or NC3-55(M)) and ninety-five feet (NC3-95(M)). Most of those areas sit higher than the Site due to topography. See Site Elevation Cross Section, Attachment H. The allowed heights on the parcels directly west of the Site's North Parcel range between 85' and 95' (NC3-85 / NC3-95(M)), and allowed heights west of the Site's South Parcel range between 55' and 75' (NC3-55(M) and NC3-75(M)). Per Table A of SMC 23.45.510 and Table A of

SMC 23.47A.013 of the newly-adopted MHA Ordinance, the allowable FAR for MR-zoned sites with an MHA suffix is 4.5, and the allowable FAR for NC-zoned sites with heights from 55' to 95' ranges from 3.75 to 6.25. The allowable density on the Site under MR zoning would be consistent with the density allowed on other adjacent and nearby parcels.

Also, along 8th Avenue NE and within a two-block area of the Site, many parcels have been recently developed to heights and densities permitted by the MR zone. For example, the Prism project directly opposite the Site on the west side of 8th Avenue NE, which opened in the spring of 2019, has a height of 70' (due to wood frame construction limits) and a density per its NC3 zoning comparable to the height and density allowed in the MR zone. There are three other relatively new buildings (507 Northgate, 525 Northgate and Lane apartments) within two blocks northwest of the Site developed to similar heights and densities as the Prism.

Directly across from the Site's South Parcel along 8th Avenue NE, a five-story 400-unit apartment project, SDCI Project # 3035319-EG, has just completed the Early Design Guidance portion of Design Review. The height and density of this project is commensurate with the MR zone as well, which has a base height of 60' (the project is 55' tall) for areas with no MHA suffix and an FAR of 3.2 for areas with no MHA suffix, per SMC 23.45.510&.514. This project will have building heights exceeding 70' and sits higher than the Site due to the topography. By comparison, NC3-55(M) zones have a base FAR of 3.75 for zones with a 55' height limit like the property being redeveloped opposite the Site's South Parcel.

These increased heights and densities on nearby properties provide additional support for increasing the height and density at the Site to the MR(M1) level as the heights and allowable FAR are comparable both as-zoned and as-developed.

Permitted Use and Zoning History

Please refer to the Detailed Zoning History of the Subject Property, **Exhibit E** to the materials prepared by BCRA and submitted with this amended rezone analysis. Currently, the Site is developed with a 148 unit garden-style apartment complex. The units are market-rate and rent at the 70%-90%+ AMI affordability level. This low-density complex is well-kept, but was built in 1967 and is now more than fifty years old. The buildings are nearing the end of their useful lives. The floor-area ratio (FAR) of the existing buildings is 0.66 (about 28 units per acre); current zoning allows an FAR of 2.3, per Table A of SMC 23.45.510. To say the least, the Site is underutilized from a housing standpoint. Much of the Site is covered with impervious parking lots and storm water runoff to Thornton Creek and its associated wetland is untreated.

In December, 2009 the City completed the Northgate Urban Center Rezone Final Environmental Impact Statement (2009 FEIS). Under the Broad alternative, the Site was recommended for one increase in zoning height/intensity—that is, from LR3 to LR4. In 2010, the City eliminated the LR4 zoning designation. Under the City's current zoning designations, the next increment from LR3 is MR.

During the ten-year period between completion of the 2009 FEIS and adoption of the MHA Ordinance in March 2019, the City only increased density in the Northgate Urban Center via three

contract rezones. The Mullaly family received a contract rezone for their site on NE 1st Street/NE Northgate Way along I-5, going from MR to NC3-85. Two Wallace Properties affiliates obtained contract rezones, nominally increasing the height and density on land a block northwest (525 NE Northgate Way) and directly west of the Site (10711 8th Avenue NE). With the adoption of the MHA Ordinance, both of those sites have now been rezoned to higher heights and densities.

Consistency with Seattle 2035 Comprehensive Plan

Under the recently adopted MHA Ordinance, the Site was rezoned from LR3 with a 40' height limit to LR3(M) with a 50' height limit. This would allow one more level of residential units with 5-7% of homes reserved at affordable rents for low-income people. By contrast, this request to rezone the Site to MR(M1) combined with a PUDA would allow for the phased redevelopment of the Site over a period of twenty years to provide significantly more affordable units and ensure one-for-one replacement of the existing market-rate 148 two bedroom family-sized units. The impacts associated with the proposed rezone are well within the range of impacts studied in the MHA FEIS, and the SEPA checklist and studies submitted with this request demonstrate that there are no significant adverse environmental impacts associated with this request.

In November 2016, the City adopted its new Seattle 2035 Comprehensive Plan. Although the 2035 Comprehensive Plan was updated in April 2019, the updates do not change the analysis below.³ Please see newly-added Attachment L, which provides the applicable excerpts from the 2019 updates to the Northgate Subarea. As detailed in the Citywide Planning element, the heart of the City's growth strategy are the City's urban villages. Simply put, "The urban village strategy is Seattle's growth strategy." See Seattle 2035 Urban Village discussion at 22-26. The goal of the Seattle 2035 growth strategy is succinct:

GS G1 *Keep Seattle as a city of unique, vibrant, and livable urban neighborhoods, with concentrations of development where all residents can have access to employment, transit, and retail services that can meet their daily needs.*

From a zoning standpoint, Goal GS G1 is to be achieved through the following policies:

POLICIES

GS 1.1 *Designate places as urban centers, urban villages, or manufacturing/industrial centers based on the functions they can perform and the densities they can support.*

³ Item 7 of SDCI's May 22, 2020 Correction Notice states: "When applicable, please update all responses in the written analysis referencing the information in the amended 2035 Seattle Comprehensive Plan (2019)." The only applicable updates were an amendment to the Northgate Neighborhood map (which did not impact the Site) and revisions to Northgate Land Use Housing Policy NG-P8, which is addressed below.

GS 1.2 *Encourage investments and activities in urban centers and urban villages that will enable those areas to flourish as compact mixed-use neighborhoods designed to accommodate the majority of the city's new jobs and housing.*

...

GS 1.5 *Encourage infill development in underused sites, particularly in urban centers and villages.*

GS 1.6 *Plan for development in urban centers and urban villages in ways that will provide all Seattle households, particularly marginalized populations, with better access to services, transit, and educational and employment opportunities.*

GS 1.7 *Promote levels of density, mixed-uses, and transit improvements in urban centers and villages that will support walking, biking, and use of public transportation.*

GS 1.8 *Use zoning and other planning tools to shape the amount and pace of growth in ways that will limit displacement of marginalized populations, and that will accommodate and preserve community services, and culturally relevant institutions and businesses.*

....

GS 1.13 *Provide opportunities for marginalized populations to live and work in urban centers and urban villages throughout the city by allowing a variety of housing types and affordable rent levels in these places.*

(Bold text in original; underlining added.) By rezoning the Site to MR(M1) and entering into the proposed PUDA, each of these strategies is brought to fruition: more and a broader range of affordable housing will be provided in the Northgate Urban Center near jobs, businesses and transit, and displacement impacts will be minimized through phasing and retention of family-sized units on Site.

The second and related goal of the Seattle 2035 growth strategy is also succinct:

GS G2 *Accommodate a majority of the city's expected household growth in urban centers and urban villages and a majority of employment growth in urban centers.*

To accomplish this goal, the Seattle 2035 plan sets forth the following policies relevant to this proposed rezone:

GS 2.1 *Plan for a variety of uses and the highest densities of both housing and employment in Seattle's urban centers, consistent with their role in the regional growth strategy.*

GS 2.2 *Base twenty-year growth estimates for each urban center and manufacturing/ industrial center on the following criteria:*

- *Citywide targets for housing and job growth adopted in the Countywide Planning Policies*
- *The role of the center in regional growth management planning*
- *The most recently adopted subarea plan for the center*
- *Level of transit service*
- *Existing zoning capacity for additional commercial and residential development existing densities*
- *Current development conditions, recent development trends, and plans for private or public development, such as by major institutions*
- *Plans for infrastructure, public amenities, and services that could attract or support additional growth*
- *Access to employment for, and potential displacement of, marginalized populations*

....

GS 2.6 *Work with communities where growth is slower than anticipated to identify barriers to growth and strategies to overcome those barriers.*

(Bold text in original; underlining added.)

With specific regard to the City's Multifamily Residential Areas, the Seattle 2035 Land Use Element provides the following self-evident goals and policies that support this request to rezone the Site from LR(3)(M) to MR(M1):

GOAL

LU G8 *Allow a variety of housing types and densities that is suitable for a broad array of households and income levels, and that promotes walking and transit use near employment concentrations, residential services, and amenities.*

POLICIES

LU 8.1 *Designate as multifamily residential areas those places that either are predominantly occupied by multifamily development or are within urban centers or urban villages.*

...

LU 8.3 *Provide housing for Seattleites at all income levels in development that is compatible with the desired neighborhood character and that contributes to high quality, livable urban neighborhoods.*

LU 8.4 *Establish evaluation criteria for rezoning land to multifamily designations that support the urban village strategy, create desirable multifamily residential neighborhoods, maintain compatible scale, respect views, enhance the streetscape and pedestrian environment, and achieve an efficient use of the land without major impact on the natural environment.*

...

LU 8.6 *Establish multifamily residential use as the predominant use in multifamily areas and limit the number and type of nonresidential uses to preserve the residential character of these areas, protect these areas from negative impacts of incompatible uses, and maintain development opportunities for residential use.*

...

LU 8.11 *Use midrise multifamily zones to provide greater concentrations of housing in urban villages and urban centers.*

(Bold text in original; underlining added.) The Site is already designated and zoned for multifamily use, but the allowed density under LR3(M) zoning is not consistent with the City's vision for placing the highest levels of density in Urban Villages and Urban Centers, particularly in areas like the Site that are well-served by transit and have significant employment and service opportunities nearby.

The Seattle 2035 Comprehensive Plan's Housing element is focused, in part, on growth and equity. The Housing element was developed and adopted, following a process that began in 2013 with the review of the City's affordable housing incentive programs. In 2014, the City Council and Mayor jointly convened the Seattle Housing Affordability and Livability Agenda (HALA) Advisory Committee. In 2015, the Mayor and Council approved the Seattle Housing Affordability and Livability Agenda (HALA). The HALA contains sixty-five recommendations for how Seattle can create more affordable housing, including steps for-profit and nonprofit housing developers to build and preserve affordable housing. Seattle 2035's overarching housing goals provide:

H G2 *Help meet current and projected regional housing needs of all economic and demographic groups by increasing Seattle's housing supply.*

H G3 *Achieve a mix of housing types that provide opportunity and choice throughout Seattle for people of various ages, races, ethnicities, and cultural backgrounds and for a variety of household sizes, types, and incomes.*

(Underlining added.) To achieve this goal, the City adopted several dozen policies, of which several speak to rezoning underutilized properties like the Site to encourage redevelopment:

H 2.4 *Encourage use of vacant or underdeveloped land for housing and mixed-use development, and promote turning vacant housing back into safe places to live.*

...

H 3.3 *Encourage the development of family-sized housing affordable for households with a broad range of incomes in areas with access to amenities and services.*

...

H 5.16 *Consider implementing a broad array of affordable housing strategies in connection with new development, including but not limited to development regulations, inclusionary zoning, incentives, property tax exemptions, and permit fee reductions.*

(Bold text in original; underlining added.)

With regard to the emphasis on housing affordability, the Housing Element provides the following relevant goals and policies that support rezoning the Site from LR3(M) to MR(M1):

GOAL

H G5 *Make it possible for households of all income levels to live affordably in Seattle, and reduce over time the unmet housing needs of lower-income households in Seattle.*

POLICIES

H 5.3 *Promote housing affordable to lower-income households in locations that help increase access to education, employment, and social opportunities, while supporting a more inclusive city and reducing displacement from Seattle neighborhoods or from the city as a whole.*

...

H 5.6 *Increase housing choice and opportunity for extremely low- and very low-income households in part by funding rent/income-restricted housing throughout Seattle, especially in areas where there is a high risk of displacement. Also increase housing choice in areas where lower-cost housing is less available but where there is high frequency transit service and other amenities, even if greater subsidies may be needed.*

H 5.7 *Consider that access to frequent transit may lower the combined housing and transportation costs for households when locating housing for lower-income households.*

(Underlining added.) Again, the Site is on the City's adopted Frequent Transit Service Area map, is adjacent to a transit stop on Roosevelt Way NE and within the ten-minute walkshed of the Northgate Transit Center and future light rail station. See Attachment E. By significantly increasing the density while requiring on-site performance of MHA affordability requirements, the Site will provide more than twice as many rent-restricted affordable units (over 300 such units) than the existing 148 market-rate units, which are affordable at the 70%-90%+ AMI level.

Finally, with regard to the Seattle 2035 Plan's Natural Environment and Urban Design – Built Environment goals and policies, the following policies are relevant for the proposed conditions of the PUDA requested as part of this rezone:

GS 3.3 *Encourage design that recognizes natural systems and integrates ecological functions such as storm water filtration or retention with other infrastructure and development projects.*

GS 3.4 *Respect topography, water, and natural systems when siting tall buildings.*

....

GS 3.11 *Use zoning tools and natural features to ease the transitions from the building intensities of urban villages and commercial arterials to lower-density developments of surrounding areas.*

...

GS 3.14 *Design urban villages to be walkable, using approaches such as clear street grids, pedestrian connections between major activity centers, incorporation of public open spaces, and commercial buildings with retail and active uses that flank the sidewalk.*

(Bold text in original; underlining added.) By requiring the east-west pedestrian connection across the Site, the rezone and PUDA will better meet the goals and policies above that development under the existing LR3(M) zoning. By allowing for redevelopment under the City's current storm water code, the quality of storm water discharged to Thornton Creek and its wetland complex will be significantly improved. Also, the Site's topography lends itself to higher buildings as it sits in a bowl, relative to surrounding properties.

Consistency with Seattle 2035 Northgate Neighborhood Plan

The Site is adjacent to and abuts the Core of the Northgate Urban Center, per the Seattle 2035 Future Land Use Map as amended in April 2019. See **Figure 4**, excerpt of amended Map of the Northgate North Core Area within the Northgate Urban Center and Overlay District. Please also refer to newly-added Attachment L, which contains the April 2019 amendments to the Northgate Neighborhood Plan Element of the Seattle 2035 Comprehensive Plan.

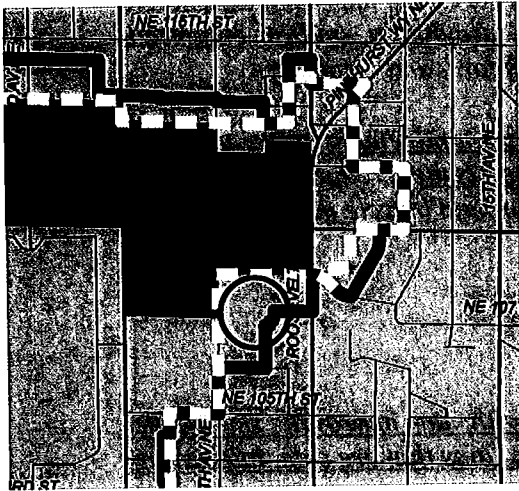


Figure 4 - Northgate Urban Center (Site in Red Circle / Core Boundary in White Dashes)

As described in the Seattle 2035 Land Use Element, the Northgate Urban Center is planned for increased intensity of development, including increased residential density. The Seattle 2035 Northgate Neighborhood Plan provides the following goals and policies that speak to and support increased density on the Site through the proposed rezone to MR(M1).

LAND USE & HOUSING POLICIES

NG-P2 Use land use regulation to cause new development to locate close to transit stops and provide good pedestrian and bicycle connections throughout the area so that intra-area vehicular trips and locally generated traffic are reduced.

...

NG-P6 Promote additional multifamily housing opportunities for households of all income levels to the extent that a compatible scale and intensity of development can be maintained with adjacent single-family areas.

...

NG-P8 Maintain the physical character of historically lower-density areas of the urban village by encouraging housing choices such as rowhouses, townhouses, and low-rise apartments. Encourage primarily residential uses in these

areas while allowing for commercial and retail services for the village and surrounding area.⁴

NG-P8.5 Support future potential rezones to higher-intensity designations in the North Core Subarea. In considering such rezones, pay particular attention to the development of an environment that creates a network of pedestrian connections and that encourages pedestrian activity, among other considerations associated with a rezone review.

TRANSPORTATION GOALS

NG-G6 An economically viable commercial core with improved alternative means of access, good vehicular and pedestrian circulation, and an enhanced, interesting environment that attracts customers, visitors, and employers.

NG-G7 Medium- to high-density residential and employment uses are concentrated within a ten-minute walk of the transit center, reducing the number and length of vehicle trips and making travel by foot and bicycle more attractive.

....

TRANSPORTATION POLICIES

NG-P11 Promote pedestrian circulation with an improved street-level environment by striving to create pedestrian connections that are safe, interesting, and pleasant.

....

DRAINAGE POLICY

NG-P16 Promote reduction of potential runoff into Thornton Creek, and encourage restoration of the creek to enhance aquatic habitat and absorb more runoff.

(Bold text in original; underlining added.)

Of further note, the Transportation Element of the Seattle 2035 Plan identifies high priority pedestrian investments in the Northgate Urban Center as part of the strategy to implement the following policies:

⁴ This policy was amended in April 2019 and replaced a policy that focused on single-family as opposed to “lower-intensity” areas in the Northgate Urban Village. This changed policy does not impact the analysis as the Site and the areas immediately surrounding and abutting it are not “lower-intensity” areas; the “lower-intensity” areas nearby are a block south along NE 105th Street or on the east side of Roosevelt Way and separated from the Site by natural features and public rights-of-way.

T 3.10 *Provide high-quality pedestrian, bicycle, and bus transit access to high-capacity transit stations, in order to support transit ridership and reduce single-occupant vehicle trips.*

T 3.11 *Develop and maintain bicycle and pedestrian facilities, including public stairways, that enhance the predictability and safety of all users of the street and that connect to a wide range of key destinations throughout the city.*

(Bold text in original; underlining added.) By providing the east-west pedestrian connection across the Site as a condition of the PUDA in conjunction with redevelopment of the North Parcel, the rezone will further these policies.

SMC CHAPTER 23.76 CRITERIA & ANALYSIS OF REZONE FROM LR3(M) TO MR(M1).

Pursuant to SMC 23.76.036.A.1. and SMC 23.76.058.C., this is a request for a quasi-judicial Type IV City Council land use decision to for a site-specific rezone from LR3(M) to MR(M1) and a related request to enter into a Property Use & Development Agreement. As required by SMC 23.76.040, Applicant is the holder of record of fee title to the subject property and authorizes the undersigned and BCRA to pursue this application on its behalf. Applicant submits this amended memorandum to address the substantive criteria set forth in those provisions and SDCI's May 22, 2020 Correction Notice #1 and SDCI's January 5, 2021 Correction Notice #2 and respectfully requests that the City Council approve this request.

Per SMC 23.34.004, Contract rezones, the City Council may approve of rezone subject to the execution, delivery and recording of a PUDA with "self-imposed restrictions upon the use and development of the property in order to ameliorate adverse impacts that could occur from unrestricted use and development permitted by development regulations otherwise applicable after the rezone" and "self-imposed restrictions applying the provisions of Chapter 23.58B or Chapter 23.58C to the property." Applicant's proposed PUDA will further mitigate any potential housing displacement impacts by ensuring phased development and 1:1 replacement of the Site's existing 148 two-bedroom, one bathroom family-sized units.

Per SMC 23.34.007, and as detailed below, Applicant's request is not a request to correct a mapping error; it is a request for a site-specific rezone and to enter into a PUDA. The request is consistent with the MR zone function statement and the Comprehensive Plan. The Site is not within the shoreline jurisdiction and does not contain any critical areas.

SMC 23.34.007.A. provides in part that "In evaluating proposed rezones, the provisions of this chapter shall be weighed and balanced together to determine which zone or height designation best meets those provisions. In addition, the zone function statements, which describe the intended function of each zone designation, shall be used to assess the likelihood that the area proposed to be rezoned would function as intended." SMC 23.34.007.B. further states that "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.” Applicant’s request meets all of the substantive criteria for approving the requested rezone, subject to the proposed PUDA.

With regard to the substantive criteria applicable to this request, Applicant provides the following analysis of the criteria in SMC 23.76.008, SMC 23.76.009, SMC 23.76.024. For clarity, the provisions of the code appear in bold italicized text, and the responses appear in regular text below.

SMC 23.34.008 - General rezone criteria⁵

A. To be approved a rezone shall meet the following standards:

1. In urban centers and urban villages the zoned capacity for the center or village taken as a whole shall be no less than 125 percent of the growth estimates adopted in the Comprehensive Plan for that center or village.

The Site is within the Northgate Urban Center on the Seattle 2035 Future Land Use Map. Per Urban Village Figure 8 of the Urban Village Element of the Comprehensive Plan (amended in 2015). The proposed rezone to MR(M1) will allow for an increase in density (not a reduction) and will not result in the zoned capacity of the Northgate Urban Center falling below 125% of growth estimates. To the contrary, it will better help ensure the City meet its growth targets. This criterion is met.

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.

The Site is within the Northgate Urban Center on the Seattle 2035 Future Land Use Map, and the proposed rezone from LR(3)(M) to MR(M1) will significantly increase allowable density on the Site and will not result in a decrease of zoned capacity, taken as a whole. Please see response to section SMC 23.34.008.A.1. above. This criterion is met.

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.

Presently the site is zoned LR3(M). As detailed below, the proposed rezone to MR(M1) meets both the function and locational criteria of the MR zone. Please refer to the discussion below under SMC 23.34.024 - Midrise (MR) zone, function, and locational criteria. This criterion is met.

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

⁵ Updated per Ordinance No. 125791 / Council Bill 119444 effective April 19, 2019, the Mandatory Housing Affordability ordinance.

Please refer to the materials prepared by BCRA and submitted with this amended analysis in response to Item 9 of SDCI's May 22, 2020 Correction Notice #1, which includes the August 16, 2020 Zoning History for 10713 Roosevelt Way NE prepared by SDCI Land Use Permit Specialist Supervisor Johnny Harris. Although the City commenced and studied a comprehensive upzone for all of the Northgate Urban Center in the mid-2000s (culminating in the publication of a Final Environmental Impact Statement in 2009), the Council never acted on the proposed rezone. The zoning on the Site and in many nearby areas remained unchanged until March 19, 2019, when the Council enacted Ordinance No. 125791 / Council Bill 119444, the Mandatory Housing Affordability Ordinance, which became effective on April 19, 2019. During the roughly decade from the publication of the 2009 Northgate rezone FEIS and the adoption of the MHA ordinance, two properties within two blocks of the Site (the 525 Northgate and Prism properties) were rezoned in accordance with the 2009 FEIS to allow increased height and density. These two site-specific rezones were accompanied by PUDAs, and each of these rezones increased height and density on the subject properties. With the adoption of the MHA Ordinance, all nearby properties have seen an increase in height and allowable density.

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.

There are no height or zoning recommendations for the Site set forth in the Seattle 2035 Northgate Neighborhood Plan. Per both the prior and updated (April 2019) maps for the Northgate Neighborhood, the Site is within the Urban Center and abuts the Northgate Core along the Site's west and north boundaries. Land Use & Housing Goal NG-G4 of the Northgate Neighborhood Plan calls for "the most intense and dense development activity [to be] concentrated within the core." Given the Site's proximity to the Northgate Core (literally abutting it on two sides), rezoning the Site to MR(M1) with adjacent properties within the Core zoned NC3 meets the spirit and intent of this criterion.

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

Per both the prior and updated (April 2019) maps for the Northgate Neighborhood, the Site is within the Urban Center and abuts the Northgate Core along the Site's west and north boundaries. There are no height or zoning recommendations for the Site set forth in the Seattle 2035 Northgate Neighborhood Plan; however, Land Use & Housing Goal NG-G4 of the Northgate Neighborhood Plan calls for "the most intense and dense development activity [to be] concentrated within the core." Given the Site's proximity to the Northgate Core (literally abutting it on two sides), rezoning the Site to MR(M1) with adjacent properties within the Core zoned NC3 meets the spirit and intent of this criterion.

As detailed above in the section titled "Consistency with Northgate Neighborhood Plan," the proposed rezone from LR3(M) to MR(M1) is consistent with and implements several key goals and policies of the adopted neighborhood plan. This criterion is met.

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.

Per both the prior and updated (April 2019) maps for the Northgate Neighborhood, the Site is within the Urban Center and abuts the Northgate Core along the Site's west and north boundaries. There are no height or zoning recommendations for the Site set forth in the Seattle 2035 Northgate Neighborhood Plan; however, Land Use & Housing Goal NG-G4 of the Northgate Neighborhood Plan calls for "the most intense and dense development activity [to be] concentrated within the core." Given the Site's proximity to the Northgate Core (literally abutting it on two sides), rezoning the Site to MR(M1) with adjacent properties within the Core zoned NC3 meets the spirit and intent of this criterion.

As detailed above in the section titled "Consistency with Northgate Neighborhood Plan," the proposed rezone from LR3(M) to MR(M1) is consistent with and implements several key goals and policies of the adopted neighborhood plan. This criterion is met.

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.

See response to subsections 1-3 above. To the extent this criterion is applicable, this criterion is met.

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 Site is located in an increasingly dense area adjacent to and abutting ~~within~~ the core of the Northgate Urban Center on a parcel that is both in the City's Frequent Transit Service Area (see map adopted pursuant to SMC 23.54.015.B.) and within the Northgate Transit Center's ten-minute walkshed. See Attachment E. The Site is within two blocks of the Northgate Mall and a short walk to a broad range of businesses and services along NE Northgate Way and 5th Avenue NE. There are significant and growing employment opportunities within a few blocks of the Site both west and north, including the Seattle Kraken's practice facility that will open in 2021.

Along 8th Avenue NE and within a two-block area of the Site, many parcels have been recently developed to heights and densities permitted by the Midrise zone. For example, the Prism project directly opposite the Site on the west side of 8th Avenue NE, which opened in the spring of 2019, has a height of 70' (due to wood frame construction limits) and a density per its NC3 zoning comparable to the height and density allowed in the Midrise zone.

Directly across from the Site's South Parcel along 8th Avenue NE, a five-story 400-unit apartment project, SDCI Project # 3035319-EG, has just completed the Early Design Guidance portion of Design Review. This project will have building heights exceeding 70' and sits higher than the Site due to the topography. The height and density of this project is commensurate with the MR zone as well, which has a base height of 60' (the project is 55' tall) for areas with no MHA suffix and an FAR of 3.2 for areas with no MHA suffix, per SMC 23.45.510&.514. By comparison, NC3-55(M) zones have a base FAR of 3.75 for zones with a 55' height limit like the property being redeveloped opposite the Site's South Parcel.

There are three other relatively new buildings (507 Northgate, 525 Northgate and Lane apartments) within two blocks northwest of the Site developed to the same heights and densities as the Prism. The allowed heights on the parcels directly west of the Site range between 85' and 95' (NC3-85 / NC3-95(M)).

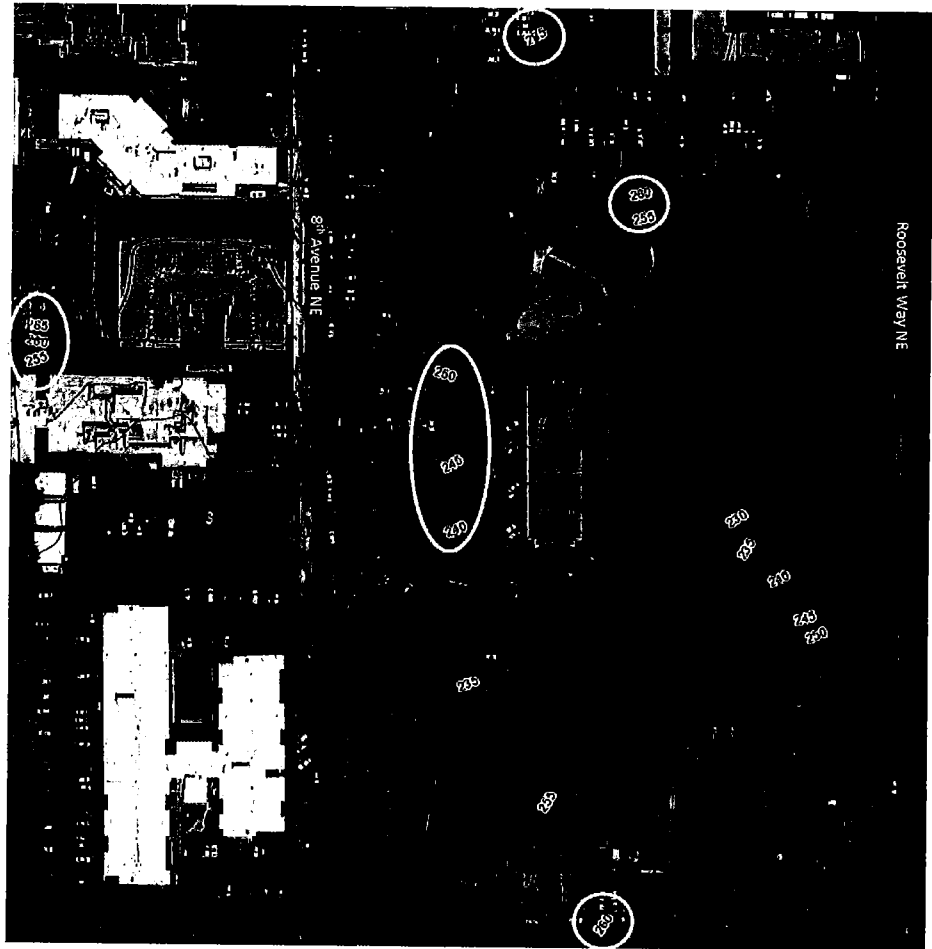
The neighborhoods a few blocks south of the Site (south of NE 105th Street) are on a steep slope and eventually sit much higher than the Site. Please refer to Attachments A and H. In addition, because the southern portion of the Site is bounded by the Thornton Creek wetland complex and NE 106th Street, the mature tree canopy in the Thornton Creek wetland complex largely obscures the Site from properties to the south. See Attachment K, July 21, 2019 photographs of tree canopy from south of Site along 105th Street NE.

The Site itself has a moderate slope from north to south of about 5%, and the southern portion of the Site is approximately 30 feet lower than the northern portion. (The elevation of the northern property line is ~268' NAVD 88, and the southern property line abutting NE 106th Street is at ~238' NAVD 88.) Please refer to Attachments A and H. The Site sits in a bowl of sorts, and there are no existing views from the Site or views across or through the Site from areas surrounding the Site. Due to area topography, existing developments west and northwest of the Site are higher than allowed structures would be, should the Site be redeveloped under the MR(M1) zoning. This criterion is met.

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;

Topographically, the Site sits in a depression, below the private properties to the north, south and west. As shown in the map to the right, the Site slopes from north to south and from west to east, with elevations ranging from 240'-260'; surrounding properties to the north, south and west of the Site sit higher, at 260-265'. Please refer to Attachments A and H. To the south of the Site just south of NE 106th Street is the 200'-to-380'-wide Thornton Creek Beaver Pond Natural Area, which includes the creek itself and an associated wetland complex, provides a significant natural buffer. The Thornton Creek wetland complex has a dense growth of mature coniferous and deciduous



trees, which largely obscure the Site from views from the south. Neighborhoods to the south are two or more blocks away and sit much higher than the Site, too. See Attachment K.

The Thornton Creek ravine continues on the east side of Roosevelt Way NE to the southeast of the Site and provides an additional natural buffer. This criterion is met.

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

As shown above, the Site is bounded to the east by principal arterial Roosevelt Way NE, which serves as an edge and provides transition from properties east of the arterial. This criterion is met.

c. Distinct change in street layout and block orientation;

The Site is bounded to the east by principal arterial Roosevelt Way NE, which serves as an edge and provides transition from properties east of the arterial. This criterion may not be applicable, but to the extent that it is applicable it is met.

d. Open space and greenspaces.

As noted and shown above, to the south of the Site just south of NE 106th Street is the 200'-to-380'-wide Thornton Creek Beaver Pond Natural Area, which includes the creek itself and an associated wetland complex, provides a significant natural buffer. The Thornton Creek wetland complex has a dense growth of mature coniferous and deciduous trees, which largely obscure the Site from views from the south. See above and Attachment K. Neighborhoods to the south are two or more blocks away and sit much higher than the Site, too. This criterion is met.

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.

The proposed rezone to MR(M1) will ensure that residential development, as now exists on the Site, will continue and will be adjacent to and facing other existing residential uses. As shown in **Figure 1** and Attachments E and G, the Site is located in an increasingly dense area adjacent to and abutting the core of the Northgate Urban Center and the Northgate Transit Station's ten-minute walkshed.

Within a two-block area of the Site, many parcels have been recently developed to heights and residential densities similar to those permitted by the Midrise zone. For example, the Prism multifamily project directly opposite the Site on the west side of 8th Avenue NE, which opened in the spring of 2019, has a height of 70' (due to wood frame construction limits) and a density per its NC3 zoning comparable to the height and density allowed in the Midrise zone.

Directly across from the Site's South Parcel along 8th Avenue NE, a five-story 400-unit apartment project, SDCI Project # 3035319-EG, has just completed the Early Design Guidance portion of Design Review. This project will have building heights exceeding 70' and sits higher than the Site due to the topography. The height and density of this project is commensurate with the MR zone as well, which has a base height of 60' (the project is 55' tall) for areas with no MHA suffix and an FAR of 3.2 for areas with no MHA suffix, per SMC 23.45.510&.514. By comparison, NC3

zones have a base FAR of 3.75 for zones with a 55' height limit like the property being redeveloped opposite the Site's South Parcel.

There are three other relatively new buildings (507 Northgate, 525 Northgate and Lane apartments) within two blocks northwest of the Site developed to the same heights and densities as the Prism. The allowed heights on the parcels directly west of the Site range between 85' and 95' (NC3-85 / NC3-95(M)). This criterion is met.

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.

Per both the prior and updated (April 2019) maps for the Northgate Neighborhood, the Site is within the Urban Center and abuts the Northgate Core along the Site's west and north boundaries. This criterion is met.

F. Impact evaluation. The evaluation of a proposed rezone shall consider the possible negative and positive impacts on the area proposed for rezone and its surroundings.

1. Factors to be examined include, but are not limited to, the following:

a. Housing, particularly low-income housing;

The proposed rezone to MR(M1) and PUDA will allow Applicant to develop approximately 1,100 multifamily dwelling units, of which:

- i. 9% (~99 units) would be rent-restricted at 60% of area median income (AMI) rents per the Mandatory Housing Affordability (MHA) requirement;
- ii. 20% (~220 units) would be rent-restricted per the Multifamily Tax Exemption program (MFTE) 20% at 65-85% AMI requirements in 2019; and
- iii. 71% (approximately 781 units) would be at market-rate.

Through the PUDA, Applicant will: provide the MHA units on-site as opposed to paying the fee-in-lieu that is available under SMC Chapter 23.58C.; include at least 148 two-bedroom units to replace the existing 148 two-bedroom, one bathroom units; and phase development to reduce potential displacement impacts during construction. The phasing plan would prohibit the demolition of more than two existing buildings during any nine-month period during the PUDA's term. By contrast, redevelopment of the Site under the LR3(M) zoning would result in far fewer affordable units, no phasing and potentially little or no onsite performance. Please refer to the materials prepared by BCRA and submitted with this amended analysis in response to Item 12 of SDCI's May 22, 2020 Correction Notice #1 and Item 5 of SDCI's January 5, 2021 Correction Notice #2. This criterion is met.

b. Public services;

The Site is well-served by public services, and the rezone will not result in an unplanned or unanticipated burden on or impact to public services. See Attachments E, F and J. Fire Station 31 is located at 1319 N Northgate Way a little over a mile west of the site, and the City's North Precinct station is about a mile west of the Site near North Seattle Community College. The Northgate library branch is located just south and east of the Site, and there are athletic fields, trails, schools and playgrounds within a few blocks of the Site in all directions. The Site is well-served by transit, and the street network is sufficient current and planned growth in the neighborhood. This criterion is met.

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

With specific regard to environmental factors, please refer both the June 28, 2019 SEPA checklist and associated reports submitted with this application as well as the following analysis, which that the proposed rezone from LR3(M) to MR(M1) will not result in any significant adverse environmental impacts:

Noise – No significant impacts are anticipated from the proposed increase in density and height that would result from the rezone. The resulting height increase will simply allow for more planned and desired residential density, including affordable units, in the Northgate Urban Center. As with any site in the Northgate Urban Center, noise from the anticipated and planned development will be limited to that typically generated by neighborhood commercial and residential activities. Development as the result of a proposed rezone is unlikely to create significant additional noise in this area.

Air quality – No noticeable change in impacts will result from a change in zoning to allow additional building height at this site. Future Air Quality measures will comply with applicable Federal, State, and City emission control requirements. Sustainable measures related to air quality include CFC reduction in HVAC equipment, ozone depletion prevention, and Indoor Environmental Quality measures. Increasing residential density in the Northgate Urban Center, which is well-served by transit center and amenities, should decrease the number and length of vehicle trips and thereby reduce impacts on air quality associated with motorized trips.

Water quality – No noticeable change in impacts will result from a change in zoning. When future redevelopment occurs, storm water runoff from the associated project will be conveyed to a City drainage system via a storm water detention system designed in compliance with the City storm water code. Presently, such water is discharged from the Site untreated to Thornton Creek and its associated wetland complex south of the Site. Sustainable design related to water quality will also be attained through compliance with the City green factor requirements and through compliance with other elements of the City codes. The proposed rezone will allow for redevelopment to occur that, in turn, will allow for significant improvements in water quality.

Flora and fauna – Redevelopment of the Site under the proposed rezone will not impact existing landscaping and trees in any manner different than redevelopment under the existing zoning designation. Any redevelopment will require a landscaping plan and compliance with the City’s regulations. No noticeable change in impacts will result from the proposed height change. Existing landscaping and trees will potentially be removed for future construction, but additional vegetation would be required per SMC Chapter 23.45 and any exceptional trees proposed for removal would need to go through the process described in SMC Chapter 25.11.

Glare – No noticeable change in impacts will result from a change in density or height.

Odor – No noticeable change in impacts will result from a change in density or height.

Shadows – Please refer to the attached solar (shadow) studies. See Attachment I. Please also refer to the shadow studies, massing diagrams and related materials prepared by BCRA and submitted with this amended analysis in response to Items 11, 14 and 15 of SDCI’s May 22, 2020 Correction Notice #1 and Items 3 and 4 of SDCI’s January 5, 2021 Correction Notice #2. While the additional height may create some additional shadows on existing sites to the north, depending on season, weather and time of day, the additional shadow impacts will be imperceptible and essentially the same as those associated with the existing LR3(M). Also, future redevelopment of the Site would be subject to design review, which would include consideration of shadow impacts.

Energy – No noticeable change in impacts will result from a change in zoning. Future development in any case will comply with the City of Seattle energy codes. The energy codes are currently in the process of being updated to increase energy efficiency of proposed development.

Views – Please also refer to the shadow studies, massing diagrams and related materials prepared by BCRA and submitted with this amended analysis in response to Items 11, 14 and 15 of SDCI’s May 22, 2020 Correction Notice #1 and Items 3 and 4 of SDCI’s January 5, 2021 Correction Notice #2. There are no territorial views, and existing and proposed developments to the north and west sit higher than the Site, as do the neighborhoods to the south of the Site south of Thornton Creek. Viewshed impacts to the Northgate Manor Apartments immediately west of the Site’s South Parcel are no greater or different than those that would be associated with redevelopment of the Site under LR3(M) zoning as the north-south massing would be identical but with a lower height. One could not see over an MR(M1) building or an LR3(M) building, so the additional height makes no difference.

In sum, the proposed increased density and height will allow for increased residential density, including additional affordable units, with no significant adverse environmental impacts. This criterion is met.

d. Pedestrian safety;

Future development of the Site will be required to complete any required street improvements such as sidewalks and sight lines for driveways subject to Design Review, which includes review of the

pedestrian environment. Future development may also require submittal of specific traffic impact information, including consideration of how driveway placement may impact pedestrian traffic on sidewalks and at crosswalks. Pedestrian safety is also regulated by requirements in SMC Chapter 23.53 (Streets and Alleys) and the Street Improvement Manual.

Also, future redevelopment will be conditioned per the proposed PUDA to provide an east-west pedestrian connection across the Site's northern boundary, which will improve pedestrian access in the area and improve pedestrian safety.

In sum, the proposed increased density and height will allow for increased residential density, including additional affordable units, with no demonstrable adverse impacts to pedestrian safety. This criterion is met.

e. Manufacturing activity;

The Site is not zoned or proposed to be rezoned to allow for manufacturing activity. This criterion is met.

f. Employment activity;

The Site is not zoned or proposed to be rezoned for commercial (employment) activity. The increased density will, however, support commercial uses and employment in the Northgate Urban Center. This criterion is met.

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

The proposed rezone will not adversely impact any recognized architectural or historical character. This criterion is met.

h. Shoreline view, public access and recreation.

The Site is not located within any shoreline view, public access or recreation area. This criterion is met.

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;

The Site has adequate street access, and the proposed rezone for additional density and height will not impact local street access. Please see the attached updated transportation analysis dated March 19, 2020 prepared by TENW. See Attachment F. This criterion is met.

b. Street capacity in the area;

The area surrounding the Site has adequate street capacity, and the proposed rezone for additional density and height will not exceed the service capacity of the local street network. Please see the attached updated transportation analysis dated March 19, 2020 prepared by TENW. See Attachment F. This criterion is met.

c. Transit service;

The Site is well-served by transit (*i.e.*, is within the 1/2-mile walkshed from the Northgate Transit Center and is within the City's adopted Frequent Transit Service area), and the proposed rezone for additional density and height will not exceed the transit service capacity for the area. Please see Attachment E and the updated transportation analysis dated March 19, 2020 prepared by TENW. See Attachment F. The proposed rezone will leverage the City's existing and planned transit investments in the Northgate Urban Center. This criterion is met.

d. Parking capacity;

The proposed rezone to MR(M1) will allow for additional density and height and will not create a parking deficiency. Any redevelopment of the Site will require compliance with the City's adopted parking standards. This criterion is met.

e. Utility and sewer capacity;

The Site has adequate utility and sewer capacity, and the proposed rezone for additional density and height will not exceed the utility and sewer service capacity of the area. See Attachment J. This criterion is met.

f. Shoreline navigation.

The Site is not located within or near any shoreline navigation areas. This criterion is met.

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.

Housing affordability is now a key, if not *the* key, issue facing the City. The City adopted the Seattle 2035 Comprehensive Plan (detailed above) and the Mandatory Housing Affordability Ordinance, effective April 19, 2019, to address this issue through a variety of tools, including rezoning properties throughout the Northgate Urban Center to higher heights to allow for additional density and affordable housing.

Since the adoption of the city-wide MHA rezone, the area has seen significant increase in density and height with the completion of the Prism and Lane projects adjacent to and west of the Site. The ongoing Northgate Mall redevelopment and NHL hockey training facility are other significant changes of circumstances. And prior to the redevelopment of the Site, light rail will open in 2021 and provide a 15-minute ride to Westlake Center station, with trains running every 4-6 minutes (<https://www.soundtransit.org/system-expansion/northgate-link-extension>).

Implementation of the Seattle 2035 Plan will require additional residential density and affordable housing. The proposed rezone from LR3(M) to MR(M1) coupled with the conditions in the

proposed PUDA will allow for the provision of increased density, affordable housing and a broader range of viable affordable residential development on the Site consistent with and in furtherance of the City's vision for 2035. The current LR(3)(M) zoning is inadequate to even allow for redevelopment, and even were it feasible to develop under such zoning, such redevelopment would result in far fewer affordable units, no phasing and potentially little or no onsite performance. See Attachment C. This criterion is met.

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

The Site is within the Northgate Overlay district, which was recently amended through the adoption of Ordinance No. 125792 / Council Bill 119445 effective April 19, 2019. The amendment did not impact the Site. The proposed rezone for additional density and height is consistent with the Northgate Overlay District. To the extent it is applicable, this criterion is met.

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

Please refer to the April 14, 2020 "Off-Site Wetland & Stream Delineation for 10735 Roosevelt Way NE Parcel 292604-9617, Seattle, WA City File # 3033517-LU" prepared by Altmann Oliver Associates LLC and the April 29, 2020 Memorandum titled "Project #3033517-LU - Park at Northgate Site-Specific Rezone: Response to December 3, 2019 Correction Notice #1 ECA Issue" prepared by Schwabe, Williamson & Wyatt PC. The North Parcel does not contain any ECAs; a small portion of the parking lot on the South Parcel is encumbered by riparian management area (buffer) from an offsite stream segment. See Attachment D. A public street lies between the South Parcel and the offsite stream. No development is proposed with this rezone application, and no future development is proposed within the area on the South Parcel encumbered by the RMA, and Applicant proposes to include that as a requirement in the PUDA. Alternatively, if necessary to comply with SMC 23.34.024.B.2, Applicant is amenable to having the portion of the South Parcel that contains the RMA excluded from the rezone and remain LR3(M), consistent with the approach the City has taken in similar circumstances (*i.e.*, offsite stream but onsite RMA). *See, e.g., In the Matter of the Application of TODD CURRY for approval of a rezone of property located at 3012 NE 140th Street*, Hearing Examiner File: CF 307580, SDCI # 3002989 (August 15, 2006). Applicant is amenable to exploring other options to address this condition, as well. This criterion is met.

SMC 23.34.013 - Designation of multifamily zones⁶

An area zoned single-family that meets the criteria of Section 23.34.011 for single-family designation may not be rezoned to multifamily except as otherwise provided in Section 23.34.010.B.

⁶ Item 6 of SDCI's May 22, 2020 Correction Notice states: "Please update the rezone criteria analysis document to include written responses to criteria found in SMC 23.34.013 (Designation of multifamily zones) and 23.34.020 (LR3 zone, function and locational criteria). Please remove written responses to the criteria per SMC 23.34.009 because these criteria are not applicable for this rezone request." This section, which addresses SMC 23.34.013, is added in response to Item 6.

The Site is zoned LR(3) and is not an area zoned single-family. This criterion is met.

SMC 23.34.020 - Lowrise 3 (LR3) zone, function and locational criteria⁷

A. Functions. The dual functions of the LR3 zone are to:

- 1. provide opportunities for a variety of multifamily housing types in existing multifamily neighborhoods, and along arterials that have a mix of small to moderate scale residential structures; and***
- 2. accommodate redevelopment in areas within urban centers, urban villages, and Station Area Overlay Districts in order to establish multifamily neighborhoods of moderate scale and density.***

The Site is located in an area predominantly zoned Neighborhood Commercial and developed (or planned for development) with buildings up to 75'. The first functional criterion is not met as the surrounding neighborhood is predominantly characterized by moderate to large scale mixed-use and multifamily residential structures. The Site is located in the Northgate Urban Center, so the second functional criterion is met.

B. Locational Criteria. The LR3 zone is most appropriate in areas generally characterized by the following conditions:

1. The area is either:

- a. located in an urban center, urban village, or Station Area Overlay District where new development could help establish a multifamily neighborhood of moderate scale and density, except in the following urban villages: the Wallingford Residential Urban Village, the Eastlake Residential Urban Village, the Upper Queen Anne Residential Urban Village, the Morgan Junction Residential Urban Village, the Lake City Hub Urban Village, the Bitter Lake Village Hub Urban Village, and the Admiral Residential Urban Village; or***
- b. located in an existing multifamily neighborhood in or near an urban center, urban village, or Station Area Overlay District, or on an arterial street, and characterized by a mix of structures of low and moderate scale;***

The Site is located in the Northgate Urban Center, so this criterion is met.

⁷ Item 6 of SDCI's May 22, 2020 Correction Notice states: "Please update the rezone criteria analysis document to include written responses to criteria found in SMC 23.34.013 (Designation of multifamily zones) and 23.34.020 (LR3 zone, function and locational criteria). Please remove written responses to the criteria per SMC 23.34.009 because these criteria are not applicable for this rezone request." This section, which addresses SMC 23.34.020, is added in response to Item 6.

2. The area is near neighborhood commercial zones with comparable height and scale;

The Site is near multiple properties zoned NC3 in a commercial area within the Northgate Urban Center, so this criterion is met.

3. The area would provide a transition in scale between LR1 and/or LR2 zones and more intensive multifamily and/or commercial zones;

There are no LR1 or LR2 zones adjacent to or near that Site to which the Site would provide transition. The Site is surrounded by NC3-zoned properties to the west and north and another LR3(M) property to the east. To the south, the Site is bounded by NE 106th Street and the Thornton Creek Natural Area, which both buffer and provide transition to neighborhoods to the south.

4. The area has street widths that are sufficient for two-way traffic and parking along at least one curb;

The area surrounding the Site, including 8th Avenue NE, allows for two-way traffic with parking along at least one side of the street. This criterion is met.

5. The area is well served by public transit;

The Site is also within a five-minute walk of stops served by the Metro 41, 67, 75, 347 and 348 routes, all of which meet the frequent transit standard, and the Site is adjacent to an existing transit stop on Roosevelt Way NE served by several such routes. As such the Site is within the City's adopted Frequent Transit Service Area, SMC 23.54.015.B.4. See Park at Northgate Transit Radius and Frequent Transit Service Map, Attachment E, and <http://www.seattle.gov/Documents/Departments/SDCI/Codes/ChangesToCodes/NeighborhoodParking/FrequentTransitMap.pdf>. This criterion is met.

6. The area has direct access to arterial streets that can accommodate anticipated vehicular circulation, so that traffic is not required to use streets that pass through lower density residential zones;

As shown in Attachments E, F and J, the Site is well-served by transit and bicycle pathways, is located within a block of NE Northgate Way, a major (principal) arterial and abuts Roosevelt Way NE, a major (principal) arterial, per the Seattle Department of Transportation (SDOT) maps. Both NE Northgate Way and Roosevelt Way NE are also identified as Urban Village Main in the area of the Site, and Roosevelt Way is further identified as an Urban Center Connector near the Site. Per Attachments E, F and J, both the June 28, 2019 and March 19, 2020 analysis prepared by TENW and the June 12, 2019 BCRA site assessment confirm that the street capacity is sufficient to absorb the traffic generated by midrise development, should the rezone be granted. The Site meets this criterion.

7. The area well supported by existing or projected facilities and services used by residents, including retail sales and services, parks, and community centers, and has good pedestrian access to these facilities.

The Site is located in an increasingly dense area adjacent to and abutting within the core of the Northgate Urban Center on a parcel that is both in the City's Frequent Transit Service Area (see map adopted pursuant to SMC 23.54.015.B.) and within the Northgate Transit Center's ten-minute walkshed. The Site is within two blocks of the Northgate Mall and a short walk to a broad range of businesses and services along NE Northgate Way and 5th Avenue NE. The Northgate Mall is undergoing significant redevelopment as the Seattle Kraken's practice facility (opening in summary 2021) and will include 935 apartments, one million square feet of office, an additional 188,000 square feet of retail and 330 hotel rooms, plus the NHL's practice facility. There are significant and growing employment opportunities within a few blocks of the Site both west and north. There is also a large commercial area immediately south of the Northgate Transit Center that serves as an employment center in the Northgate neighborhood. The Site meets this criterion.

C. The LR3 zone is also appropriate in areas located in the Delridge High Point Neighborhood Revitalization Area, as shown in Map A for 23.34.020, provided that the LR3 zone designation would facilitate a mixed-income housing development initiated by the Seattle Housing Authority or other public agency; a property use and development agreement is executed subject to the provisions of Chapter 23.76 as a condition to any rezone; and the development would serve a broad public purpose.

This criterion is inapplicable as the Site is not within the Delridge High Point Neighborhood Revitalization Area.

D. Except as provided in this subsection 23.34.020.D, properties designated as environmentally critical may not be rezoned to an LR3 designation, and may remain LR3 only in areas predominantly developed to the intensity of the LR3 zone. The preceding sentence does not apply if the environmentally critical area either:

- 1. was created by human activity, or***
- 2. is a designated peat settlement, liquefaction, seismic or volcanic hazard area, or flood prone area, or abandoned landfill.***

Please refer to the April 14, 2020 "Off-Site Wetland & Stream Delineation for 10735 Roosevelt Way NE Parcel 292604-9617, Seattle, WA City File # 3033517-LU" prepared by Altmann Oliver Associates LLC and the April 29, 2020 Memorandum titled "Project #3033517-LU - Park at Northgate Site-Specific Rezone: Response to December 3, 2019 Correction Notice #1 ECA Issue" prepared by Schwabe, Williamson & Wyatt PC. The North Parcel does not contain any ECAs. A small portion of the parking lot on the South Parcel is encumbered by a riparian management area ("RMA") from an offsite stream segment (the area south of the yellow line in the map below). The South Parcel is separated from the stream segment by a public street, and the RMA (i.e., the stream buffer) is the ECA. It is worth noting that this criterion is applicable to both LR3 and the Site's

proposed MR zoning, so rezoning the Site to MR meets this criterion to the same extent as retaining the Site's existing LR 3 zoning.

SMC 23.34.024 - Midrise (MR) zone, function, and locational criteria⁸

A. Function. An area that provides concentrations of housing in desirable, pedestrian-oriented urban neighborhoods having convenient access to regional transit stations, where the mix of activity provides convenient access to a full range of residential services and amenities, and opportunities for people to live within walking distance of employment.

The Site is located in an increasingly dense area adjacent to and abutting the core of the Northgate Urban Center on a parcel that is both in the City's Frequent Transit Service Area (see map adopted pursuant to SMC 23.54.015.B.) and within the Northgate Transit Center's ten-minute walkshed. The Site is within two blocks of the Northgate Mall and a short walk to a broad and growing range of businesses and services along NE Northgate Way and 5th Avenue NE. There are significant employment opportunities within a few blocks of the Site both west and north, and the soon-to-open NHL practice facility and significant addition of office and retail space at Northgate Mall will bring more job, services and amenities to the neighborhood. The Site better meets the function criteria of the MR zone than the LR3 zone.

B. Locational criteria.

1. Threshold conditions. Subject to subsection SMC 23.34.024.B.2, properties that may be considered for a Midrise designation are limited to the following:

a. Properties already zoned Midrise;

b. Properties in areas already developed predominantly to the intensity permitted by the Midrise zone; or

c. Properties within an urban center or urban village.

The Site is located in an increasingly dense area within the core of the Northgate Urban Center adjacent to parcels along 8th Avenue NE and within a two-block area of parcels that have been recently developed to heights and densities permitted by the Midrise zone. For example, the Prism project directly opposite the Site on the west side of 8th Avenue NE, which opened in the spring of 2019, has a height of 70' (due to wood frame construction limits) and a density per its NC3 zoning comparable to the height and density allowed in the Midrise zone.

Directly across from the Site's South Parcel along 8th Avenue NE, a five-story 400-unit apartment project, SDCI Project # 3035319-EG, has just completed the Early Design Guidance portion of Design Review. This project will have building heights that exceed 70' and will sit higher than the

⁸ Updated per Ordinance No. 125791 / Council Bill 119444 effective April 19, 2019, the Mandatory Housing Affordability ordinance.

Site due to topography. The height and density of this project is commensurate with the MR zone as well, which has a base height of 60' (the project is 55' tall) for areas with no MHA suffix and an FAR of 3.2 for areas with no MHA suffix, per SMC 23.45.510&.514. By comparison, NC3 zones have a base FAR of 3.75 for zones with a 55' height limit like the property being redeveloped opposite the Site's South Parcel.

There are three other relatively new buildings (507 Northgate, 525 Northgate and Lane apartments) within two blocks northwest of the Site developed to the same heights and densities as the Prism. The allowed heights on the parcels directly west of the Site range between 85' and 95' (NC3-85 / NC3-95(M)). The Site meets the criteria in both subsection b. and c. of the Locational criteria for the MR zone.

2. Environmentally critical areas. Except as stated in this subsection SMC 23.34.024.B.2, properties designated as environmentally critical may not be rezoned to a Midrise designation, and may remain Midrise only in areas predominantly developed to the intensity of the Midrise zone. The preceding sentence does not apply if the environmentally critical area either

a. Was created by human activity, or

Please refer to the April 14, 2020 "Off-Site Wetland & Stream Delineation for 10735 Roosevelt Way NE Parcel 292604-9617, Seattle, WA City File # 3033517-LU" prepared by Altmann Oliver Associates LLC and the April 29, 2020 Memorandum titled "Project #3033517-LU - Park at Northgate Site-Specific Rezone: Response to December 3, 2019 Correction Notice #1 ECA Issue" prepared by Schwabe, Williamson & Wyatt PC. The North Parcel does not contain any ECAs. A small portion of the parking lot on the South Parcel is encumbered by a riparian management area ("RMA") from an offsite stream segment (the area south of the yellow line in the map below). The South Parcel is separated from the stream segment by a public street, and the RMA (*i.e.*, the stream buffer) is the ECA. This criterion is met.

b. Is a designated peat settlement; liquefaction, seismic or volcanic hazard; flood prone area; or abandoned landfill.

The Site is not designated a peat settlement, liquefaction, seismic or volcanic hazard; it is not a flood prone area, nor is it abandoned landfill.

3. Other criteria. The Midrise zone designation is most appropriate in areas generally characterized by the following:

a. Properties that are adjacent to business and commercial areas with comparable height and bulk;

As detailed above, the Site is located in an increasingly dense area adjacent to and abutting the Core of the Northgate Urban Center adjacent to parcels along 8th Avenue NE and within a two-block area of parcels that have been recently developed to heights and densities permitted by the Midrise zone. For example, the Prism project directly opposite the Site on the west side of 8th

Avenue NE, which opened in the spring of 2019, has a height of 70' (due to wood frame construction limits) and a density per its NC3 zoning comparable to the height and density allowed in the Midrise zone. There are three other relatively new buildings (507 Northgate, 525 Northgate and Lane apartments) within two blocks northwest of the Site developed to the same heights and densities as the Prism. The allowed heights on the parcels directly west of the Site range between 85' and 95' (NC3-85 / NC3-95(M)). The Site is within and adjacent to a significant and growing business and commercial area in the Northgate Urban Center. The Site meets this criterion.

b. Properties in areas that are served by major arterials and where transit service is good to excellent and street capacity could absorb the traffic generated by midrise development;

As shown in Attachments E, F and J, the Site is well-served by transit and bicycle pathways, is located within a block of NE Northgate Way, a major (principal) arterial and abuts Roosevelt Way NE, a major (principal) arterial, per the Seattle Department of Transportation (SDOT) maps. Both NE Northgate Way and Roosevelt Way NE are also identified as Urban Village Main in the area of the Site, and Roosevelt Way is further identified as an Urban Center Connector near the Site. Per Attachments E, F and J, both the June 28, 2019 analysis prepared by TENW and the June 12, 2019 BCRA site assessment confirm that the street capacity is sufficient to absorb the traffic generated by midrise development, should the rezone be granted. The Site meets this criterion.

c. Properties in areas that are in close proximity to major employment centers;

The Site is located in an increasingly dense area adjacent to and abutting ~~within~~ the Core of the Northgate Urban Center on a parcel that is both in the City's Frequent Transit Service Area (see map adopted pursuant to SMC 23.54.015.B.) and within the Northgate Transit Center's ten-minute walkshed. The Site is within two blocks of the Northgate Mall and a short walk to a broad range of businesses and services along NE Northgate Way and 5th Avenue NE. The Northgate Mall is undergoing significant redevelopment as the Seattle Kraken's practice facility (opening in summary 2021) and will include 935 apartments, one million square feet of office, an additional 188,000 square feet of retail and 330 hotel rooms, plus the NHL's practice facility. There are significant and growing employment opportunities within a few blocks of the Site both west and north. There is also a large commercial area immediately south of the Northgate Transit Center that serves as an employment center in the Northgate neighborhood. The Site meets this criterion.

d. Properties in areas that are in close proximity to open space and recreational facilities;

The Site is in close proximity to open space and recreational facilities, including Hubbard Homestead Park located between 5th Avenue NE and 3rd Avenue NE a few blocks northeast of the Site, Northgate Park and the Northgate Community Center approximately two blocks to the southwest, and the play area associated with Olympic View Elementary School about five blocks south of the Site. Open space also includes Thornton Creek Beaver Pond Natural Area adjacent

to the Site. There are several other parks within approximately ten blocks of the site to the north, east, southeast and southwest.

Several schools with recreational facilities are also located nearby, including North Seattle Community College located approximately one mile southwest, across I-5. Nearby elementary schools include Olympic View Elementary School about five blocks south of the Site, Northgate Elementary approximately one-mile northwest of the Site across I-5 and Pinehurst Elementary School approximately nine blocks to the northeast. The Site meets this criterion.

e. Properties in areas along arterials where topographic changes either provide an edge or permit a transition in scale with surroundings;

The east side of the Site is adjacent to Roosevelt Way NE, a principal arterial, and just south of NE Northgate Way, another principal arterial. The Site slopes from north to south along Roosevelt Way NE, which both provides an edge and allows for transition in scale from properties on the opposite side of the street and areas to the south of the Site. The southern portion of the Site is bounded by the Thornton Creek wetland complex and NE 106th Street, a minor arterial, each of which provides a further edge and transition from the Site to neighborhoods to the south. The mature tree canopy in the Thornton Creek wetland complex largely obscures the Site from properties to the south, and the trees are of sufficient height to obscure future redevelopment of the Site from the south, as well. The Site meets this criterion.

f. Properties in flat areas where the prevailing structure height is greater than 37 feet or where due to a mix of heights, there is no established height pattern;

As detailed in the preceding section, the Site is not in a flat area; however, the Site is in an area where the prevailing structure height is both greater than 37' and there is such a mix of heights that there is no established height pattern. More recent development west and northwest of the Site along 8th Avenue NE and NE Northgate Way have heights in the 40' to 75' range, and the trend over the past decade is for taller buildings in the area of the site. The Site meets this criterion.

g. Properties in areas with moderate slopes and views oblique or parallel to the slope where the height and bulk of existing structures have already limited or blocked views from within the multifamily area and upland areas;

The Site has a moderate slope from north to south of less than 10%, and the southern portion of the Site is approximately 30 feet lower than the northern portion. (The elevation of the northern property line is ~268' NAVD 88, and the southern property line abutting NE 106th Street is at ~238' NAVD 88.) Please refer to Attachments A and H. The Site sits in a bowl of sorts, and there are no existing views from the Site or views across or through the Site from areas surrounding the Site. Due to area topography, existing developments west and northwest of the Site are higher than allowed structures would be, should the Site be redeveloped under the MR(M1) zoning. The southern portion of the Site is bounded by the Thornton Creek wetland complex and NE 106th Street, a minor arterial, each of which provides a further edge and transition from the Site to

neighborhoods to the south. As noted above, the mature tree canopy in the Thornton Creek wetland complex largely obscures the Site from properties to the south, and the trees are of sufficient height to obscure future redevelopment of the Site from the south. The Site meets this criterion.

h. Properties in areas with steep slopes and views perpendicular to the slope where upland developments are of sufficient distance or height to retain their views over the area designated for the Midrise zone; and

As detailed in the preceding section, the Site has only modest slopes from north to south (and west to east), and there are no east-west views perpendicular to the Site's slope. The neighborhoods a few blocks south of the Site (south of NE 105th Street) are on a steep slope and eventually sit much higher than the Site. Please refer to Attachments A and H. However, because the southern portion of the Site is bounded by the Thornton Creek wetland complex and NE 106th Street, the mature tree canopy in the Thornton Creek wetland complex largely obscures the Site from properties to the south. The trees are also of sufficient height to obscure future redevelopment of the Site from the south. To the extent there are any views over the Site, those views are also over the tree canopy and will be retained. The Site meets this criterion.

i. Properties in areas where topographic conditions allow the bulk of the structure to be obscured. Generally, these are steep slopes, 16 percent or more, with views perpendicular to the slope.

Again, the Site has only modest slopes from north to south (and west to east), and there are no east-west views perpendicular to the Site's slope. Please refer to Attachments A and H. Because the Site sits in somewhat of a bowl vis-à-vis surrounding properties and Roosevelt Way NE, the bulk of any future development under the MR(M1) zoning would be obscured from the south by the height of the mature tree canopy in the Thornton Creek wetland complex. Properties west of the Site sit higher and have no views across the Site to the east, and the Site is bounded by Roosevelt Way NE to the east. The Site meets this criterion.

Summary and Request for Approval

In sum, Applicant requests the following:

- rezone the Site from LR3(M) to MR(M1);
- require on-site performance instead of paying a fee in lie by providing affordable units on Site, as a condition of the PUDA;
- require a one-for-one replacement of the existing 148 two-bedroom, one bathroom units to retain family-sized units on the Site, as a condition of the PUDA;
- limit demolition of existing buildings to two buildings within any nine month period, as a condition of the PUDA;
- require an east-west pedestrian access along the Site's northern property line to provide connectivity from Roosevelt Way NE across the Site, as a condition of the PUDA; and
- provide a twenty year term to allow for phased redevelopment of the Site, as a condition of the PUDA.

As detailed above, the proposed rezone from LR3(M) to MR(M1) combined with the PUDA is consistent with and implements the applicable goals and policies of the Seattle 2035 Comprehensive Plan and Northgate Neighborhood Plan and meets every one of the substantive criteria applicable to the Site under SMC 23.76.008, .013, .020 and .024. If granted, the rezone and PUDA will allow for a better development than would otherwise be permitted under the existing zoning, which itself would prohibit redevelopment. The proposed rezone will also allow for the creation of additional market-rate and a significant number of rent-restricted units affordable to a broad range of incomes, consistent with the City's vision for the neighborhood and City.

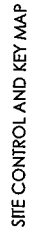
The Site is well-served by transit, and dense redevelopment will further the City's transit-oriented growth strategy. For the past decade, the surrounding neighborhood has been undergoing redevelopment to larger scale and higher density buildings, including the recent projects immediately adjacent to the Site along 8th Avenue NE. There are no adverse impacts associated with the proposal. The impacts associated with the proposed rezone are well within the range of impacts studied in the MHA FEIS, and the SEPA checklist and studies submitted with this request demonstrate that there are no significant adverse environmental impacts associated with this request. Applicant respectfully requests that the City Council rezone the Site from LR3(M) to MR(M1) and enter into a PUDA.

AAL:aal

Memo to: Nathan Torgelson, SDCI Director
February 3, 2021
Page 43

ATTACHMENT A

Bush, Roed & Hitchings, Inc.'s July 25, 2019 January 14, 2021 ALTA Survey

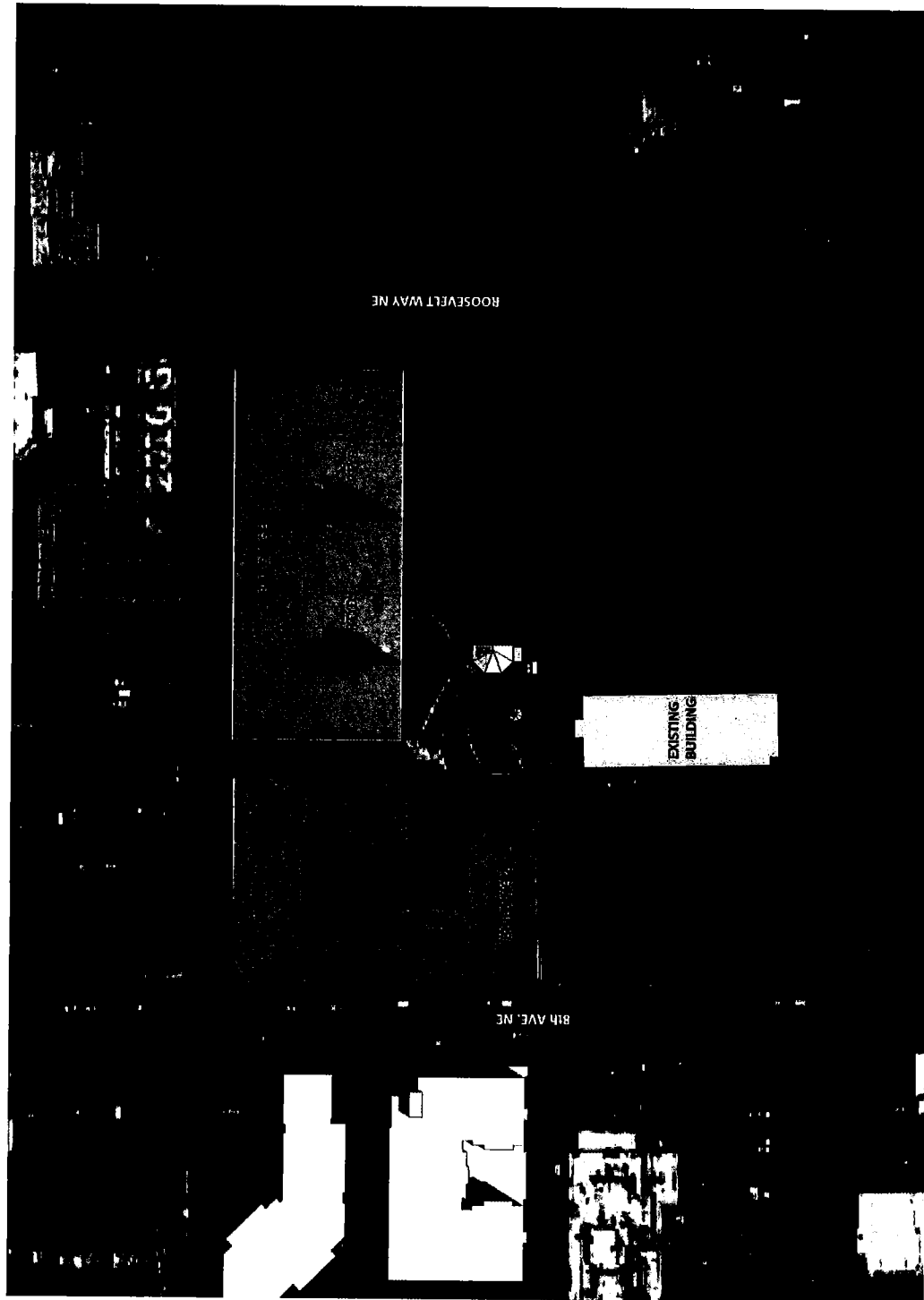
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Memo to: Nathan Torgelson, SDCI Director
February 3, 2021
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ATTACHMENT B

Phasing Plan prepared by BCRA



LEGEND

Phase One

Phase Two

Phase Three



Memo to: Nathan Torgelson, SDCI Director
February 3, 2021
Page 45

ATTACHMENT C

June 30, 2017 Comment Letter on MHA DEIS

May 17, 2018 Comment Letter on OPCD MHA Citywide Ordinance

August 7, 2018 Comment Letter on OPCD MHA Citywide Ordinance



June 30, 2017

Department of Neighborhoods, City of Seattle
jesseca.brand@seattle.gov
halainfo@seattle.gov

Office of Planning and Community Development
Attn: MHA EIS
MHA.EIS@seattle.gov

Tom Hauger
tom.hauger@seattle.gov

Re: Request for Modification to Northgate Urban Villages Draft Mandatory Housing Affordability (MHA) Map Zoning Designation from LR3 to MR(M1)

Dear All:

On behalf of Wallace Properties – Park at Northgate LLC¹, the owner of the Park at Northgate apartments (the “Site”), we request that the Mandatory Housing Affordability (MHA) Map zoning designation for our property be changed from LR3 to MR(M1) with an 80’ height limit.² In the coming months, we will be applying for a contract rezone from LR3 to MR-60. Through that process we will provide a detailed analysis to support additional density on the Site. Our request here is to modify the MHA Alternatives for the Site to the MR(M1) designation, because MR(M1) is the most consistent with our contract rezone and best meets the City’s housing and affordability goals for the neighborhood. The remainder of this letter describes the Site and provides support for the MR(M1) zoning designation.

The Site is located at 10735 Roosevelt Way NE, on the east edge of the Northgate Urban Center.³ The map to the right is an excerpt from the MHA draft Environmental Impact Statement (DEIS) Exhibit H-41 Proposed Zoning, Alternative 2: Northgate Urban Village, with the Site circled in blue. The land area of the Site is 5.24 acres, it is located within ½ mile

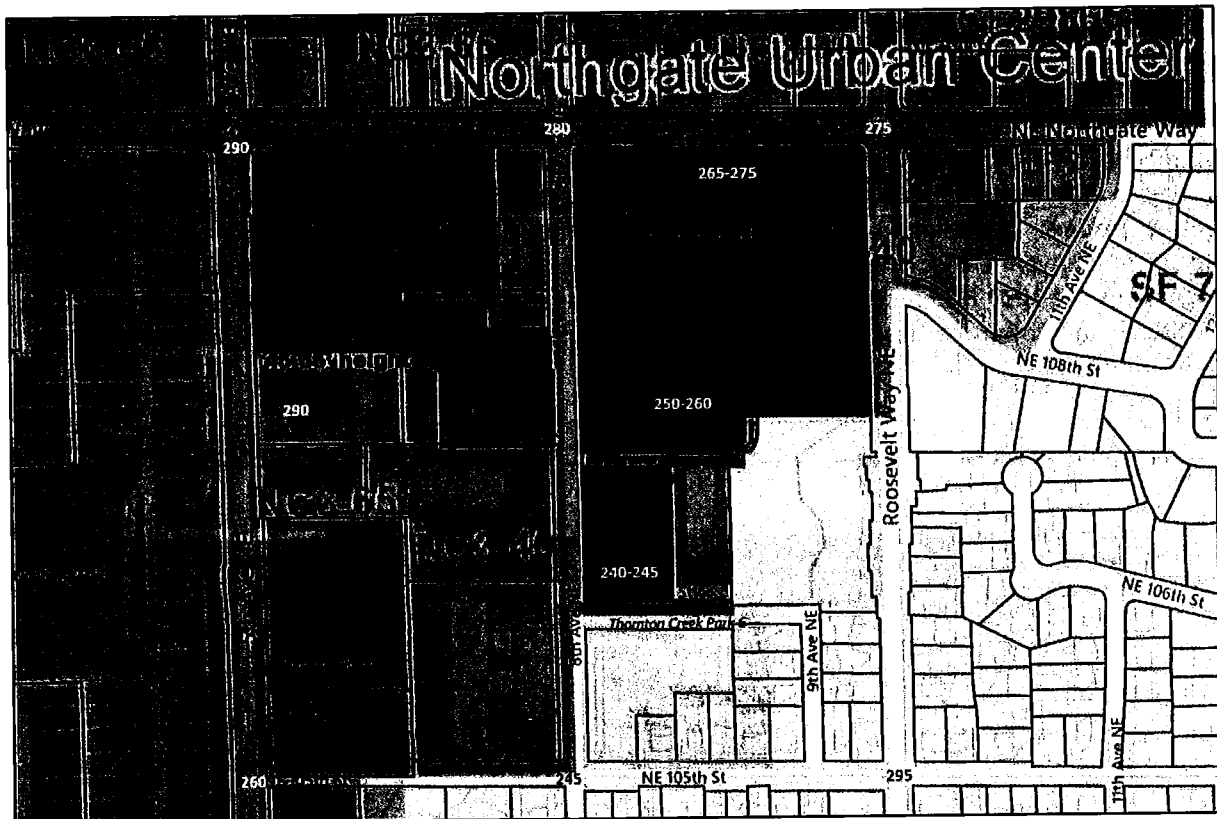


¹ This entity is an affiliate of Wallace Properties. The MHA draft environmental impact statement (DEIS) indicates 1,137 residential units have been built in Northgate since 1996. Wallace Properties built 430 of them, and over 100 of those are rent restricted under the Multi-family Tax Exemption (MFTE) program. This fall we will break ground on another 138 apartments across the street from the Site.

² We are amenable to a 60’ height limit, but there is no proposed zoning category at that height.

³ Parcel # 894423-0005.

of the Northgate Transit Center and light rail station (see map on page 5), and it is adjacent to an existing transit stop on Roosevelt Way NE. The Site is presently developed with the Park at Northgate garden-style apartment complex, with 148 residential units. This low-density complex is well-kept but over forty years old. As such, there is a viable opportunity for a phased redevelopment of the Site with new transit-oriented workforce housing, if sufficient density is provided.

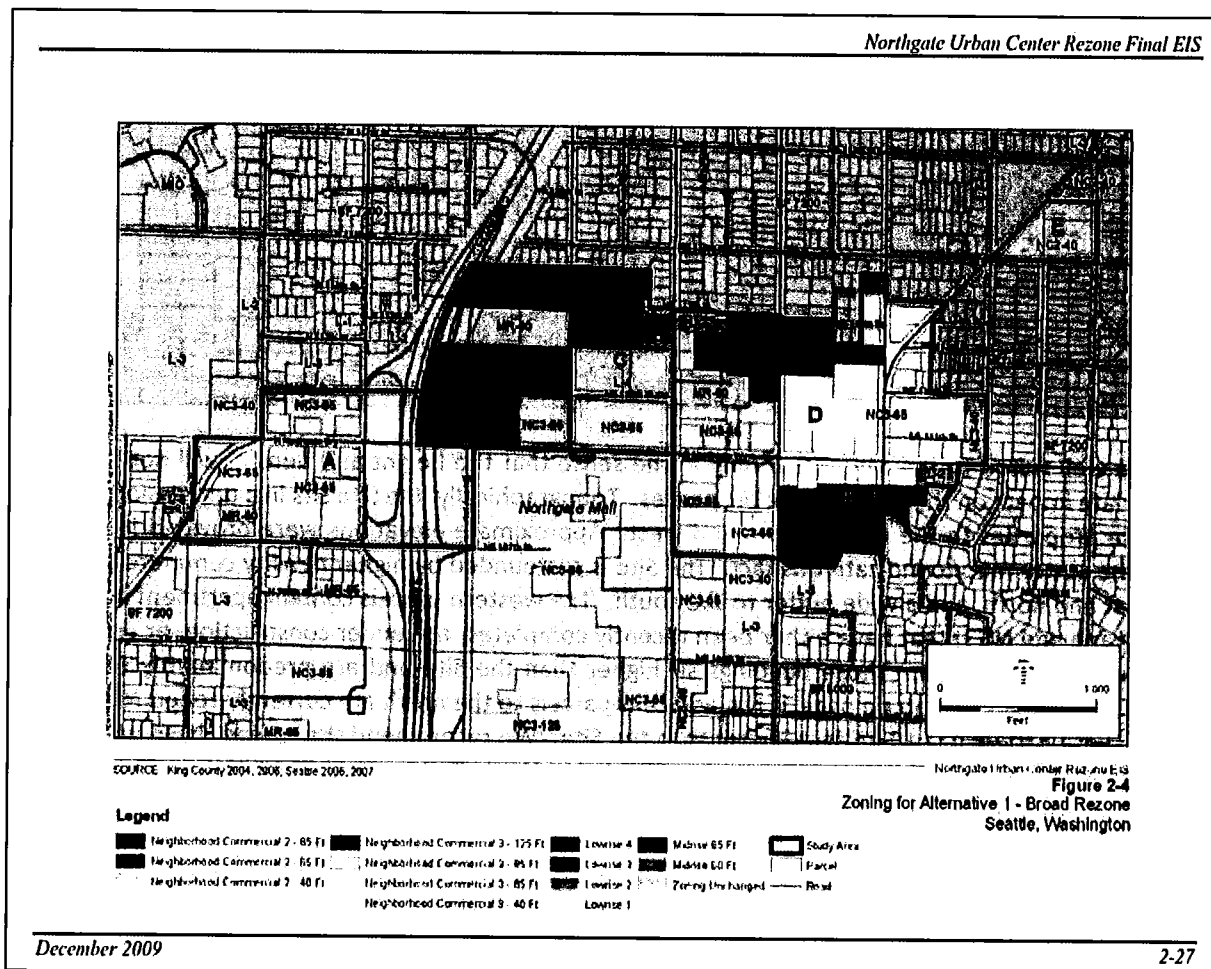


The Site is well suited to the MR(M1) zoning in the sense that the height and density will not have an inappropriate impact on the surrounding properties. Topographically, the Site sits in a depression, below the private properties to the north, south and west. Approximate elevations were provided in several areas of the above map to indicate this fact. The Site is surrounded by higher density commercial zones to the west and north, and a wide buffer to the south. The western parcels contain apartment buildings (Enclave, Lane and NG3) that have either been recently completed, are under construction, or are about to commence construction. Those buildings sit higher than the Site and are predominantly 65-70' in height. As shown in the map on page 1, the adjacent parcels to the north are currently zoned NC2-40 or NC3-40. These parcels are 10-15 feet higher than the Site. We recommend the zoning these parcels be designated NC3-75(M) due to their adjacency to Northgate Way. To the south the Site is buffered from single-family property by the 200-to-380-foot-wide Thornton Creek Beaver Pond Natural Area.

Historical Land Use Context Supports the MR(M) Designation. In 2009, the City completed the Northgate Urban Center Rezone Final Environmental Impact Statement (2009 FEIS). Under the Broad alternative in the 2009 FEIS, the Site was recommended for one increase in zoning height / intensity—that is, from LR3

to LR4⁴. If implemented, the 2009 Rezone would have resulted in an additional story of height (from three- to four-stories) and a 25% increase in density. The 2009 Rezone examined the impacts, including traffic impacts, of up-zoning essentially all properties with the Urban Village, including significant up-zones for most "core" area properties. At the same time the City completed the Northgate Coordinated Transportation Improvement Plan (CTIP) that laid out the path for growth to occur in Northgate's Urban Center at the densities called for in the 2009 FEIS. Since that time the City has been methodically implementing the CTIP projects. Unfortunately, the 2009 Rezone was never brought to a vote of the Council.

Instead, since the completion of the 2009 FEIS, the City has increased density in Northgate via three contract rezones. The Mullaly family received a contract rezone for their site on NE 1st Street / NE Northgate Way along I-5, going from MR to NC3-85. Wallace Properties affiliates have obtained two contract rezones, increasing the density on land directly to the west of the Site (525 NE Northgate Way and 10711 8th Avenue NE). The adjacent parcels to the north of the Site have not yet sought a contract rezone, but the 2009 FEIS recommended they be increased to NC2/3-65. These increased heights and densities on nearby properties provide additional support for increasing the height and density at the Site to the MR(M1) level.



⁴ The LR4 zoning designation was eliminated in 2010. Currently, the next increment from LR3 is MR-60.



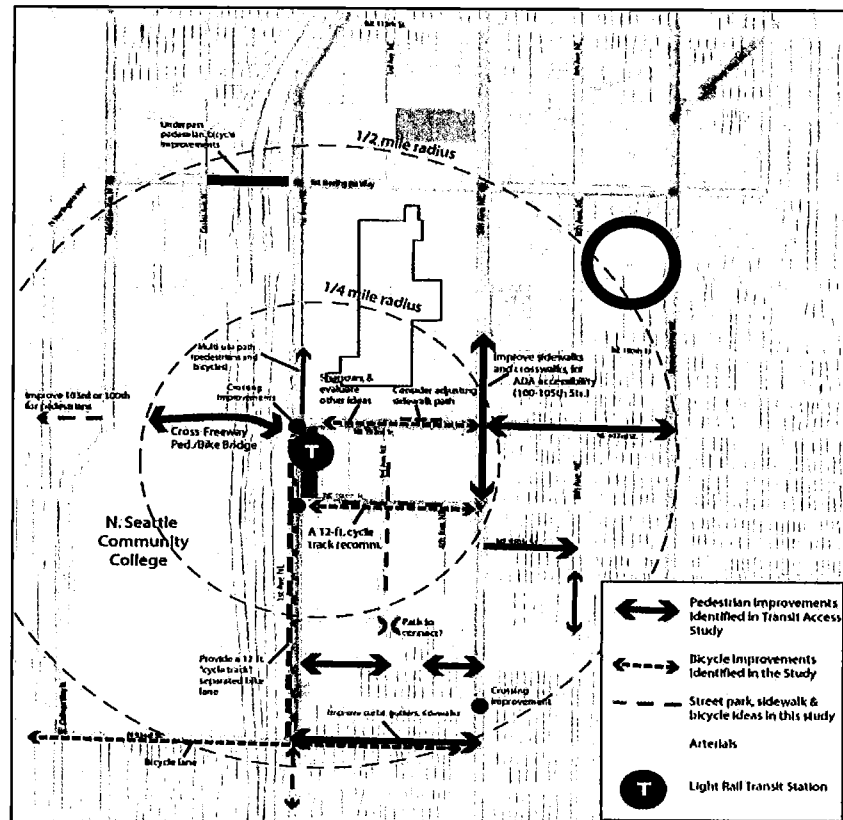
In October 2015, the City released its Urban Center / Village Growth Report, which found that Northgate had only achieved 41% of its targeted residential growth under the City's adopted growth targets for 2024—only 1,029 of a desired 2,500 units. In late 2016, the City adopted the new Seattle 2035 Comprehensive Plan, which proposes significant additional residential growth targets for the Northgate Urban Village by 2035. As explained in Chapter 3.2, Land Use, of the MHA DEIS, the MHA rezone alternatives are intended to facilitate the planned growth in the Seattle 2035 Comprehensive Plan while ensuring there is a mix of affordable units. According to MHA Exhibit 2-8, the two proposed rezone alternatives for the Northgate Urban Village are expected to increase residential units by approximately 50% over the 'no action' alternative.

Based on our understanding of Northgate, we think this projected increase is unlikely to occur under the currently proposed zoning designations. Working with the planning/design firm BCRA, we analyzed properties within the Northgate Urban Village to determine the likelihood that, based on their current use (including type, size and age of structures) and the proposed MHA rezone alternatives, a property was likely to redevelop by 2035. As shown in the map above, nearly half of the land (236 acres) within the

Northgate Urban Village is unlikely to redevelop by 2035, despite the proposed rezones. This is especially true for properties in the “core” of the Urban Village, including the Northgate Mall, Northgate North (Target), Thornton Place, Enclave, Lane and several other properties that have redeveloped within the last 15 years. Accordingly, providing additional density at the sites with development potential is essential to achieving the City’s growth target for the Northgate Urban Center, and should be done so long as the impacts of development can continue to be mitigated.

Per the map to the right (Site in blue circle), the Site is within the ½-mile walkshed for the Northgate Transit Center and soon-to-open (2021) Link Light Rail station. The City, along with Sound Transit, has made significant transit investments to serve the Northgate Urban Center and support the planned land uses. It is essential to leverage the value of the investment in light rail by providing adequate density within ½ mile of the stations.

Site-Specific Impacts can be Mitigated with the MR(M) Designation. Consistent with the principles in the Northgate Revitalization process, the 2009 FEIS Alternative 1-Broad Rezone



and the MHA DEIS alternatives, we are presently pursuing a contract rezone for the Site to increase the development intensity and height one level, to MR-60. The MR-60 zoning designation has a higher height than the former LR4 zoning designation (about 15', based on application of the City’s height measurement rules), but the Site is surrounded by higher-density properties to the north and west, a significant natural buffer to the south (Thornton Creek and its associated wetland complex) and Roosevelt Avenue NE and commercially zones property to the east. The Site is also lower than the private property north and south.

As noted in MHA Exhibit 3.2-4, a rezone from LR3 to MR(M1) would be associated with a “moderate increase in height limit and FAR . . . and [therefore] density.” The MHA proposal would allow heights up to 50’ on the Site. Due to the topography, our proposed height increase to 60’ per the contract rezone will not impact views or shadow adjacent properties. This is also true should the MHA Map zoning designation for the Site be increased to MR (M1) with an 80’ height limit.⁵ Our rezone application will include shadow studies to support this.

⁵ We would also be willing to condition our Site to a 60’ height limit, if the 80’ height is a concern.

We generally concur with the impact assessment in the DEIS; however, we note that traffic impacts for the proposed Northgate Village rezone alternatives are likely overstated, because (as noted above) many of the properties proposed for rezoning are unlikely to redevelop for several decades or more.⁶ So mitigation of the Site's visual and traffic impacts is possible, and remaining impacts will be mitigated via the contract rezone or entitlement process.

The Site presents a significant and viable opportunity to provide dozens of additional transit-served affordable homes in the Northgate neighborhood, if it is rezoned to either to MR-60 or MR (M1). Like the 2009 FEIS proposal to rezone the Site to LR4, the MHA proposal to rezone the Site from LR3 with a 40' height limit to LR3 with a 50' height limit will not provide sufficient density to justify redevelopment of the existing buildings.

In closing, we ask that the City change the MHA Map's designations for the Site to MR(M1). We will continue to pursue a contract rezone for the Site to MR-60, but we are hopeful that through the MHA process additional height and density may be approved for the Site.

Thank you for your consideration of these comments. Please do not hesitate to contact me if you have questions or comments.

Sincerely yours,



Kevin Wallace, President
Wallace Properties

⁶ These same impacts were studied in detail in the 2009 FEIS—including rezone alternatives with much higher intensities on many sites than those proposed in the MHA DEIS—and the City concluded that planned capacity improvements along with project-specific mitigation would address them.



May 17, 2018

Seattle City Council

Attn: Councilmember Rob Johnson, Chair, Select Committee on Citywide MHA
Councilmember Debora Juarez, District 5

Via email: council@seattle.gov
citywideMHA@seattle.gov

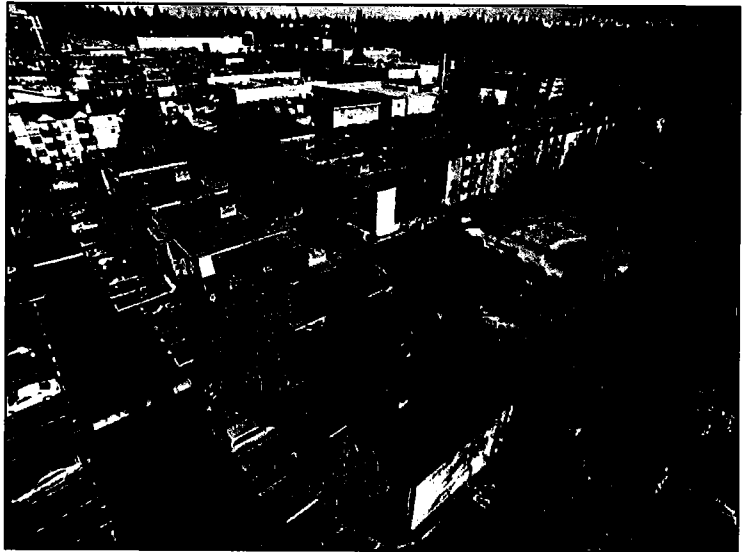
**Re: Comments on OPCD MHA Citywide Ordinance as it Pertains to Northgate &
Specific Requests with Respect to Park at Northgate**

Dear Councilmembers:

On behalf of Wallace Properties – Park at Northgate LLC,¹ the owner of the Park at Northgate apartments, we offer these comments in regard to the above-referenced Citywide Ordinance² (“Ordinance”) as it pertains to our property and the Northgate Urban Center (“NUC”).

Park at Northgate apartments are located at 10735 Roosevelt Way NE, on the east edge of the NUC between Roosevelt Way NE on the east and 8th Avenue NE on the west. The 5.24 acre site is presently developed with the a 148 unit garden-style apartment complex. This low-density³ complex is well-kept, but was built in 1967 and is now more than fifty years old. The

buildings are nearing the end of their useful lives. However, the project is also performing well – the average monthly rent is currently \$1,800, and renters pay utilities separately. This means the average unit is affordable to families earning 90% of Area Median Income (AMI).⁴



¹ This entity is an affiliate of Wallace Properties. The MHA final environmental impact statement (FEIS) indicates 1,137 residential units have been built in Northgate since 1996 (see Exhibit 3-1.14). Wallace Properties built 430 of them, and over 100 of those are rent restricted under the Multi-Family Tax Exemption (MFTE) program. In fall 2017, we broke ground on another 138 apartments across the street from Park at Northgate.

² http://www.seattle.gov/Documents/Departments/HALA/Policy/OPCD_MHA_Citywide_ORD.pdf.

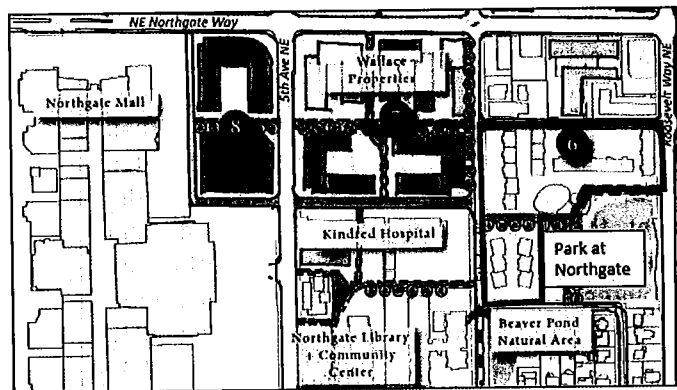
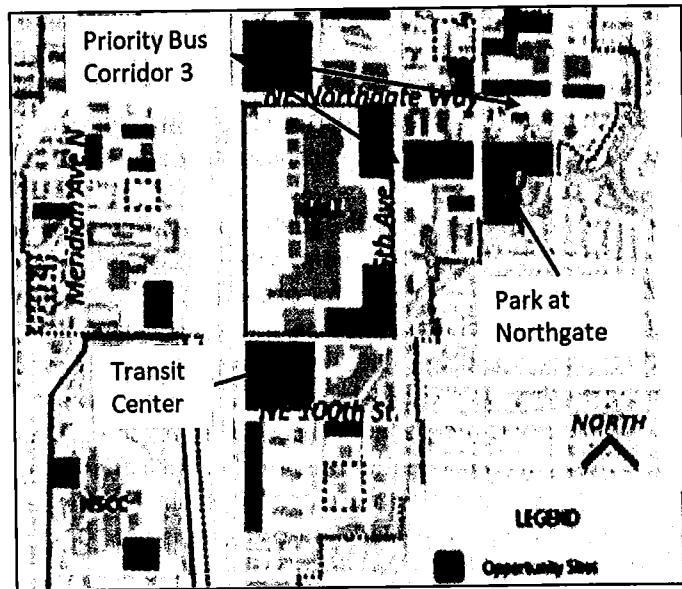
³ The FAR of the existing buildings is 0.66. Much of the site is covered with impervious parking lots and stormwater runoff to Thornton Creek is untreated.

⁴ See Seattle Office of Housing 2017 Income and Rent Limits. A 2-bedroom unit at 90% AMI is \$1,944 less the \$155 utility deduction equals \$1,789 base rent. Current average rent at Park at Northgate is \$1,800 plus utilities. https://www.seattle.gov/Documents/Departments/Housing/PropertyManagers/IncomeRentLimits/Income-Rent-Limits_MFTE.pdf.

The Northgate Urban Design Framework ("NUDF")⁵ identifies Park at Northgate as an "Opportunity Site" for future development (see maps to the right). Park at Northgate comprises roughly two-thirds of "Superblock NGN #6" in the NUDF, which calls out the potential of the site for future infill multifamily development and identifies significant community benefits that will be achieved if the site is redeveloped.⁶

The redevelopment of the Park at Northgate property provides the opportunity to increase the number of homes on the site from 148 to between 700 and 1,000, with 175-280 *rent restricted* units (35-80 MHA and 140-200 MFTE), if the zoning and MHA fees provide an incentive to redevelopment. The new homes would be transit-oriented workforce housing, and the redevelopment would provide a number of community benefits, including the provision of pedestrian and bike connections and significant improvement to the quality of the stormwater entering into Thornton Creek.

The Ordinance in its current form effectively precludes redevelopment of Park at Northgate. The problem with the Ordinance is the benefit granted to the property in the form of additional FAR is not sufficient to offset the cost of the MHA fee, and is therefore a disincentive, not an incentive, and effectively downzones the site. The State enabling legislation for MHA requires it to be an incentive,⁷ and creating a disincentive will stifle growth and run counter to the City's own MHA goals.⁸ In order to make it an incentive, the MHA fee needs to be reduced, the maximum FAR needs to be increased, or some combination thereof needs to occur so that the cost of the MHA fee is substantially lower than the value of the additional FAR.



⁵<http://www.seattle.gov/Documents/Departments/OPCD/OngoingInitiatives/NorthgateStationAreaPlanning/CopyofNorthgateUDFFinal.pdf>.

⁶ *Id.* at pages 29-34.

⁷ See RCW 36.70A.540, the enabling legislation, which authorizes the City to enact an affordable housing *incentive* program (See .540.1(a) "May enact or expand affordable housing *incentive* programs providing for the development of low-income housing units..." and .540.2 "Affordable housing *incentive* enacted or expanded under this section..." (emphasis supplied)). Also relevant is .540(1)(c), which states, "If a developer chooses not to participate in an optional affordable housing incentive program adopted and authorized under this section, the city may not condition, deny, or delay the issuance of a permit or development approval that is consistent with zoning and development standards on the subject property absent incentive provisions of this program." So not only is it required to be an incentive, it also must be voluntary.

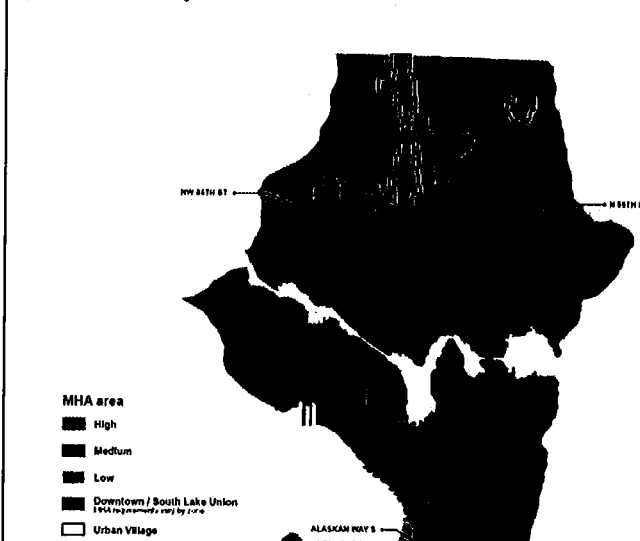
⁸ See, e.g., MHA FEIS, Appendix D, Environmental Scoping Report, page 5 "The proposal is not intended to limit or slow growth."

The 0.3 FAR increase in the LR3(M) zone is worth approximately \$12.90 per square foot of land. The Ordinance proposes to change the zoning for Park at Northgate from LR3 to LR3(M). Currently the maximum FAR for LR3 is 2.0.⁹ LR3(M) limits the maximum FAR to 2.3,¹⁰ resulting in a net 0.3 FAR of additional density. According to McKee Appraisal, the value of an additional square foot of FAR for NUC properties is \$43.¹¹ So the extra value the Ordinance proposes to grant is $\$43 \times 0.3 = \12.90 per square foot of land.

The MHA Fee in LR3(M) costs \$30.48 per square foot of land. The Ordinance places increasing MHA fees on market areas by designating them as Low Area, Medium Area and High Area.¹² Because the NUC is designated a Medium Area, the MHA fee for residential is \$13.25 on all floor area.¹³ Thus the MHA fee (per square foot of land) for redevelopment of the site to its maximum FAR is $\$13.25 \times 2.3 = \30.48 .¹⁴ In other words, the Ordinance is providing \$12.90 worth of benefit and extracting \$30.48 worth of cost. Applied to the Park at Northgate site, which has 228,319 square feet of land, the proposed MHA fees would total approximately \$7.0 million, but the benefits received from the 0.3 FAR increase are worth only \$2.9 million. This is a disincentive, not an incentive, and the \$4.1 million reduction in development land value means it would not be feasible to redevelop the site. As such the Ordinance as applied to Park at Northgate is not consistent with the State enabling legislation, effectively downzones the property, and most importantly makes redevelopment unviable and contrary to the City's MHA goals.

Solution 1: Designate the Northgate Urban Center as a "Low Area", and reduce the MHA fee from \$13.25 to \$7.00. As shown in the map to the right, the NUC has been designated a "Medium Area," which means that the MHA fee requirement for residential is \$13.25 per foot, instead of the \$7.00 per foot for the surrounding area (see the table to the right). This is an **89% increase** over the Bitter Lake and Aurora-Licton Urban Villages, located only a few blocks west. And the fees are the same as in the University District, Ballard and Green Lake, where the prevailing rents and land values are significantly higher. The lower prevailing rents in Northgate mean that a fee of \$13.25 is too high.

Figure 3.2: Low, Medium and High Areas



MHA requirements for residential and highrise commercial

		low area		medium area	
		%	\$	%	\$
scale of zoning change	(M)	5%	\$7.00	6%	\$13.25
	(M1)	8%	\$11.25	9%	\$20.00
	(M2)	9%	\$12.50	10%	\$22.50

⁹ SMC 23.45.510.B & C. The maximum 2.0 FAR is achieved by complying with the Green Building Standard in SMC Ch. 23.58D and Director's Rule 20-2017. In the Ordinance, the Green Building Standard is mandatory for all buildings above 1.1 FAR, so in comparing the current code to the Ordinance, using the 2.0 FAR maximum is correct.

¹⁰ Ordinance, Section 43, page 160.

¹¹ See McKee Appraisal Memorandum attached hereto as Attachment 3.

¹² MHA FEIS, page 2.19, Ordinance, Section 98, page 308, Table B and Section 99, page 314, Map A.

¹³ Ordinance, Section 97, page 305 and Section 98, page 308.

¹⁴ If Park at Northgate were on one square foot of land, the fee would be \$30.48. Park at Northgate contains 228,319 square feet of land, so the proposed maximum MHA fee is \$6,958,022.

The City's own 2016 MHA economic analysis (the "CAI Memo") identifies Northgate as a Low Area,¹⁵ and states:

In low market areas, nearly all development prototypes appear challenged. Smaller projects, particularly in RSL and LR zones, appear to yield enough development value to bear the cost of land acquisition in many cases. *Larger projects, however, will need to attain above-market rents in these areas to be feasible.*¹⁶

Exhibit 6 of the CAI memo shows that in an LR3 zone in a Low Area, Multifamily Neighborhood, projects are not feasible.¹⁷

The MHA FEIS, Section 2.19 states:

MHA geographic areas are categorized as low, medium, or high based on information about rental housing sub-markets in the Seattle area from Dupre+Scott Apartment Advisors reports. . . . As shown in Exhibit 2–6, higher MHA requirements would apply in the strong (high) market areas, and lower MHA requirements in weaker (low) market areas. Scaling requirements in this manner is a way to avoid burdening local housing markets and suppressing housing production.

Dupre+Scott is no longer in business, but the table to the right provides the most recent data for 2010 and newer buildings in each Seattle area that Dupre+Scott tracked. Northgate is in the North Seattle area, and it has the second lowest rents of any neighborhood in the City. It is important to stress that this data is not mixing in the older stock of rental units – it is limited to 2010 and newer buildings.¹⁸

In summary, designating the NUC as a "Low Area" is justified by the City's MHA economic analysis and the Dupre + Scott data cited in the MHA

FEIS, is consistent with the goals of the MHA FEIS, and is necessary in order for redevelopment under the MHA rezones to be feasible. We ask that you designate NUC as a "Low Area."

Neighborhood/Area	2010 & Newer Actual Rent	2010 & Newer Rent/SF	Area
Belltown/Downtown/SLU	2,316	\$ 3.25	High
First Hill	2,354	\$ 3.21	High
Capitol Hill/Eastlake	1,951	\$ 3.07	High
University	1,754	\$ 3.06	Medium
Central	1,684	\$ 3.04	High
Greenlake/Wallingford	1,898	\$ 2.98	Medium
Queen Anne	1,972	\$ 2.92	Medium
Ballard	1,920	\$ 2.76	Medium
West Seattle	1,780	\$ 2.69	Medium
Magnolia	1,607	\$ 2.46	Medium
Rainier Valley	1,688	\$ 2.37	Low
North Seattle	1,570	\$ 2.24	Medium
White Center	1,273	\$ 1.67	Low

¹⁵ Community Attributes Inc. Technical Memorandum to Geoff Wentlandt, dated November 29, 2016. See Exhibit 5, which indicates the Enclave at Northgate is a Low Market Area property. Enclave is located one block west of the Park at Northgate property, and is currently zoned NC3-85. So the land value and achievable rents are higher for Enclave than Park at Northgate. Despite that, CAI concluded Enclave was in a Low Market Area.

¹⁶ CAI Technical Memo, page 3 (emphasis supplied).

¹⁷ In addition, the CAI Memo did not analyze the additional burden created by requiring the Green Building Standard compliance but removing the 0.5 FAR bonus that incentivizes it, as discussed below.

¹⁸ This data is confirmed by paragraph 3 of the McKee Appraisal memo in Attachment 3 hereto.

Solution 2: Increase Density. Reducing the NUC to “Low Area” gets the paradigm closer to an incentive, but the MHA Fee cost of \$16.10 per square foot¹⁹ still exceeds the \$12.90 benefit conveyed, and therefore remains a disincentive. To achieve the incentive, additional density is required. Below we discuss three alternatives that we believe are viable from a land use, neighborhood and political standpoint:

1. Preserving the LR3(M) zoning but restoring the 0.5 FAR bonus for achieving the Green Building Standard.
2. Rezoning to NC2-55(M).
3. Rezoning to MR(M1).

Alternative 1. Amend the LR3(M) Zoning to Preserve the 0.5 FAR Green Building Standard Bonus.

Currently, LR3 zoning is defined under SMC Chapter 23.45. Inside an urban center, apartment projects are allowed an FAR of 1.5, or 2.0 if the applicant makes a commitment that the proposed development will meet the green building standard in accordance with SMC Chapter 23.58D.²⁰ The Green Building Standard is defined under Director’s Rule 20-2017 and can be summarized as requiring a LEED Gold certified building and energy use at least 15% lower than required by the 2015 Seattle Energy Code. This is not an insignificant requirement -- meeting this standard in redevelopment of Park at Northgate would add well over a million dollars in additional costs.

Table A for 23.45.510
FAR in LR zones¹

Zone	Location	Apartment ²
	Outside ³ or inside urban centers, urban villages, and the Station Area Overlay District	
LR3	Outside	1.3 or 1.5 ⁴
	Inside	1.5 or 2.0

Existing SMC 23.45.510

Under the proposed Ordinance, an apartment project in an urban center on land zoned LR3(M) is afforded a maximum FAR of 2.3²¹ and a maximum structure height of 54 feet.²² The MHA provisions of SMC Chapters 23.58B and 23.58C are made applicable, imposing a multi-million dollar cost on the redevelopment of Park at Northgate.²³

And on top of that, new section SMC 23.45.530 makes the Green Building Standard mandatory for redevelopments in excess of 1.1 FAR.²⁴ The 0.5 FAR bonus afforded under the current code for complying with the Green Building Standard has been eliminated. This is acknowledged in Exhibit F-2 of Appendix F of the MHA FEIS, which states as follows: “To achieve the maximum FAR limit under existing regulations, a builder must meet standards for the location and configuration of parking and achieve green building performance. In the proposed [zoning] builders must achieve the green building standard” (underlining

Exhibit F-2 Standard MHA Development Capacity Increases in Lowrise Zones: Height and FAR Limits						
ZONING			FAR LIMIT*		HEIGHT LIMIT	
Existing	Proposed	Housing Type	Existing	Proposed	Existing	Proposed
Lowrise 3 (LR3) Inside of urban village, center, or station areas	Lowrise 3 (LR3) Inside of urban village, center, or station areas	Cottage Housing	1.1	1.3	22'	22'
		Townhouse	1.4	4.6 2.3		
		Rowhouse	1.4	2.2 2.3	40'	50'
		Apartment	2.0	2.3	+ 5' roof pitch	+ 5' roof pitch

* To achieve the maximum FAR limit under existing regulations, a builder must meet standards for the location and configuration of parking and achieve green building performance. In the proposed builders must achieve green building performance standard.

Source: City of Seattle, 2017.

MHA FEIS, Appendix F

¹⁹ Max FAR of 2.3 x \$7.00 = \$16.10 per square foot of land.

²⁰ SMC 23.45.510.C.1 (emphasis supplied). There are additional requirements for lots abutting alleys, and parking is required to be totally enclosed within the same structure as the residential use, but these would not impose additional burdens on a redevelopment of Park at Northgate because it does not abut an alley and we will provide structured parking regardless of the requirement.

²¹ Section 34, page 99.

²² Section 36, page 109 (50 feet) and 113 (additional 4 feet).

²³ Section 38, page 132.

²⁴ Section 45, page 160.

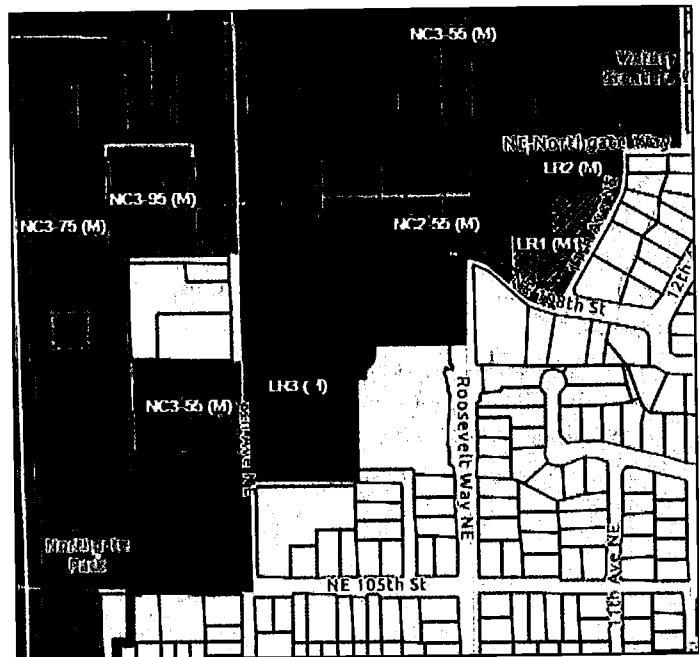
added). Consequently, a seven-figure burden is imposed, and the benefit it previously conferred in the form of a 0.5 FAR bonus was eliminated.

If the LR3(M) zone maintains the 0.5 FAR bonus for complying with the Green Building Standard, properties in the LR3(M) zone could be redeveloped to a reasonable level of density (a 2.8 FAR). The City would also receive benefits in the form of more energy efficient and otherwise environmentally friendly buildings, as well as additional MHA fees or MHA units.

With these changes, the benefit conveyed by the ordinance would be a 0.8 FAR increase x \$43.00 FAR value = \$34.40 per square foot, which would be greater than the MHA fee of \$7.00 x 2.8 = \$19.60 per square foot. The benefits exceed the costs, and the paradigm is an incentive.

Due to site constraints, Park at Northgate can only be developed to a 2.5 FAR if the height limit is 54 feet, but even at that level the MHA paradigm creates a small incentive. Redevelopment to the maximum 2.5 FAR would require payment of approximately \$4 million in MHA fees. We would also be able to construct roughly 700 new apartment homes on the property, a quarter of which would be rent restricted if we provided the MHA units on-site and pursued the MFTE. That would mean 175 rent restricted units (35 MHA and 140 MFTE).²⁵ The number of new affordable units would exceed the 148 market-rate units currently on the site.

Alternative 2. Rezone Park at Northgate NC2-55(M). Changing the zoning of the property from LR3(M) to NC2-55(M) would produce a somewhat greater incentive than Alternative 1, making it more likely for redevelopment to occur. Under NC2-55(M), the maximum FAR is 4.25. However, due to site constraints and fire code limitations, and the 55-foot height limit under the NC2-55(M) zoning (only one foot higher than LR3(M)),²⁶ we are unable to viably develop any more than we can under LR3(M). As a result, rezoning to this level does not merit an increase from (M) to (M1).²⁷ From a land use perspective, NC2-55(M) produces the same scale of buildings, and is consistent with the proposed zoning for the properties to the north of the site (see the map to the right). What makes this an improvement over Alternative 1 is the Green Building Standard is not a requirement for Commercial-zoned buildings.



Alternative 2 would produce the same results from a neighborhood impact and housing affordability standpoint, but it would make development more likely by eliminating the seven-figure cost of complying with the Green Building Standard. Attachment 2 includes an analysis of how the site meets the City's criteria for rezone to NC2 or NC3. The site complies with all of the criteria, and it is actually a little better-suited to NC3 than NC2.

²⁵ Assumes 5% MHA on-site performance and 20% compliance with MFTE.

²⁶ SMC 23.45.517.D.1 (50 feet) and SMC 23.45.514.F (additional 4 feet).

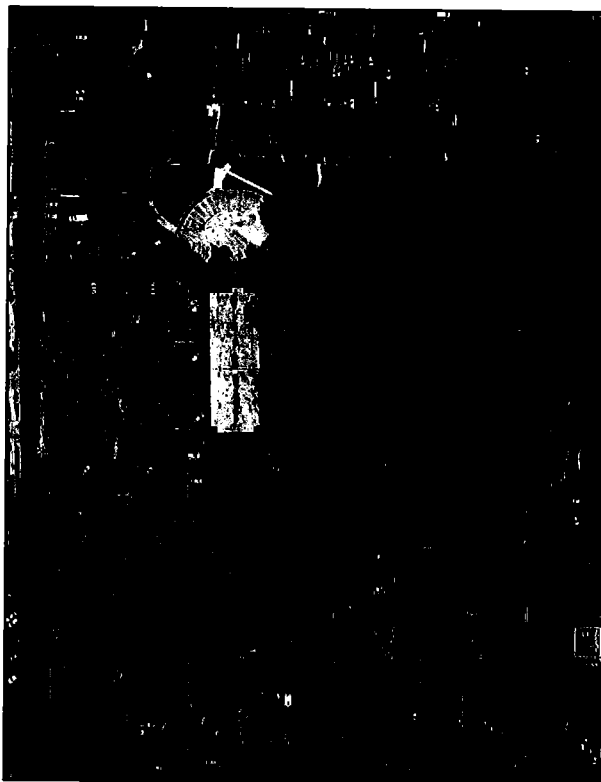
²⁷ Under Section 3 of the Ordinance, LR3, NC2-55 or NC3-55 are all "Category 3," so (M) is the correct designation for a change from LR3 to NC2-55.

Alternative 3. Rezone Park at Northgate MR(M1).

The third alternative is to grant our previous request²⁸ to rezone the site to MR(M1). As opposed to a rezone to NC, the zoning would remain multifamily, the max FAR would increase to 4.5²⁹, and the height limit to 80 feet.³⁰ Due to building code requirements and site constraints, we would not be able exceed 70 feet in height or a 3.8 FAR.³¹

The site is well-suited to the MR(M1) zoning for the following reasons:

- The additional density will not have an inappropriate impact on the surrounding properties.
- Topographically, the site sits in a depression, below the parcels to the north, south and west.
- The site is surrounded by higher density commercial zones to the west and north, a wide buffer to the south and Roosevelt Avenue NE and NC-zoned property to the northeast.
- The western parcels contain apartment buildings (Enclave, Lane and Northgate 3) that have either been recently completed, or are under construction. Those buildings sit higher than the site and are predominantly 65-70' in height.
- The adjacent parcels to the north are currently zoned NC2-40, and are proposed to be rezoned to NC2-55(M). These parcels are 10-15 feet higher than the site.
- To the south and southeast, the site is buffered from single-family property by the 200-to-380-foot-wide Thornton Creek Beaver Pond Natural Area and open space.
- There is no point at which a structure could be built on the site within 140' of an existing residential structure on a neighboring parcel.
- *The site meets all of the criteria for a rezone to MR(M1). Please see Attachment 2 for our analysis of the City's criteria for rezoning a property to MR.*



²⁸ Letter from K. Wallace to Jesseca Brand and Tom Hauger, dated June 30, 2017.

²⁹ Ordinance, Section 34, page 99.

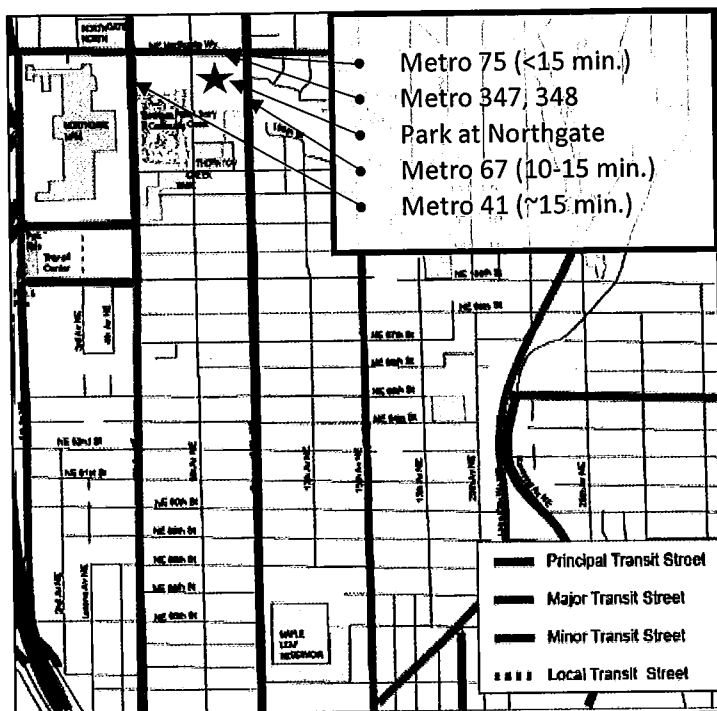
³⁰ Ordinance, Section 36, page 110.

³¹ If it were feasible to do so without going through a full contract rezone, we would be happy to execute a PUDA to limit the height and density to 70 feet and 3.8 FAR as part of the adoption of the Ordinance.

- Presence of frequent transit service within a 5-minute walk supports higher density.* In the MHA FEIS, the primary consideration for rezoning to M1 or M2 in a “high risk of displacement” neighborhood like Northgate is being located within a five-minute walk from frequent transit service.³² In Northgate, it appears that only the Northgate Transit Center was considered to have frequent transit service, but in fact, Park at Northgate is already surrounded by frequent transit nodes, and according to Seattle’s Transit Master Plan, even more service is slated to come. As shown on the maps below, Park at Northgate is within a five-minute walk of 5th Avenue NE, a Principal Transit Street, NE Northgate Way, a Major Transit Street, and Roosevelt Way NE, a Minor Transit Street. Metro Route 67 stops on Roosevelt abutting the site, runs on less than 15 minute headways from 5:50AM to 9:54PM (16 hours), and connects to the Northgate Transit Center. Route 75 stops 300 feet from the site, and runs on approximately 15 minute headways from 6:50AM to 10:50PM (16 hours). The site is also within a 10-minute walk of the Northgate Transit Center. As such, the MHA FEIS’ primary consideration for an M1-level increase is amply supported by the presence of frequent transit nodes around the Park at Northgate site.³³



Portion of Metro System Map



Northgate CTIP Final Report, Sept. 2006, Figure 3-15

The benefits afforded to Park at Northgate by the rezone to MR(M1) would be a 2.5 FAR increase from the current 2.0 to a maximum of 4.5 and an increase in height to a maximum of 80 feet. Due to building code and site constraints we would be unable to build higher than 70 feet and could not exceed a 3.8 FAR. So the

³² “[R]ecognizing the high risk of displacement in this community, we propose making only standard (M) zoning changes, except in areas within a five-minute walk of frequent transit.” MHA FEIS, Appendix B, Summary of Community Input, pages 39-65 (emphasis supplied). “Frequent transit service is defined as 15-minute headways (i.e., four buses per hour) for at least 16 hours a day.” Memorandum from Sara Maxana to Council Member Rob Johnson, dated May 3, 2018, Subject: Responses to questions at April 16, 2018 Select Committee meeting, page 3.

³³ According to the PSRC’s Growing Transit Communities strategy, the best metric for distance from the Northgate Transit Center is not the five-minute walkshed, but rather the ten-minute walkshed or one-half mile. See the definition of “Transit Community” in the Strategy (<https://www.psrc.org/sites/default/files/gtcstrategy.pdf>). Park at Northgate is within one-half mile of the Northgate Transit Center.

increase in *Usable* FAR is 1.8, and the benefit received is $1.8 \times \$43.00 = \77.40 per square foot of land, and the MHA Fee if the NUC were a "Low Area" would be $3.8 \times \$11.25 = \42.75 per square foot. Full build out to a 3.8 Usable FAR would generate an MHA Fee contribution of approximately \$9.8 million. The Green Building Standard would also be required, but the additional density would still be sufficient to create an incentive for redevelopment. Based on our preliminary analysis we would be able to construct approximately 1,000 new apartment homes with the MR(M1) zoning, of which 280 would be rent restricted if we provided the MHA units on-site -- 80 MHA units (8% of the units vs. 5% in Alternatives 1 and 2) and 200 MFTE.³⁴

Please see the table in Attachment 1 that summarizes the three alternatives, our analysis in Attachment 2 of the City's code requirements for rezones to MR(M1) or NC2-55(M), all of which are all met by the Park at Northgate site, and the McKee Appraisal letter in Attachment 3 indicating the value of the usable FAR in the NUC is \$43, and that the NUC should be a "Low Area".

We hope you appreciate our efforts to find common ground, and we hope you will work with us by designating the NUC as a "Low Area" and making one of the three zoning modifications we propose above.

Sincerely yours,



Kevin R. Wallace
Manager, Park at Northgate LLC
cc: Geoff Wentlandt, Brennon Staley
Office of Planning and Community Development

³⁴ Assumes 8% MHA on-site performance and 20% compliance with MFTE.

ATTACHMENT 1
EXCEL MODEL OF FAR BENEFITS AND MHA COSTS FOR PARK AT NORTHGATE

		City Proposed Ordinance LR3(M)	Alt. 1: LR3(M) with GBS Bonus	Alt. 2: Proposed NC2-55	Alt. 3: Proposed MR(M1)
1	Maximum FAR (Base is 2.0)	2.30	2.80	4.25	4.50
2	Additional FAR Granted	0.30	0.80	2.25	2.50
3	Usable FAR	2.30	2.50	2.50	3.80
4	Additional Usable FAR Granted	0.30	0.50	0.50	1.80
5	Applicable Residential MHA Fee	13.25	7.00	7.00	11.25
6	FAR Value (see Attachment 3)	43.00	43.00	43.00	43.00
7	MHA Fee per SF of Usable FAR (Line 3 * Line 5)	30.48	17.50	17.50	42.75
8	Value of Additional Usable FAR (Line 4 * Line 6)	12.90	21.50	21.50	77.40
9	Incentive/(Disincentive) (Line 8 - Line 7)	(17.58)	4.00	4.00	34.65
10	Maximum MHA Fee Contribution	0	3,995,583	3,995,583	9,760,637
11	Residential Units Produced	148	700	700	1000
12	MHA Units if on-site performance	0	35	35	80
13	MFTE Units	0	140	140	200
14	Total affordable units if on-site performance	0	175	175	280

The table above shows the financial incentive or disincentive for Park at Northgate, as well as the community benefits in the form of MHA Fee contributions, new units produced, and new affordable units produced.

1. The Maximum FAR that would be available to the site under the Ordinance and the three alternatives.
2. The increase in FAR over the current LR3 FAR of 2.0.
3. Usable FAR is the amount of FAR we could realistically use given other code, cost and site constraints.
4. Additional Usable FAR Granted is line 3 minus the current LR3 FAR of 2.0.
5. The applicable MHA fee for residential as stated in the Ordinance (for a Low Area).
6. The approximate value of an additional square foot of floor area in the NUC.
7. The MHA Fee is the burden on the site that is imposed by the Ordinance. It is derived by multiplying the MHA Fee (Line 5) by the Usable FAR (Line 3). The MHA fee is likely understated here because the gross floor area on which the fee is charged exceeds the gross floor area under the definition of FAR.
8. The value of additional usable FAR is the additional usable FAR granted (line 4) multiplied by the value of an additional square foot of floor area in the NUC (line 6).
9. Incentive/(Disincentive) – where the number is in parentheses (negative) it indicates the paradigm is punitive. Where positive, the alternative is an incentive, and more likely consistent with state law.
10. The maximum MHA Fee contribution is derived by multiplying the land area of the Park at Northgate site, 228,319 square feet, by the applicable MHA Fee (line 5). The MHA Fee under the proposed Ordinance is zero because redevelopment would not be viable.
11. Residential Units Produced is the number of units we currently believe could be developed under the proposed zoning. This is based on our preliminary concept analysis. Under the Ordinance column, 148 is the number of units currently on the site.
12. MHA Units if on-site performance multiplies the total number of units (line 11) by the applicable MHA percentage for the alternative.
13. MFTE Units is derived by multiplying line 11 by 20%, except for the proposed Ordinance column, where MFTE units cannot be provided because redevelopment cannot occur.
14. Total affordable units is line 12 plus line 13.

ATTACHMENT 2 REZONE CRITERIA ANALYSIS

Code §	Criterion	Response
General Criteria		
23.34.008.A.1	In urban centers the zoned capacity for the center shall be no less than 125% of the growth estimates adopted in the Comprehensive Plan for that center.	The proposed rezone will allow for an increase in density (not a reduction below 125% of growth estimates), so this criterion is met.
23.34.008.A.2	N/A - applies to urban villages.	
23.34.008.B	Match between zone criteria and area characteristics.	See discussion of specific zone characteristics below.
23.34.008.C	Examine zoning history and precedential effect.	Seattle 2035 Comprehensive Plan contains numerous provisions supporting development and additional density near frequent transit service. The MHA Ordinance rezones surrounding properties to NC2-55(M) and calls for M1 zoning increases for sites within a five-minute walk of frequent transit service.
23.34.008.D.	Neighborhood Plans	The 2013 Northgate Urban Design Framework calls the property an "Opportunity Site" for redevelopment. It also identifies the site as "Residential Priority", which suggests that MR may be more appropriate than NC. The Northgate Comp Plan is from 1993 and is so dated that it is of little value at this point, but a rezone to NC2-55(M) or MR(M1) would be consistent with policies NG-G1, G2, G3, G4, G7, P1, P2, P5, P7, P8.5, P11.
23.34.008.E.1	Gradual transition between more intensive zones and less intensive zones.	The adjacent properties to the north are proposed to be rezoned to NC2-55(M), which is equal or similar to the proposed Max FAR and height. Properties to the west range from NC3-55(M) to NC3-95(M). Taking into consideration the 10-15 foot lower elevation of the site and the code and site constraints that limit our ability to build higher than seventy feet or more than a 3.8 FAR, the intensity is still lower on our site, even with the MR zoning. Properties to the east and south are buffered by Roosevelt and the creek buffer.
23.34.008.E.2	Physical buffers may provide effective separation.	This is the case with the creek buffer between the site and the residential properties to the southeast.
23.34.008.E.3.b	Zone boundaries.	Physical buffers create a boundary between the site and the properties to the south and east. The west is higher intensity commercial, the north is equal or similar intensity.
23.34.008.E.4	Height limits above 40' should be limited to urban villages.	The site is in the Northgate Urban Center.

Code §	Criterion	Response
General Criteria		
23.34.008.F	Impact evaluation.	The MHA FEIS assumes 3,000 units will be built in the Northgate Urban Center between 2015 and 2035. This is highly unlikely to occur without redevelopment of Park at Northgate to a density of 700-1,000 units. As a result we believe the FEIS adequately evaluates the impacts of a zoning increase to NC2-55(M) or MR(M1).
23.34.008.G	Changed circumstances.	The MHA FEIS outlines various changed circumstances that support the requested rezone. Housing affordability and increased transit service are primary factors.
23.34.008.H	Overlay districts.	The site is in the Northgate Overlay. We see no issues with continuing to comply with the requirements of SMC Chapter 23.71, as amended by the proposed Ordinance.
23.34.008.I	Critical areas.	The site and redevelopment will not impact any critical areas, including the stream buffer to the south. Redevelopment of the site would enable additional stormwater improvements that would improve water quality of Thornton Creek.
23.34.008.J	Applies to parcels with incentive zoning.	Not applicable.
23.34.009	Height limits.	Due to the low elevation of the site and the heights, the wide buffers to the south and east, and the proposed heights for properties to the west (75'+) and north (55'), an increase in height to the NC2-55 or MR levels is appropriate. Shadow studies can be provided upon request. Due to code limitations and site constraints we would not build higher than 70', and we would be willing to execute a PUDA or similar instrument to confirm this.
MR Zone Criteria		
23.34.024.B.1.c	Locational criteria includes properties within an urban center.	The site is within the Northgate Urban Center.
23.34.024.B.2	Properties designated as an environmentally critical area may not be rezoned to Midrise.	The site is not designated as an environmentally critical area.
23.34.024.B.3	Other criteria, with a list numbered (a) through (i). (a) adjacent to business and commercial areas. (b) served by major arterials where transit service is good to excellent and street capacity could absorb the traffic generated by midrise development. (c) in close proximity to major employment centers. (d) in close proximity to open space and recreational facilities. (e) along arterials where topographic changes provide an edge or permit a transition in scale with surroundings.	The site complies with (a) through (e). (a), (b) and (c) are discussed in the letter. For (d), the site has its own open space, which will remain, and is close to the Thornton Creek water channel buffer as well as the Northgate Community Center. For (e), Roosevelt provides an edge for the properties to the east. (f) through (i) are dependent on the topography of the site. The site most closely responds to (g) - a moderate slope where the height and bulk of existing structures have already limited the multifamily area and upland areas.

Code §	Criterion	Response
NC2 Zone Criteria		
23.34.076.B	<p>Locational criteria are:</p> <ol style="list-style-type: none"> 1. Secondary business district in an urban center. 2. Located on streets with good capacity, such as principal and minor arterials, but generally not on major transportation corridors. 3. Lack of strong edges to buffer the residential areas. 4. A mix of small and medium sized parcels. 5. Limited or moderate transit service. 	<p>The site responds to 1, 2 and 4. With respect to 2 and 5, the site responds better to the NC3 zone criteria. NC2 is proposed because the City Ordinance designates the adjacent parcels to the north as NC2. The parcels directly to the west are NC3.</p>
NC3 Zone Criteria		
23.34.078.B	<p>Locational criteria are:</p> <ol style="list-style-type: none"> 1. The primary business district in an urban center. 2. Served by principal arterial. 3. Separated from low-density residential areas by physical edges, less intense commercial areas or more-intense residential areas. 4. Excellent transit service. 	<p>The site responds to all of these criteria. NC2 is proposed because the City Ordinance designates the adjacent parcels to the north as NC2.</p>

ATTACHMENT 3
MCKEE & SCHALKA MEMO



May 16, 2018

Kevin R. Wallace
Wallace Properties, Inc.
330 112th Ave NE
Bellevue, WA 98004

Re: Typical value of residential floor area in the Northgate Urban Center

Mr. Wallace:

At your request, I have analyzed the typical contributory value of increased development capacity within the Northgate Urban Center, proposed as part of Seattle's Citywide MHA Ordinance. This consulting analysis is not an appraisal as it does not pertain to any given subject property or properties; it is an examination of market data to determine the typical marginal value of residential floor area observed in the Northgate Urban Center. This memo is intended for use in conjunction with your cost/benefit analysis of the City's proposed zoning and development fees.

My work on this matter primarily involved examining recent sales of development land, with the analysis based on the potential floor area that can feasibly be constructed. The data was analyzed in terms of the marginal value brought by each additional square foot of building area that can be built on the land. Specifically, this analysis centers on the value of residential floor area on land suitable for typical-density apartment configuration. The most relevant sales were planned for apartment development, while some sales could have been typical apartment but were planned for other uses including hotel, congregate, and townhouse-style development.

I also examined current apartment rents within the market to understand the underlying economics at work in the pricing of development land, and also to identify locations for sale analysis that are comparable to Northgate Urban Center; neighborhoods with similar apartment rental rates are generally similar for land economics and pricing. On this basis I identified comparable locations and sale data (with similar apartment rents and corresponding land pricing) in the Lake City Urban Village, Aurora-Licton Springs Urban Village, in the vicinity of Lake City Way, and in the Pinehurst neighborhood. Considering that your use of this analysis involves the MHA Ordinance, I note that all of these comparable sale locations are classified as "Low" for MHA requirements, which is inconsistent with the subject Northgate Urban Center classification as "Medium". Other Medium designated MHA locations are almost all south of 85th Street, in neighborhoods that have higher apartment rents and correspondingly higher land values, but Northgate values and land economics are more correctly comparable to these nearby Low-designated locations.

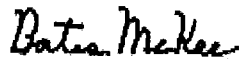
Residential Floor Area in the Northgate Urban Center
May 10, 2018
Page 2

Many prospective sales were examined. The most relevant sales are those sales that best reflect the situation and value characteristics of the Northgate Urban Center. Primary emphasis was given to the most recent sales, to those that were purchased for construction of typical apartments, and to those that had comparable locations based on rental rate and proximity factors as discussed above. Analysis consideration was given to both practical maximum-density development, and to selected or achieved actual development density (as measured by the Floor Area Ratio maximum under the zoning, and to the constructed or planned floor area for each sale).

Based on analysis of the data, I conclude that the typical marginal value of residential floor area in the Northgate Urban Center is \$43 per square foot. In other words, each additional square foot of residential floor area that can or would feasibly be built typically adds \$43 to the value of the underlying property.

Please feel free to contact me should you have any questions regarding my analysis.

Respectfully,



Bates McKee, MAI, CRE

McKee Appraisal

Real Estate Appraisal Services & Consultants, Inc.

Land Sales - North Seattle

Name & Address	Zoning	Land Area (sq ft)	Actual FAR	Max FAR	# of Units	Sale Date	Analysis Price	Sq Ft Land	Actual SF/FAR	Max SF/FAR	Comments
Industrial Development Site											
1. Master City Square 12301-12309 15th Ave NE Seattle, WA	NCH-40	15,613	2.41 <i>Proposed</i>	3.25	31	Oct-17	\$1,800,000	\$115	\$48	\$35	Two-parcel assemblage situated at northwest corner of 15th Ave NE and NE 123rd St. Other commercial structures in place at the time. Buyer to redvelop with 4-story mixed use project. Proposed 31-unit apartment development containing 2,400 sq ft of ground floor retail along and 15 parking stalls.
2. Lemon Springs Site 9510 Stone Ave N Seattle, WA	CI-65	15,000	3.89 <i>Proposed</i>	4.75	82	Jan-16	\$2,360,000	\$157	\$48	\$33	Corner site, rectangular in shape with alley access. Improved at time of sale with a small office and equipment shed. Master Use Permit (MULP) approved for 82 apartment units. Listed for sale at asking price of \$2,360,000 (\$30,000 per unit).
3. Ortega Apartments Site 12311 32nd Ave NE Seattle, WA	NCH-45	31,722	4.45 <i>Actual</i>	6.00	153	Mar-15	\$4,450,000	\$140	\$32	\$23	Midblock site two blocks off Lake City Way with alley access. Improved with several tear-down homes at the time of sale. Property was fully entitled for a 153-unit building (including 9 five-work units) with 2 floors of below-grade parking (228 stalls). Finished project. Ortega Apartments, sold May 2018 for \$51 million (\$346k per unit).
Other											
4. Northgate Marriott Site 10713 Marston Ave N Seattle, WA	NCH-40	29,375	2.66 <i>Actual</i>	3.25	140	Feb-15	\$2,990,000	\$98	\$37	\$38	Rectangular site with frontage on two streets and some steep slopes. Formerly improved as an Aloha's fast food restaurant and in operation until the time of sale, but demolished by buyer after sale. Purchased for construction of a 140-room Courtyard Marriott hotel. Listed for sale in August 2013 and sold for full asking price.
5. Norona Plushmore Site 11202 Rosevelt Way NE Seattle, WA	NCH-40	16,485	1.34 <i>Proposed</i>	3.25	20	Aug-16	\$1,800,000	\$109	\$81	\$34	Corner site, generally rectangular in shape and level. Improved at time of sale with a vacant restaurant building. Buyer is underway with a 20-unit residential development, consisting of 7 live-work units along the arterial and 13 townhomes. Proposed residential FAR is 1.34 (excluding first floor garage/utility area).
6. Sedona 215 Site 2000 NE 85th St Seattle, WA	CI-65	22,231	2.22 <i>Actual</i>	4.75	198	May-16	\$3,900,000	\$175	\$79	\$37	Corner site just off Lake City Way, in use as surface parking lot. 80-bed micro-housing property to which also sold to same buyer (same seller) in separate transaction. Vacant site was to be Phase II and had MULP for micro-unit building. Access to existing 80-unit building is over vacant site; projects were to be joined together. Buyer has revised MULP to instead use contiguous and townhome project.
7. Plushmore Landing 11552 15th Ave NE Seattle, WA	NCH-40	16,299	N/A	3.25	50-60	leaving	\$2,600,000	\$160	N/A	\$49	Property is under contract, subject to buyer's feasibility contingency. Price is close to asking, but not full asking. Marketing materials indicate site can accommodate 50-60 apartment units or 16 townhome units. Listing broker reported buyers have primarily been looking at the site for townhome development.

Prepared by: McKee-Appraisal
May 2018



August 7, 2018

Councilmember Rob Johnson
Chair, Select Committee on Citywide MHA
Via hand delivery and email to: Rob.Johnson@Seattle.gov

Re: Comments on OPCD MHA Citywide Ordinance as it Pertains to Northgate & Specific Requests with Respect to Park at Northgate

Dear Councilmember Johnson:

This letter is presented as a supplement to our discussion this morning of the MHA Citywide Ordinance¹ ("Ordinance") and the redevelopment of the Park at Northgate. On May 17, 2018 I sent a letter to you and Councilmember Juarez describing the challenges the Ordinance in its current form would present, primarily because the additional density granted is insufficient to offset the cost of the MHA requirements. This problem can be remedied by increasing the density granted, decreasing the fees/on-site performance requirements, or some combination thereof. I also presented several solutions that would remedy the problem and enable us to move forward with redevelopment.

Since that time I've received feedback from city staff that the best of the options presented was to rezone the property from the currently proposed LR3(M) to MR(M1). We also met with Councilmember Juarez, who responded positively and suggested we meet with you and Councilmember Mosqueda to provide an overview and explain the benefits of changing the proposed zoning of the property to MR(M1). We would also like to request the elimination of the Green Building Standard requirement and explain why it is important to maintain the multi-family tax exemption (MFTE) incentive.

For our part, we are willing to do our part to achieve the goals of MHA and ameliorate any concerns about displacement of the 148 2-bedroom market rate units currently on the site by making the commitments in the table below.

Requests	Commitments
Designate the site as MR(M1) instead of LR3(M).	Provide at least 148 2-bedroom units to replace the existing 148.
Eliminate the Green Building Standard requirement.	Provide MHA units on-site at 9% Medium Area level, 60% AMI rents, instead of paying the fee-in-lieu.
Maintain MFTE in its current form, with the 2017 definition of affordable rent.	Provide 20% of the units at MFTE rents, 65-85% AMI for 12 years.
	Phase the redevelopment to reduce the impact on existing renters as much as possible.

¹ http://www.seattle.gov/Documents/Departments/HALA/Policy/OPCD_MHA_Citywide_ORD.pdf.

Park at Northgate apartments are located at 10735 Roosevelt Way NE, on the east edge of the Northgate Urban Center between Roosevelt Way NE on the east and 8th Avenue NE on the west. The 5.24 acre site is presently developed with the a 148 unit garden-style apartment complex. This low-density² complex is well-kept, but was built in 1967 and is now more than fifty years old. The buildings are nearing the end of their useful lives. However, the project is also performing well – the average monthly rent is currently \$1,800, and renters pay utilities separately. This means the average unit is affordable to those earning 90% of Area Median Income (AMI).³



As shown in the enclosed concept plans, the redevelopment of the Park at Northgate property under the MR(M1) zoning provides the opportunity to increase the number of homes on the site from 148 to 1,000 with 290 *rent restricted* units (90 MHA and 200 MFTE). The new homes would be transit-oriented workforce housing, and the redevelopment would provide a number of community benefits, including the provision of pedestrian and bike connections and significant improvement to the quality of the stormwater entering into Thornton Creek.

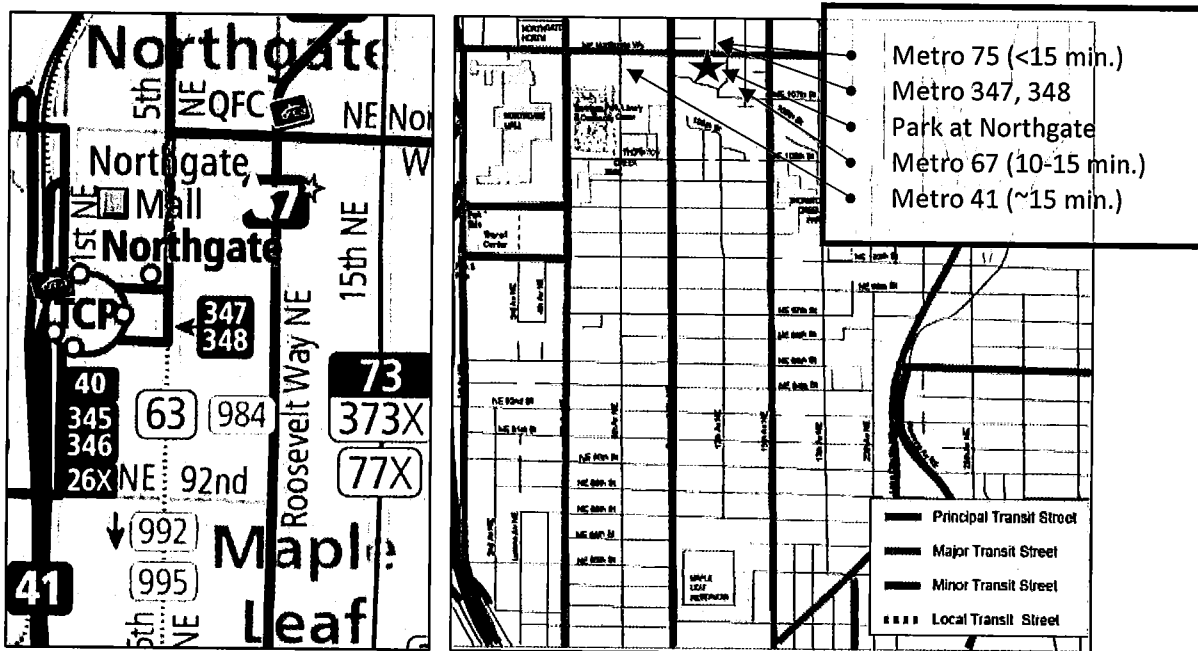
The site is well-suited to the MR(M1) zoning for the following reasons:

- The additional density will not have an inappropriate impact on the surrounding properties.
- Topographically, the site sits in a depression, below the parcels to the north, south and west.
- The site is surrounded by higher density commercial zones to the west and north, a wide buffer to the south and Roosevelt Avenue NE and NC-zoned property to the northeast.
- The western parcels contain apartment buildings (Enclave, Lane and Northgate 3) that have either been recently completed, or are under construction. Those buildings sit higher than the site and are predominantly 65-70' in height.
- The adjacent parcels to the north are currently zoned NC2-40, and are proposed to be rezoned to NC2-55(M). These parcels are 10-15 feet higher than the site.
- To the south and southeast, the site is buffered from single-family property by the 200-to-380-foot-wide Thornton Creek Beaver Pond Natural Area and open space.
- There is no point at which a structure could be built on the site within 140' of an existing residential structure on a neighboring parcel.
- The site meets all of the criteria for a rezone to MR(M1). Please see Attachment 1 for our analysis of the City's criteria for rezoning a property to MR.

² The FAR of the existing buildings is 0.66. Much of the site is covered with impervious parking lots and stormwater runoff to Thornton Creek is untreated.

³ See Seattle Office of Housing 2017 Income and Rent Limits. A 2-bedroom unit at 90% AMI is \$1,944 less the \$155 utility deduction equals \$1,789 base rent. Current average rent at Park at Northgate is \$1,800 plus utilities. https://www.seattle.gov/Documents/Departments/Housing/PropertyManagers/IncomeRentLimits/Income-Rent-Limits_MFTE.pdf.

- Presence of frequent transit service within a 5-minute walk supports higher density.* In the MHA FEIS, the primary consideration for rezoning to M1 or M2 in a “high risk of displacement” neighborhood like Northgate is being located within a five-minute walk from frequent transit service.⁴ In Northgate, it appears that only the Northgate Transit Center was considered to have frequent transit service, but in fact, Park at Northgate is already surrounded by frequent transit nodes, and according to Seattle’s Transit Master Plan, even more service is slated to come. As shown on the maps below, Park at Northgate is within a five-minute walk of 5th Avenue NE, a Principal Transit Street, NE Northgate Way, a Major Transit Street, and Roosevelt Way, a Minor Transit Street. Metro Route 67 stops on Roosevelt abutting the site, runs on less than 15 minute headways from 5:50AM to 9:54PM (16 hours), and connects to the Northgate Transit Center. Route 75 stops 300 feet from the site, and runs on approximately 15 minute headways from 6:50AM to 10:50PM (16 hours). The site is also within a 10-minute walk of the Northgate Transit Center. As such, the MHA FEIS’ primary consideration for an M1-level increase is amply supported by the presence of frequent transit nodes around the Park at Northgate site.⁵



Portion of Metro System Map

Northgate CTIP Final Report, Sept. 2006, Figure 3-15

⁴ “[R]ecognizing the high risk of displacement in this community, we propose making only standard (M) zoning changes, except in areas within a five-minute walk of frequent transit.” MHA FEIS, Appendix B, Summary of Community Input, pages 39-65 (emphasis supplied). “Frequent transit service is defined as 15-minute headways (i.e., four buses per hour) for at least 16 hours a day.” Memorandum from Sara Maxana to Council Member Rob Johnson, dated May 3, 2018, Subject: Responses to questions at April 16, 2018 Select Committee meeting, page 3.

⁵ According to the PSRC’s Growing Transit Communities strategy, the best metric for distance from the Northgate Transit Center is not the five-minute walkshed, but rather the ten-minute walkshed or one-half mile. See the definition of “Transit Community” in the Strategy (<https://www.psrc.org/sites/default/files/gtcstrategy.pdf>). Park at Northgate is within one-half mile of the Northgate Transit Center.

Green Building Standard. The Green Building Standard (GBS) requires compliance with LEED Gold or similar green building standard, plus demonstration that annual energy use is at least 15 percent lower than required by the 2015 Seattle Energy Code.⁶ GBS is imposed on the Park at Northgate project via Section 43 of the Ordinance, which requires all projects above a very low FAR threshold to comply with it. This is a marked shift from the incentive provided to LR2 and LR3 properties under the current code. As described in the enclosed letter to Councilmember Juarez dated July 31, 2018, compliance with GBS would add approximately \$525,000 in additional cost to the redevelopment of Park at Northgate.

Further, GBS is not required in Commercial zones, so if adopted, Park at Northgate would have to comply with GBS but our neighbors to the north and west would not. This unfairly penalizes the Multifamily zoned properties. So I ask that you remove this requirement and instead look to impose energy code requirements citywide via updates to the energy code instead of including them in the MHA Ordinance.

MFTE. Finally, in order to make all of this work financially it is important to maintain the MFTE incentive. I look forward to discussing this topic at our meeting.

Thanks for taking the time to meet today, and for considering our requests to enable the redevelopment of the Park at Northgate property.

Sincerely yours,



Kevin R. Wallace
Manager, Park at Northgate LLC

Enclosures

⁶ See SMC Chapter 23.58D and DR 20-2017.

ATTACHMENT 1 REZONE CRITERIA ANALYSIS

Code §	Criterion	Response
General Criteria		
23.34.008.A.1	In urban centers the zoned capacity for the center shall be no less than 125% of the growth estimates adopted in the Comprehensive Plan for that center.	The proposed rezone will allow for an increase in density (not a reduction below 125% of growth estimates), so this criterion is met.
23.34.008.A.2	N/A - applies to urban villages.	
23.34.008.B	Match between zone criteria and area characteristics.	See discussion of specific zone characteristics below.
23.34.008.C	Examine zoning history and precedential effect.	Seattle 2035 Comprehensive Plan contains numerous provisions supporting development and additional density near frequent transit service. The MHA Ordinance rezones surrounding properties to NC2-55(M) and calls for M1 zoning increases for sites within a five-minute walk of frequent transit service.
23.34.008.D.	Neighborhood Plans	The 2013 Northgate Urban Design Framework calls the property an "Opportunity Site" for redevelopment. It also identifies the site as "Residential Priority", which suggests that MR may be more appropriate than NC. The Northgate Comp Plan is from 1993 and is so dated that it is of little value at this point, but a rezone to NC2-55(M) or MR(M1) would be consistent with policies NG-G1, G2, G3, G4, G7, P1, P2, P5, P7, P8.5, P11.
23.34.008.E.1	Gradual transition between more intensive zones and less intensive zones.	The adjacent properties to the north are proposed to be rezoned to NC2-55(M), which is equal or similar to the proposed Max FAR and height. Properties to the west range from NC3-55(M) to NC3-95(M). Taking into consideration the 10-15 foot lower elevation of the site and the code and site constraints that limit our ability to build higher than seventy feet or more than a 3.8 FAR, the intensity is still lower on our site, even with the MR zoning. Properties to the east and south are buffered by Roosevelt and the creek buffer.
23.34.008.E.2	Physical buffers may provide effective separation.	This is the case with the creek buffer between the site and the residential properties to the southeast.
23.34.008.E.3.b	Zone boundaries.	Physical buffers create a boundary between the site and the properties to the south and east. The west is higher intensity commercial, the north is equal or similar intensity.
23.34.008.E.4	Height limits above 40' should be limited to urban villages.	The site is in the Northgate Urban Center.

Code §	Criterion	Response
General Criteria		
23.34.008.F	Impact evaluation.	The MHA FEIS assumes 3,000 units will be built in the Northgate Urban Center between 2015 and 2035. This is highly unlikely to occur without redevelopment of Park at Northgate to a density of 700-1,000 units. As a result we believe the FEIS adequately evaluates the impacts of a zoning increase to NC2-55(M) or MR(M1).
23.34.008.G	Changed circumstances.	The MHA FEIS outlines various changed circumstances that support the requested rezone. Housing affordability and increased transit service are primary factors.
23.34.008.H	Overlay districts.	The site is in the Northgate Overlay. We see no issues with continuing to comply with the requirements of SMC Chapter 23.71, as amended by the proposed Ordinance.
23.34.008.I	Critical areas.	The site and redevelopment will not impact any critical areas, including the stream buffer to the south. Redevelopment of the site would enable additional stormwater improvements that would improve water quality of Thornton Creek.
23.34.008.J	Applies to parcels with incentive zoning.	Not applicable.
23.34.009	Height limits.	Due to the low elevation of the site and the heights, the wide buffers to the south and east, and the proposed heights for properties to the west (75'+) and north (55'), an increase in height to the NC2-55 or MR levels is appropriate. Shadow studies can be provided upon request. Due to code limitations and site constraints we would not build higher than 70', and we would be willing to execute a PUDA or similar instrument to confirm this.
MR Zone Criteria		
23.34.024.B.1.c	Locational criteria includes properties within an urban center.	The site is within the Northgate Urban Center.
23.34.024.B.2	Properties designated as an environmentally critical area may not be rezoned to Midrise.	The site is not designated as an environmentally critical area.
23.34.024.B.3	Other criteria, with a list numbered (a) through (i). (a) adjacent to business and commercial areas. (b) served by major arterials where transit service is good to excellent and street capacity could absorb the traffic generated by midrise development. (c) in close proximity to major employment centers. (d) in close proximity to open space and recreational facilities. (e) along arterials where topographic changes provide an edge or permit a transition in scale with surroundings.	The site complies with (a) through (e). (a), (b) and (c) are discussed in the letter. For (d), the site has its own open space, which will remain, and is close to the Thornton Creek water channel buffer as well as the Northgate Community Center. For (e), Roosevelt provides an edge for the properties to the east. (f) through (i) are dependent on the topography of the site. The site most closely responds to (g) - a moderate slope where the height and bulk of existing structures have already limited the multifamily area and upland areas.

Memo to: Nathan Torgelson, SDCI Director
February 3, 2021
Page 46

ATTACHMENT D

Altmann Oliver Associates LLC's March 6, 2019 Wetland and Stream Reconnaissance

Altmann Oliver Associates, LLC

PO Box 578

Carnation, WA 98014

Office (425) 333-4535

Fax (425) 333-4509

AOA

Environmental
Planning &
Landscape
Architecture



March 6, 2019

Gareth Roe
BCRA Design
414 Stewart St., Ste. 200
Seattle, WA 98101

AOA-5330

**SUBJECT: Wetland and Stream Reconnaissance for:
Northgate Parcel 292604-9617, Seattle, WA**

Dear Gareth:

On November 29, 2016 I conducted an initial wetland and stream reconnaissance on the subject property utilizing the methodology outlined in the May 2010 *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)*. No wetlands or streams were identified on the subject property during the field investigation. On March 5, 2019, Altmann Oliver Associates (AOA) conducted a second site review to confirm that the initial no on-site wetlands or streams determination remained valid.

The subject parcel is split into two parts (see attached aerial photo) and consists of a multi-family development with six individual "garden court" style buildings, parking areas, and site landscaping. No native plant communities or areas of native soil were observed on the property and there was no evidence of ponding or prolonged soil saturation anywhere on the site during either site review. The ditch located along the east side of the 8th Ave. NE right-of-way conveys only artificially collected runoff from catch-basins within the right-of-way and is not considered or mapped as a regulated stream or critical area (see attached City mapping).

Off-Site Critical Areas

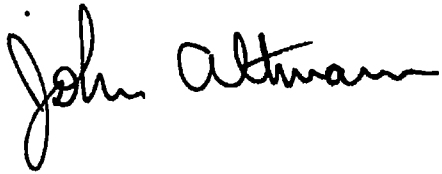
Although no wetlands or streams are located on the property, unclassified wetlands and streams were identified off-site to the south and southwest within Thornton Creek Park 6. These off-site critical areas would need to be classified to determine buffer width requirements as part of any future development proposal.

Gareth Roe
March 6, 2019
Page 2

If you have any questions regarding the reconnaissance, please give me a call.

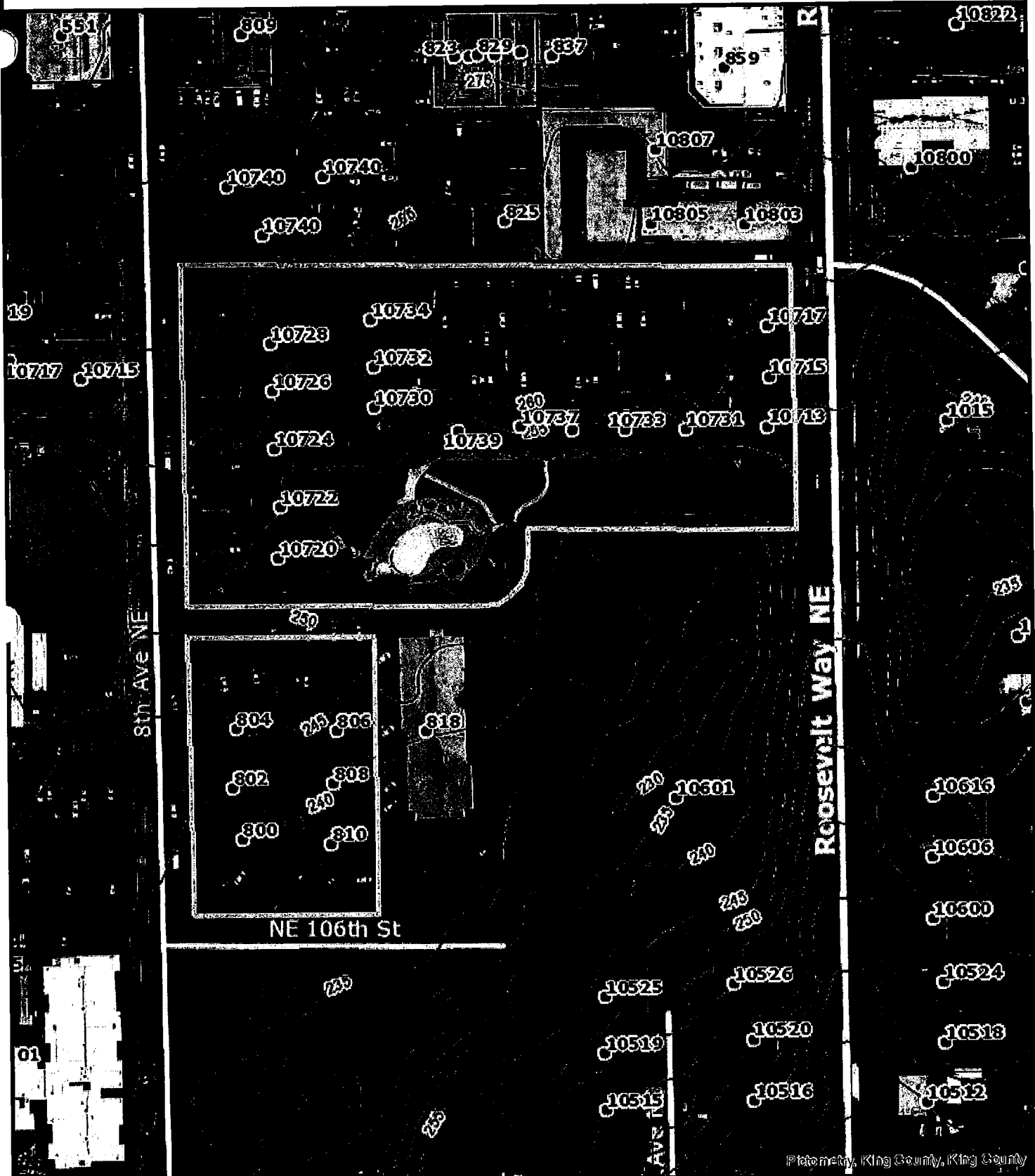
Sincerely,

ALTMANN OLIVER ASSOCIATES, LLC

A handwritten signature in black ink that reads "John Altmann". The signature is written in a cursive, flowing style.

John Altmann
Ecologist

Parcel 292604-9617



The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a survey product. King County shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of King County.

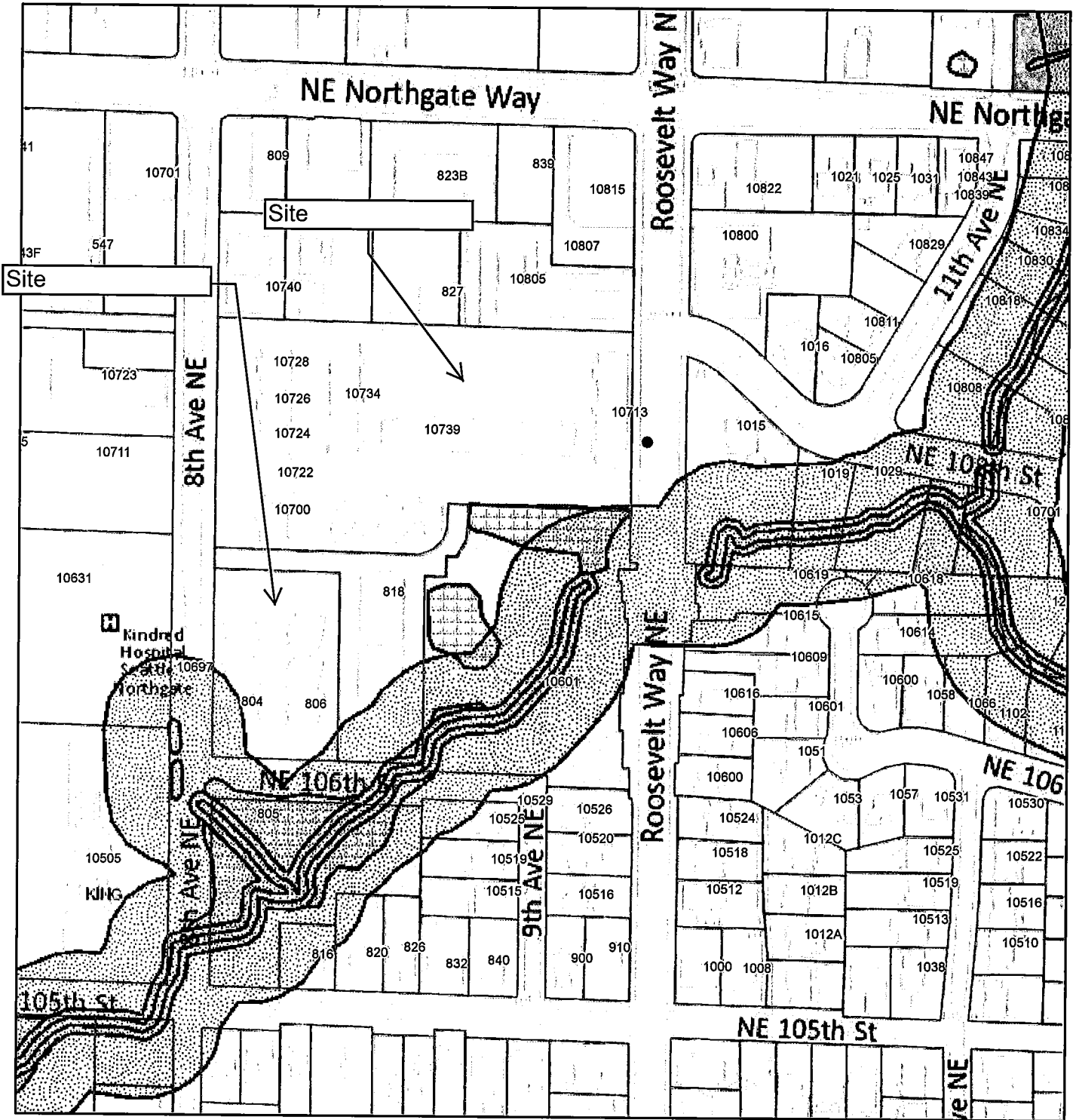
Date: 3/6/2019

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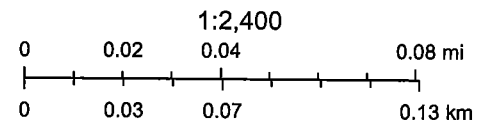
King County

Parcel 292604-9617



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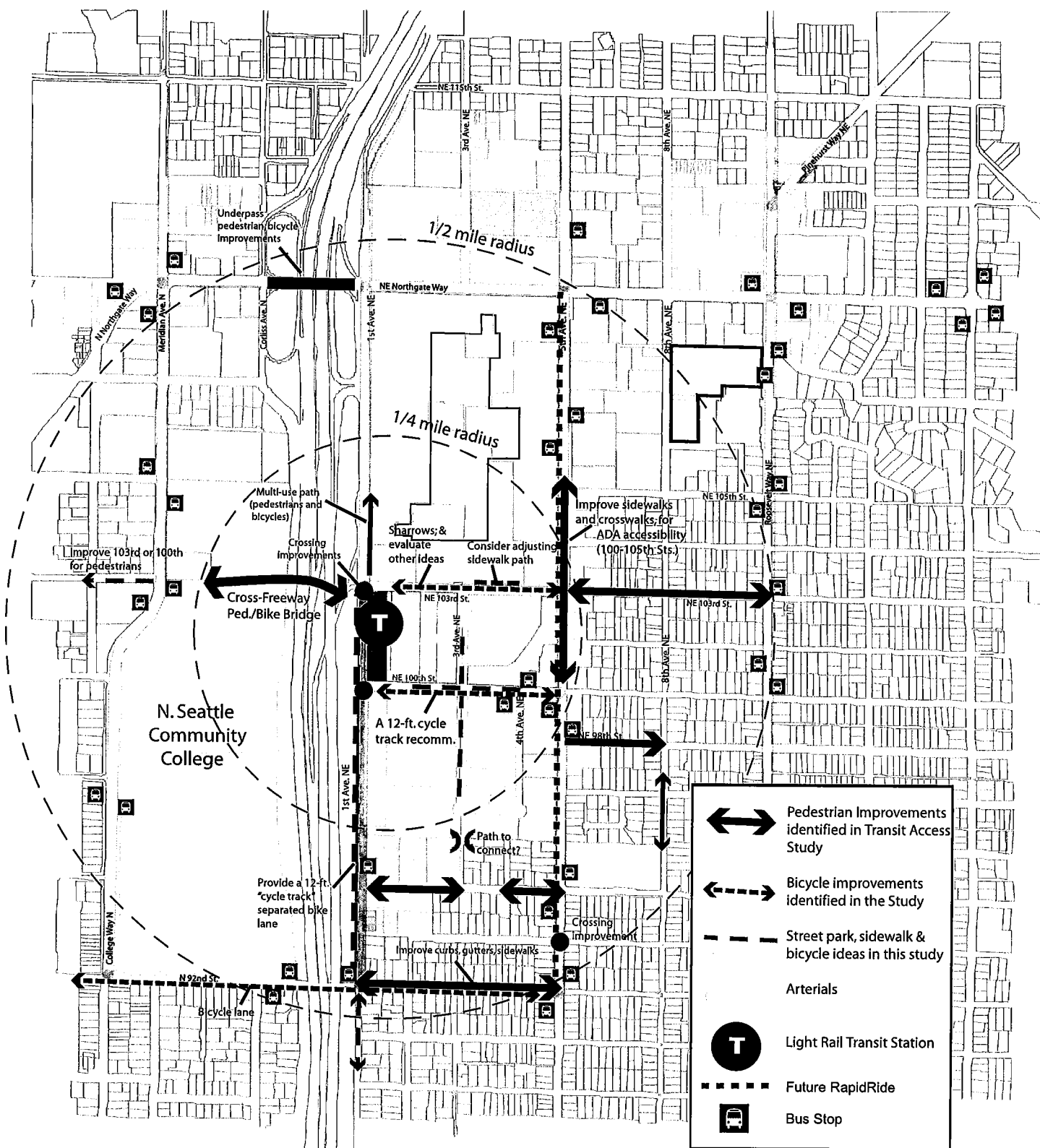
- Parcels
- Wetland-ECA4
- Riparian Corridor-ECA3



Memo to: Nathan Torgelson, SDCI Director
February 3, 2021
Page 47

ATTACHMENT E

Park at Northgate Transit Radius



Memo to: Nathan Torgelson, SDCI Director
February 3, 2021
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ATTACHMENT F

**March 19th, 2020 The Park at Northgate - Comprehensive Plan/Zoning Analysis of
Traffic Impacts prepared by Transportation Engineering Northwest (TENW)**

MEMORANDUM

DATE: March 19, 2020

TO: Courtney Skony, Wallace Properties, Inc.

FROM: Michael Read, PE, Principal, TENW

SUBJECT: The Park at Northgate – Comprehensive Plan/Zoning Analysis of Traffic Impacts
TENW Project No. 3522

This memorandum summarizes a review of a proposed comprehensive plan amendment associated with a rezone associated with redeveloping an existing 146-unit apartment complex with up to 1,100 new residential apartment units (net increase of approximately 954 new housing units) and an underground parking garage to serve the development. Known as *Park at Northgate*, the project site is located in the Northgate neighborhood of Seattle, WA south of NE Northgate Way fronting along 8th Avenue NE. Access to the project site would be provided via site driveways onto 8th Avenue NE and Roosevelt Way. A site vicinity map is provided in Figure 1, and a conceptual site plan is provided in Figure 2. Project completion is expected by 2025.

This memo includes an expanded project description, project trip generation, trip distribution, transportation concurrency, site access and circulation impacts, signal warrant analysis at the primary access of NE Northgate Way and 8th Avenue NE, and identification of any potential traffic impact fees.

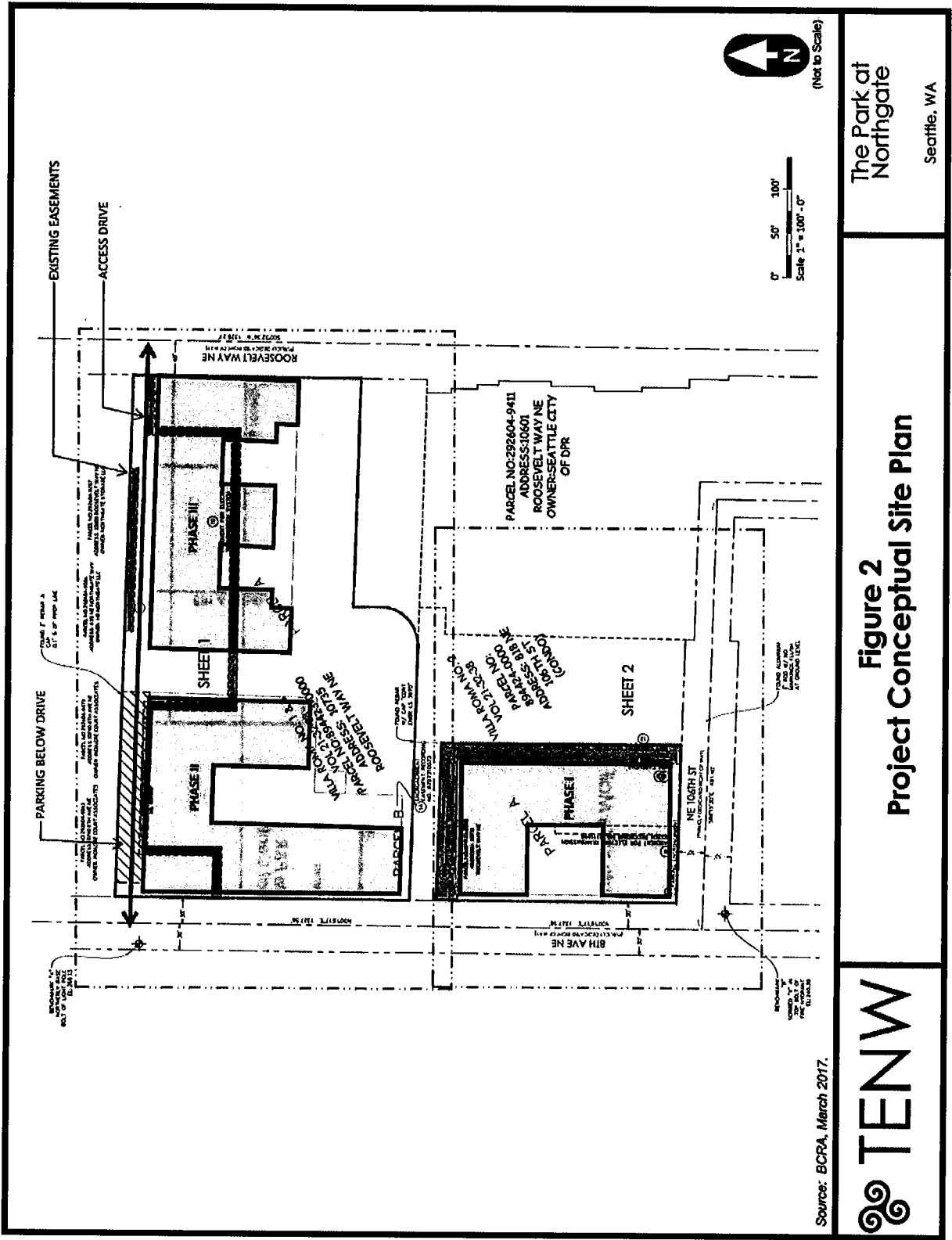
Non-Project Traffic Forecasts

For the purpose of the traffic analysis, year 2025 was selected as the build-out year based upon anticipated completion of the *Park at Northgate* redevelopment in a phased approach. Phase I (297 units) by 2023, Phase II (402 units) in 2024, and Phase III (401 units) in 2025. Historical p.m. peak hour traffic counts were reviewed within the study area to determine background growth rates. Although several intersections have experienced a slight increase in growth since 2005, overall, traffic volumes at study intersections have declined since 2005. For consistency, 2034 baseline traffic volumes without the Northgate Mall Redevelopment and Link Light Rail were utilized (before the recent Covid-19 closures that have impacted schools, restaurants, employment sites, etc.).

Based on recent 2019/2020 and stabilized residential buildings in the immediate site vicinity, there are two known pipeline project in the immediate vicinity that are considered in background traffic growth.

- *Northgate Mall Redevelopment.* With removal of many retail uses (approximately 770,00 square-feet) and construction of the proposed NHL training facility at the Northgate as well as opening of Link Light Rail at the Northgate Station by 2021, traffic demands during peak commute periods along NE Northgate Way, 5th Avenue NE, and Roosevelt Way are all reduced over 2019 traffic volumes.





- *Modera Apartments.* With removal of many retail uses (approximately 770,00 square-feet) and construction of the proposed NHL training facility at the Northgate as well as opening of Link Light Rail at the Northgate Station by 2021, traffic demands during peak commute periods along NE Northgate Way, 5th Avenue NE, and Roosevelt Way are all reduced over 2019 traffic volumes.

Project Vehicle Trip Generation

Trip generation rates published by the Institute of Transportation Engineers (ITE) in the *Trip Generation Manual, 10th Edition, 2017* was used to estimate daily and p.m. peak hour traffic that would be generated by the proposed project using the ITE land use categories of Apartments based upon 954 net new housing units. Two alternative methods were applied, application of Mid-Rise/High-Rise multifamily residential units in a dense urban environment (limited database) and High-Rise multifamily category with adjustments for light rail/transit access adjustment and walkability mode share adjustments. The density of the project, proximity to adjacent mixed land uses, and the Link light rail station (LRT) station area are all considered in the ITE rates applied to the proposed residential project, however, these studies have a comparative limited number of samples. These trip generation rates are consistent between both Mid-Rise and High-Rise multifamily residential uses in these land use environments (i.e., high density, mixed-use).

A detailed summary of trip generation calculations is provided in Appendix A. As shown in Table 1, an estimated net increase of approximately 3,140 daily and 239 new p.m. peak hour vehicular trips (146 entering and 93 exiting) would be generated based on the more conservative approach.

Table 1
The Park at Northgate - Trip Generation Summary

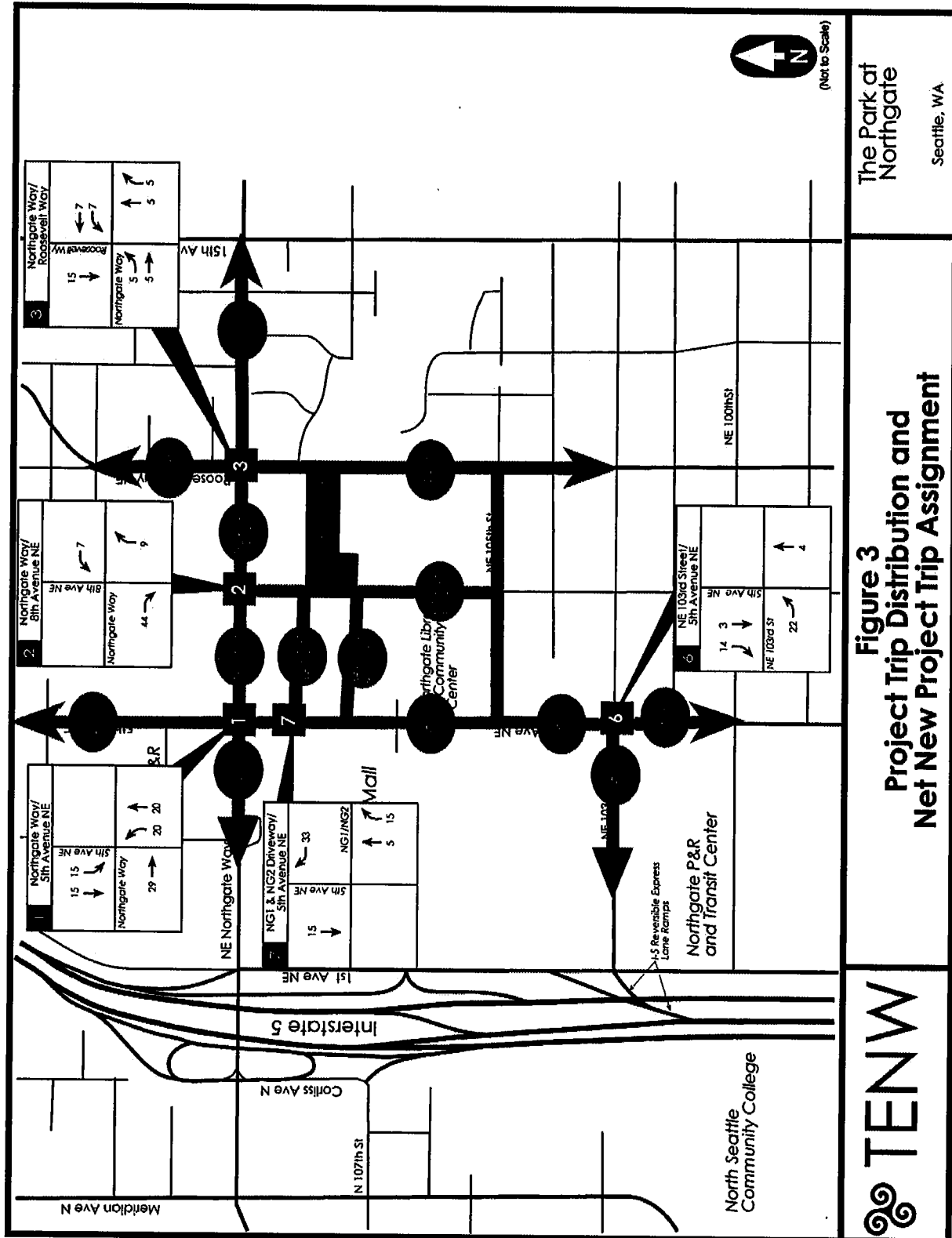
Time Period	In	Out	Total
Weekday PM Peak Hour	146	93	239
Weekday Daily	1,570	1,570	3,140

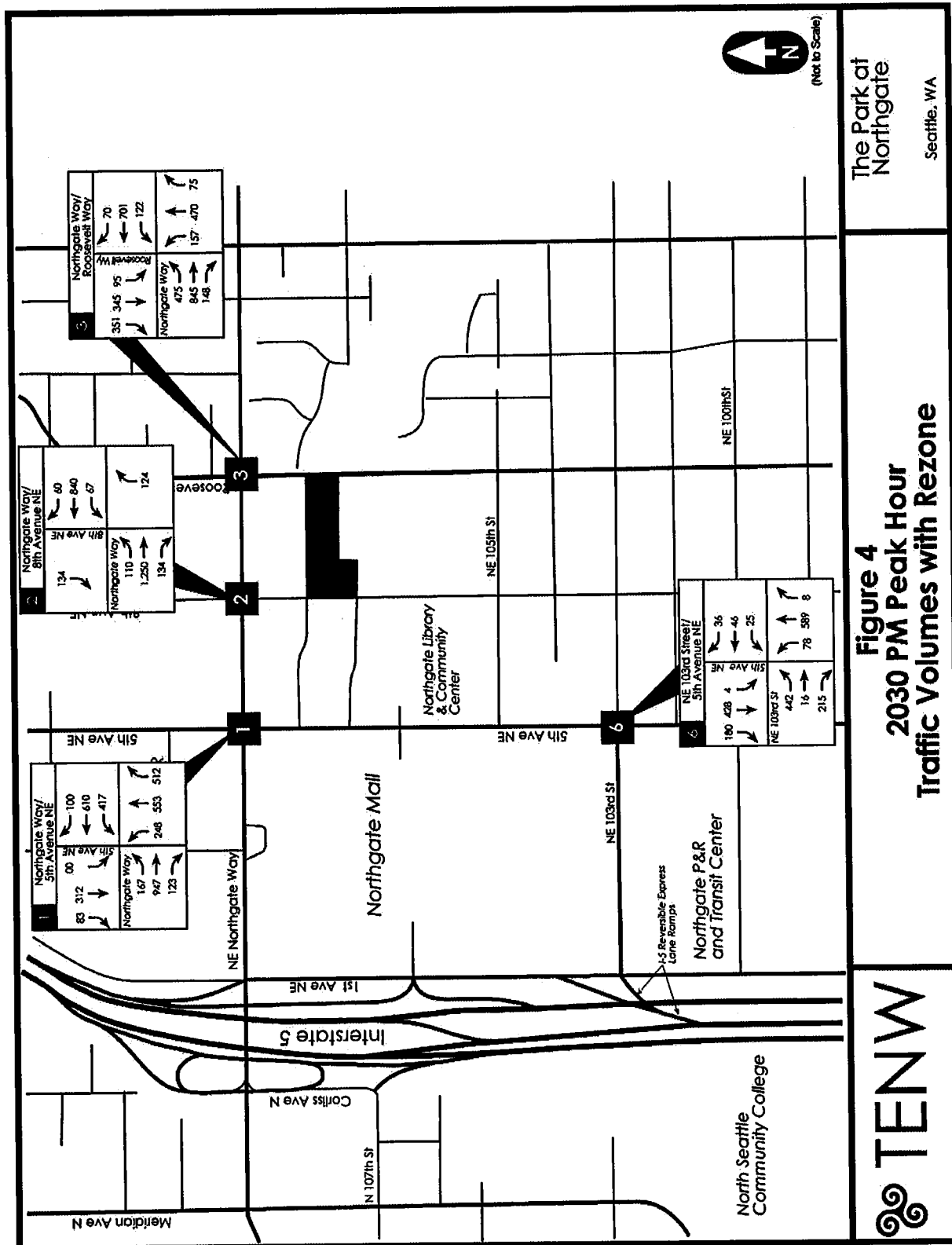
Source: Trip Generation Manual, 10th Edition, ITE, 2017.

Under the existing land use zoning (LR3), up to 285 units could be constructed on the site, and would result in a net increase of only 139 new multifamily units. Under this buildout scenario, the relative net increase in vehicle site trip generation would be reduced to approximately 146 new daily and 35 new p.m. peak hour vehicle trips. The ITE Trip Generation Manual and mode share estimates published by Sound Transit in the vicinity of the Northgate Light Rail station were used to estimate nonmotorized person trips for the site (Attachment A).

Project Trip Distribution and Assignment

To distribute trips onto the vicinity-street and arterial network, trip distribution patterns were established based on the City of Seattle DPD Director's Rule 5-2009. The distribution patterns are anticipated to be similar to those estimated for the adjacent 507 and 525 Northgate Way Lane and Prism projects. Figure 3 illustrates the anticipated distribution of inbound and outbound net new project-generated trips during the p.m. peak hour, while Figure 4 provides detailed turning movement forecasts at buildout with the project and known pipeline projects using 2034 forecasts from the Northgate Mall Redevelopment Transportation Impact Study, additional pipeline growth, and the net increase in vehicle trips generated by The Park at Northgate rezone with 954 new residential units.





Transportation Concurrency

Prior to development approval, a transportation concurrency analysis is conducted based on the City of Seattle's Director's Rule 5-2009. Transportation concurrency standards are used to determine the acceptable balance between the demand for use of the arterial systems and the capacity of the transportation system. Total capacity is based not only on the facilities currently in existence, but also on known future projects.

Transportation concurrency review in the City of Seattle is evaluated first by determining applicable screenlines. A screenline is an imaginary line drawn across several arterials at a particular location where the volume to-capacity ratio (v/c) is calculated. The following screenlines were evaluated:

- 1.12 North City Limit – Meridian Avenue N to 15th Avenue NE
- 6.13 South of NE 80th Street – Linden Avenue N to 1st Avenue N
- 7.12 West of Aurora Ave – N 80th Street to N 145th Street
- 13.12 East of I-5 – NE 65th Street to NE 80th Street

Baseline traffic volumes for the screenline were obtained from the Director's Rule 5-2009. Project-generated traffic was then added to baseline traffic volumes at the screenline. The total traffic volume, including the proposed development's trips, was then divided by the capacity of all roadways crossing the screenline to obtain a volume to capacity (v/c) ratio. This ratio was then compared to the LOS standard. Table 2 summarizes the transportation concurrency review results for *The Park at Northgate* project. As shown, the v/c ratios with the development were less than the LOS standard for all screenlines. Therefore, no system concurrency mitigation is required.

Table 2
The Park at Northgate - Transportation Concurrency Review

Screenline	Description	2008 Capacity	Baseline Peak Hour Volume	Planned Pipeline Trips	Proposed Project Trips	With Project V/C Ratio	LOS Standard
6.14	South of N(E) 80 th Street – Linden Avenue N to 1 st Avenue N						
	EB	5,880	3,614	11	20	0.62	1.00
	WB	5,080	2,257	6	8	0.45	1.00
7.12	West of Aurora Ave – N 80 th Street to N 145 th Street						
	EB	8,380	3,575	4	6	0.43	1.00
	WB	8,380	4,299	3	3	0.51	1.00
13.11	East of I-5 – NE 65 th Street to NE 80 th Street						
	NB	5,160	2,996	23	41	0.60	1.00
	SB	5,160	3,252	17	34	0.65	1.00

1. Data obtained from Director's Rule 5-2009.

Site Access and Circulation Impacts

Vehicular site access for *The Park at Northgate* project is proposed at three locations. The north project site driveway would access the east leg of a shared east-west access driveway between 5th Avenue NE and 8th Avenue NE that serves the Lane Apartments and adjacent properties. The south project site driveway would access the east leg of a shared east-west access driveway between 5th Avenue NE and 8th Avenue

NE that serves the Prism Apartments and adjacent properties. Full turning movements at the north and south project site driveways would be provided onto 8th Avenue NE and access would also be allowed from these project site driveways onto 5th Avenue NE. These connections "through adjacent properties" are not considered to serve or provide secondary fire/emergency vehicle access.

In addition, a third driveway onto Roosevelt Way NE would be maintained. Access onto Roosevelt Way NE was assumed to be restricted to right-in, right-out only and would be required to meet fire/emergency vehicle access requirements given the proposed residential density.

Traffic Impact Fees

Based upon this preliminary traffic analysis associated with a proposed Comprehensive Plan/Zoning Analysis, to mitigate area-wide impacts to the Northgate Area, the City collects fair share contributions towards planned transportation improvements identified in the *Northgate Coordinated Transportation Investment Plan (CTIP)*, 2007. The City currently assesses this fee at \$634 per dwelling unit per Transportation Mitigation Payments 243 in Northgate. This translates into approximately \$604,836 in traffic impact fees.

On-Site Parking

Parking for the project would be built to accommodate demand for the project and would not create on-street parking needs except for possible short-term parking along 8th Avenue NE related to deliveries, drop-off/pick-up trips and other similar short-term parking needs along the site frontage. The recently updated King County Right Size Parking Calculator Version 2.0 lets professionals estimate parking use in the context of a specific site, based on a model using current local data of actual parking use correlated with factors related to the building, its occupants, and its surroundings—particularly transit, population and job concentrations. The calculator's estimates are based on a model developed from field work on data collected mostly in the winter and spring of 2012 on over 200 developments in urban and suburban localities in King County, Washington (Seattle and its suburbs), with nearly 100 new buildings added to the model in 2017. The calculator estimates a parking/unit ratio for an average residential building based on the characteristics of each location. The calculator can help analysts, planners, developers, and community members weigh factors that will affect parking use at multi-family housing sites, and assists developers and public agencies to consider how much parking is "just enough" when making economic, regulatory, and community decisions about development.

As this model considers the adjacency of mixed used, transit services, walkability, vehicle ownership factors, and other considerations in its assessment of parking demands, and is based on a comprehensive study of local surveys throughout the King County area (both urban and suburban areas), this tool is considered by most jurisdictions in the region as a best practices tool for determining parking supply at multifamily developments. Application of the Right Size Parking Model for the residential uses indicates a built parking ratio of 0.57 stalls per dwelling unit using the new model based on its location, proximity to transit/light rail, affordable units, number of bedrooms, rental market, and average unit size. Attachment B provides the King County Right Size Parking Model results for the project, which recommends 630 stalls.

If you have any questions regarding the information presented in this memo, please call me at (206) 361-7333 x 101 or mikeread@tenw.com.

Appendix A

Detailed Trip Generation Estimate
Nonmotorized Mode Share Estimates

ITE Trip Generation, 10th Edition, 2017 Park at Northgate

Proposed
Mid-Rise Apartment (Dense Urban Mixed-Use, Vicinity Light Rail)

Total

Proposed
High-Rise Apartment (Typical Suburban/Urban)

Sound Transit LRT /Walk Access¹
20% reduction for residential trips
5% mode share reduction for walkability to jobs/retail/service
Total

1. Source: Sound Transit Access Mode Analysis of Northgate Station Access Study.
A walk mode share of 35% of an assumed 60% home-based work trips was applied.

Mode Share Estimates - Total Person Trips (Trip Generation Manual, 10th Edition, High-Rise 222, Dense Urban Mixed Use)

	X	LU	Code	AM Peak	PM Peak	Daily
Total Persons	1,100		222	800	600	7250
In Vehicles (AVO 1.2 peak, 1.1 daily)				290	330	2695
Bikes (10-20%)				80	60	1450
Transit/LRT (20%)				160	130	725
Walk (30-35%)				270	80	2380
				800	600	7250

Appendix B

King County Right-Size Parking Model

Enter a location...

Parking/Unit Ratio (Number of Stalls/Unit)	Score
>0.50	4
0.40-0.49	3
0.30-0.39	2
0.20-0.29	1
<0.20	0

2 Parcels Selected

Building & Parking Specifications

0.57

Location Characteristics

Parking Impacts

parking optimization estimates and guidance on unbounded and affordable housing options.

	NUMBER OF UNITS	AVERAGE RENT (\$)	RESIDENTIAL AREA (SQ FT)
STUDIOS:	450	\$1,250	350
1 BEDROOMS:	550	\$1,750	550
2 BEDROOMS:	100	\$2,250	750
3+ BEDROOMS:	0	\$0	0
TOTAL:	1100	\$1,991	535,000

	RESIDENTIAL AFFORDABLE UNITS:
TOTAL:	200

PARKING

PARKING STALLS:	630
PRICE PER STALL (\$/MO):	\$60

✓ Right sized

UPDATE

RESET

Optimized Parking Supply and Market Price

Modeled parking utilization per building is 630 parked cars and this estimate has a range of 593 - 677 cars per building.

✓ 630 stalls is the optimal parking capacity priced at \$50/mo **TRY THIS**

✓ Optimal pricing for 630 stalls is estimated at \$50/mo per stall.

Appendix A

Detailed Trip Generation Estimate

ITE Trip Generation, 10th Edition, 2017
Park at Northgate

Proposed	X	Code	AM Peak		PM Peak		Daily Trips	Daily Rate	AM Rate	PM Rate		
			Enter	Exit	Enter	Exit						
Mid-Rise Apartment (Dense Urban Downtown, Vicinity Light Rail)	954	221	23	168	191	107	42	149	2,470	2.59	0.20	fitted curve
Total			23	168	191	107	42	149	2,470			

Appendix B

Signal Warrant Analysis



City of Seattle

Seattle Department of Transportation



SDOT

Seattle Department of Transportation

Traffic Signal Warrant Summary

Transportation Engineering

Prepared by: NorthWest

Date: 6/27/2019

Location Information

Major Street

NE Northgate Way

Minor Street

8th Avenue NE

Objective Warrants

Traffic Study Information

Number of approach lanes on major street

2

Number of approach lanes on minor street

1

Minimum eight-hour vehicles per hour on major street (total of both approaches)

600

Minimum eight-hour vehicles per hour on higher-volume minor-street approach (one direction only)

150

Four-Hour vehicles per hour on major street (total of both approaches)

1,800

Four-Hour vehicles per hour on higher-volume minor-street approach (one direction only)

100

Maximum peak-hour total stopped time delay on one minor street approach

28

Peak-Hour vehicles per hour of on same minor street approach as above

88

Peak total entering vehicles per hour

2,317

Four-Hour pedestrians per hour crossing major street (total of all crossings)

165

Peak-Hour vehicles per hour on major street (total of both approaches)

2,067

Peak-Hour pedestrians per hour crossing major street (total of all crossings)

132

Distance to the nearest signal or stop controller intersection

650



City of Seattle

Seattle Department of Transportation

Number of gaps in traffic stream during schoolchildren crossing	N/A
Number of minutes in schoolchildren crossing period	N/A
Peak-hour number of schoolchildren crossing	N/A
Applicable crashes within 12-month period	1
5-year projected minimum eight-hour vehicles per hour on major street (total of both approaches)	612
5-year projected minimum eight-hour vehicles per hour on higher-volume minor-street approach (one direction)	153
5-year projected four-hour vehicles per hour on major street (total of both approaches)	1,836
5-year projected four-hour vehicles per hour on higher-volume minor-street approach (one direction)	102
5-year projected maximum peak-hour total stopped time delay on one minor street approach	29
5-year projected peak-hour vehicles per hour of on same minor street approach as above	90
5-year projected peak total entering vehicles per hour	2,364
5-year projected four-hour pedestrians per hour crossing major street (total of all crossings)	168
5-year projected peak-hour vehicles per hour on major street (total of both approaches)	2,109
5-year projected peak-hour pedestrians per hour crossing major street (total of all crossings)	135
Distance to stop or yield line of grade crossing	N/A
Clear storage distance	N/A

Warrant 1: Eight-Hour Vehicular Volume	DOES NOT MEET WARRANT
Warrant 2: Four-Hour Vehicular Volume	DOES NOT MEET WARRANT
Warrant 3: Peak Hour	DOES NOT MEET WARRANT
Warrant 4: Pedestrian Volume	MEETS WARRANT
Warrant 5: School Crossing	DOES NOT MEET WARRANT
Warrant 7: Crash Experience	DOES NOT MEET WARRANT



City of Seattle

Seattle Department of Transportation

Warrant 8: Roadway Network

DOES NOT MEET WARRANT

Warrant 9: Intersection Near a Grade Crossing

DOES NOT MEET WARRANT

Subjective Warrants

Warrant 1: Eight-Hour Vehicular Volume

DOES NOT MEET WARRANT

Warrant 6: Coordinated Signal System

Warrant 7: Crash Experience

Warrant 8: Roadway Network

Other

<i>DOES NOT MEET WARRANT</i>

Engineering Justification: (Must be filled out if subjective warrant is used):

--

Engineer's Signature _____

City Traffic

Engineer's Signature _____

Transportation Operations

Division Director's Signature _____

Appendix C

Proportional Share Contributions

Attachment E **Park at Northgate Proportional Share Contributions**

Improvement # ¹	Intersection #	Intersection/Roadway	Baseline PM Vehicles in 2025	Project PM Peak Trips	Total PM Vehicles in 2025	Pro-Rata Share	Project Cost ²	Project Pro-Rata Contribution
E8	5	NE Northgate Way/8th Avenue NE	2,923	42	2,965	1.4%	\$495,000	\$7,012
E1		Northgate Corridor Signal Coordination				1.4%	\$1,040,000	\$14,352
B3		8th Avenue Sidewalk				10.4%	\$388,000	\$40,158
							Total	\$51,522

1 - Source: Northgate CTIP, Figure 7-3.

2 - Based on the total project cost.

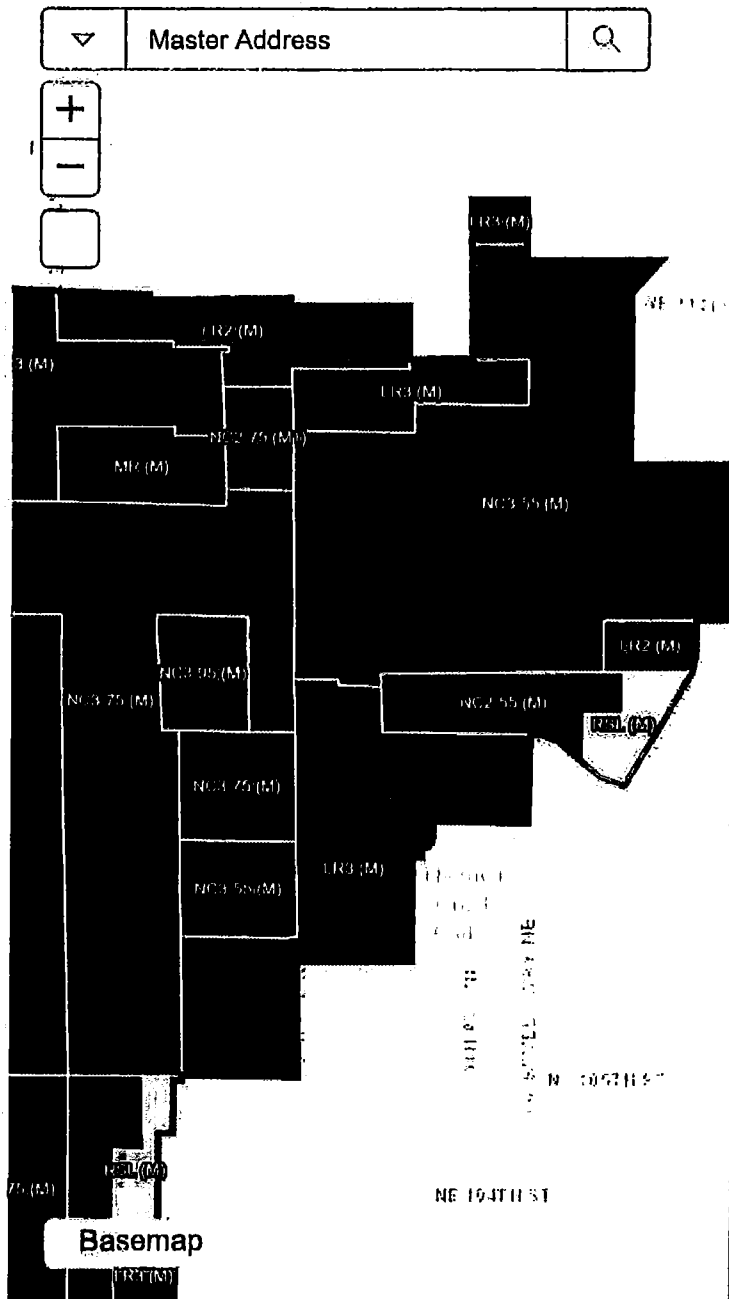
Memo to: Nathan Torgelson, SDCI Director
February 3, 2021
Page 49

ATTACHMENT G

MHA Current Zoning of Site and Vicinity Map

MHA Adopted Zoning Changes

Search an address or click on the map to see information

**10713 ROOSEVELT WAY NE**

This is parcel 2926049617. It's 228,319 square feet in area. Learn more about this parcel from the King County Department of Assessments.

The new MHA zoning here is **LR3 (M)**.

In March 2019, the City Council voted 9-0 to adopt **citywide MHA legislation**, implementing affordable housing requirements in 27 urban villages throughout Seattle. **The new MHA zoning took effect April 19, 2019.**

LR3 (M) a Lowrise Multifamily zone. Learn more about the size and type of development allowed in LR3 (M) zones with our Director's Report.

The **(M)** suffix indicates that affordable housing requirements apply for development in this zone.

MHA requirements vary both according to the suffix in the zone name, i.e., (M), (M1), or (M2), and geographically. This location is in a **medium MHA area**.

Interested in the specific MHA requirements for your property? Read our summary of how MHA works and consult Tip 257 from the Seattle Department of Construction and Inspections.

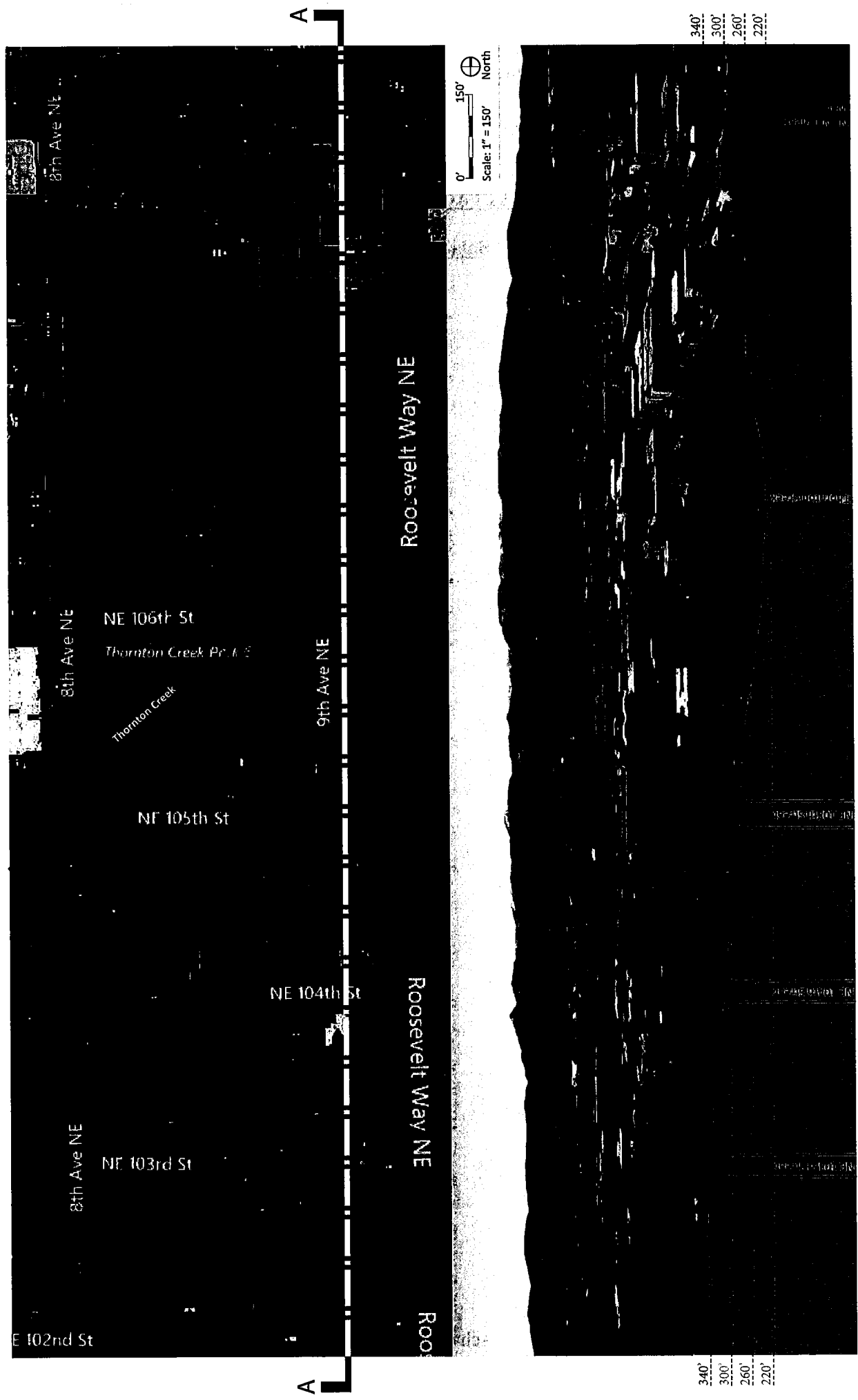
MHA Zoning Categories

Residential Small Lot (RSL)

Memo to: Nathan Torgelson, SDCI Director
February 3, 2021
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ATTACHMENT H

Site Elevation Cross Section



340'
300'
260'
220'

340'
300'
260'
220'

Memo to: Nathan Torgelson, SDCI Director
February 3, 2021
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ATTACHMENT I

Solar Studies

Sun Shadow Analysis - Proposed Zoning: MR M1 (80' Height Limit)

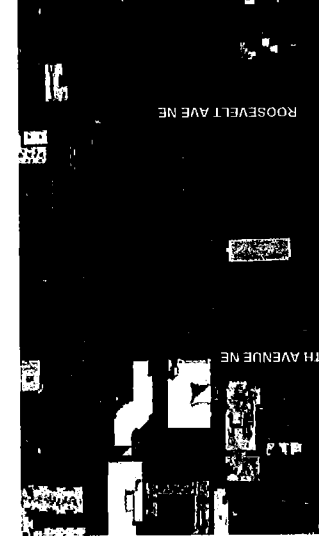
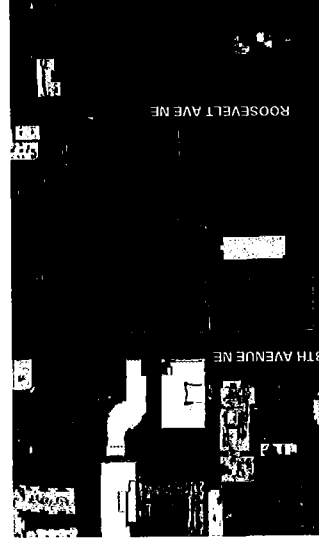
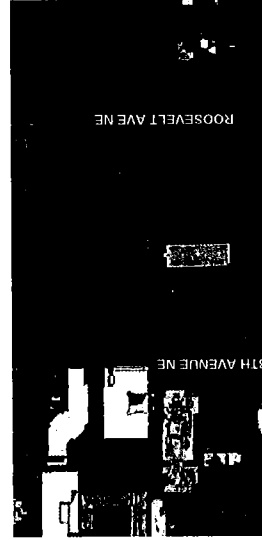
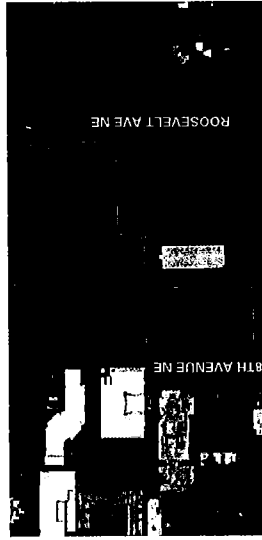
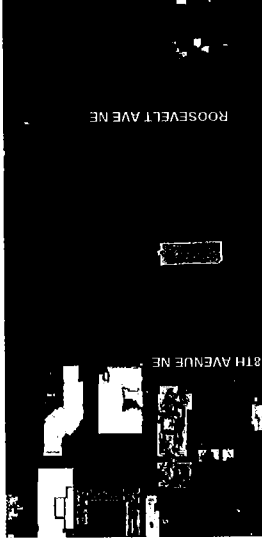
DEVELOPMENT OPTIONS

b bora

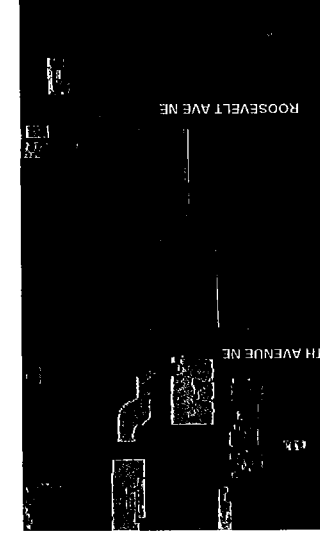
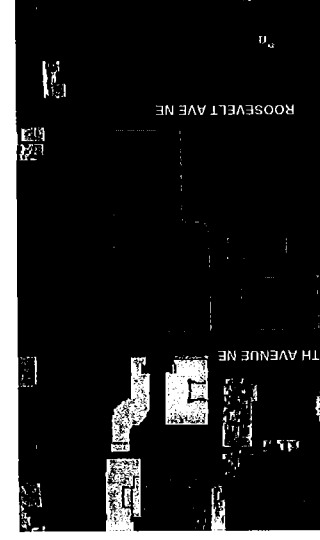
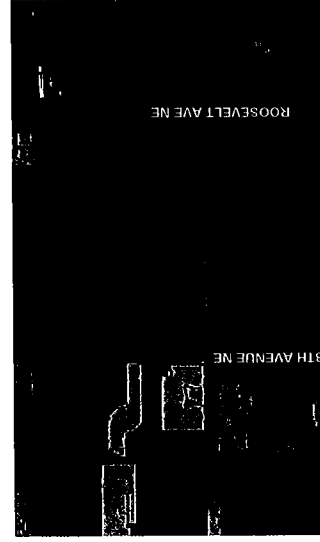
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NOON

9:00 AM



EQUINOX
Mar/Sept 21



WINTER SOLSTICE
Dec 21

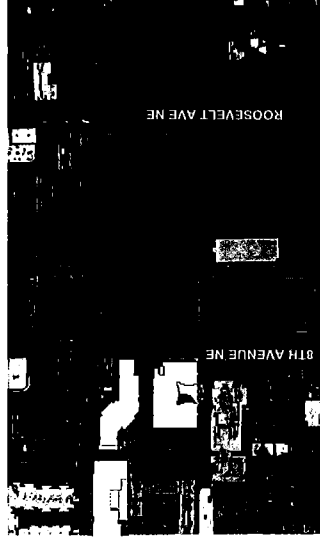
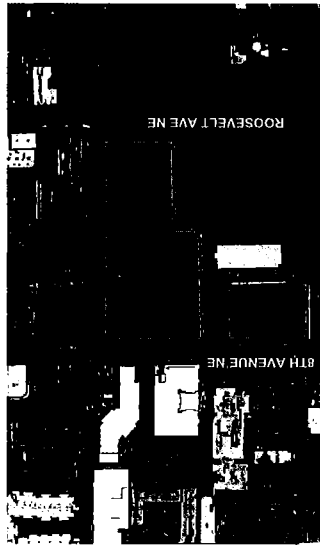
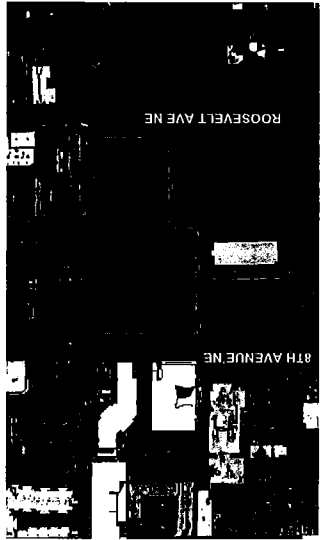
Sun Shadow Analysis - LR 3 (M) (50' Height Limit) DEVELOPMENT OPTIONS



9:00 AM

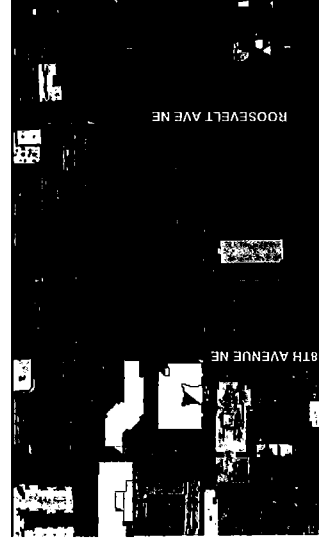
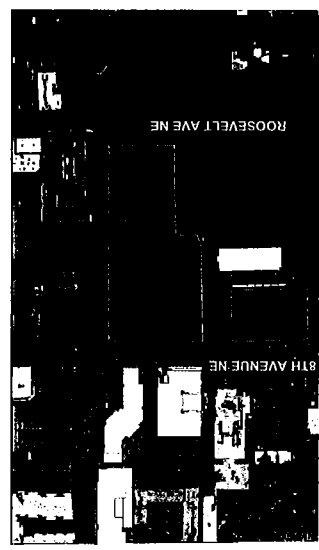
NOON

3:00 PM



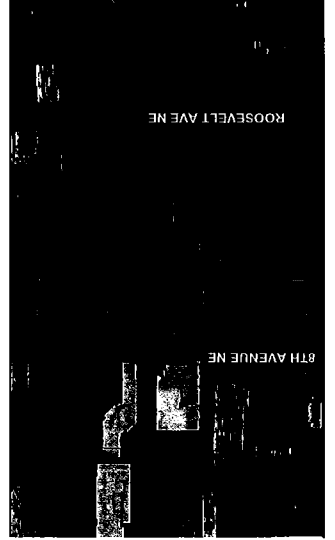
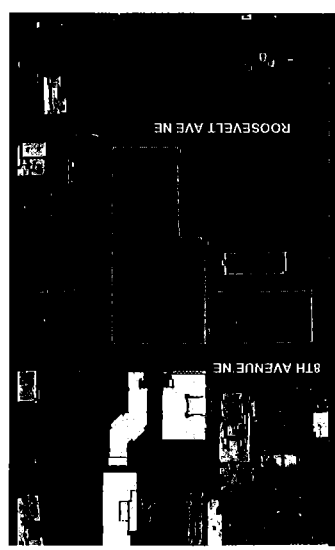
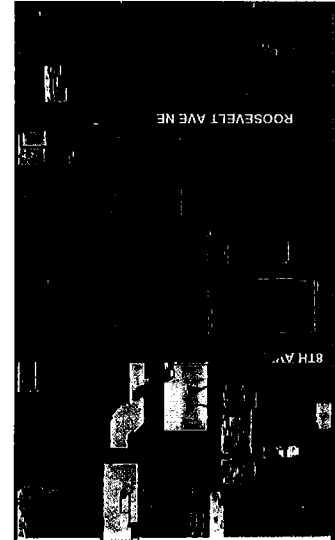
SUMMER SOLSTICE

June 21



EQUINOX

Mar/Sept 21



WINTER SOLSTICE

Dec 21

Memo to: Nathan Torgelson, SDCI Director
February 3, 2021
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ATTACHMENT J

June 12, 2019 Preliminary Site Research Report prepared by BCRA

PROJECT RECORD

Date:	June 12, 2019		
To:	Wallace Properties Attn: Kevin Wallace PO Box 4184 Bellevue, WA 98009 kwallace@wallaceproperties.com	From:	Shannon Podgorski, EIT
		Reviewed by:	Andy Epstein, PE
		Project:	The Park at Northgate Rezone
		BCRA Project #: 16102	
CC:	Gareth Roe (BCRA); Joe Rydman (BCRA); Ming-Sing Ting (BCRA)		
RE:	Preliminary Site Research Report		
Attachments:	Utility and Environmentally Critical Areas (ECA) Exhibits		

PRELIMINARY SITE RESEARCH REPORT – SPECIFIC REZONE TO MR(M1)

The following is a summary of preliminary site research to confirm the presence of any Environmentally Critical Areas (ECAs) and presence and availability of utilities to serve potential redevelopment of the site located at 10713 Roosevelt Way NE, Seattle, WA 98115, King County tax parcel no. 292604-9617. The site encompasses an area of approximately 228,319 SF and is comprised of a single tax parcel split into two parts, north and south, by a 30' wide strip of adjacent tax parcel 8944240000, which strip appears to be used as a shared driveway and parking area. The proposed rezoning of the site would allow for development up to 1,100 residential units. Based upon our review, it is our professional opinion that the existing utilities and infrastructure, subject to our comments below, are sufficient to serve the site should it be rezoned.

RIGHT OF WAY

The site is bounded by 8th Ave NE (non-arterial) to the west, Roosevelt Way NE (principal arterial) to the east, NE 106th St (non-arterial) to the south, and private property and NE Northgate Way (principal arterial) to the north.

It is expected that work in the right-of-way will include new frontage improvements, including, curb, street trees and sidewalk on 8th and 106th and repair work/replacement of sidewalk on Roosevelt Way NE due to damage from the mature trees. All improvements will need to be coordinated with Seattle Department of Transportation (SDOT) and Seattle Department of Construction and Inspections (SDCI). It is likely that a more comprehensive design will be required along 8th Ave NE and Roosevelt Way NE potentially including pedestrian easements to provide the required sidewalk and planter widths.

There is a bus stop located adjacent to the parcel on Roosevelt Way NE. Any impacts to the stop will need to be coordinated with King County Metro.

We recommend submitting to SDCI for a Preliminary Assessment Report (PAR) that will help detail required elements of development on the subject parcel.

ENVIRONMENTALLY CRITICAL AREAS

City of Seattle GIS shows areas of steep slope and riparian corridors on the site, but per site visits, survey, and a Wetland and Stream Reconnaissance by Altmann Oliver Associates, LLC (letter dated March 6, 2019) there are no critical areas on or adjacent to the site. Areas shown on the City's GIS map as steep slopes are not

slopes but instead are existing buildings and rockeries. There is a wetland and stream to the southeast of the site, but the proposed rezone and potential redevelopment will not impact the wetland or the stream.

Refer to the attached Environmentally Critical Areas Map for approximate extents of ECAs per the City of Seattle GIS. Please note, as stated above, there are no ECAs onsite.

WATER

Per City of Seattle online GIS, there are 8-inch cast iron water mains abutting the site: to the west along 8th Ave NE, to the east in Roosevelt Way NE, and to the south along NE 106th St. A water flow study will need to be completed by Seattle Public Utilities (SPU) to verify the existing public water system will provide adequate fire flow for the redevelopment. At a minimum, additional fire hydrants should be anticipated and it should be assumed that new domestic and fire water services will be needed for each building. The existing 1.5" and 2" water services may be evaluated for reuse for irrigation.

There are three fire hydrants located along 8th Ave NE and another two on the opposite side of Roosevelt Ave NE.

A Certificate of Water Availability from SPU should be obtained prior to development of the site.

SANITARY SEWER

Per City of Seattle online GIS, the northern portion of the property is served by an 8-inch Seattle Public Utilities (SPU) main which is located on the northern portion of the property and continues offsite to the south and then east across Beaver Pond Natural Area in a 24-inch SPU main. Near the northeast corner of Beaver Pond Natural Area, the 24-inch SPU main connects to a 24-inch King County main and continues east across Roosevelt Way NE. The onsite public sewer main lines will need be relocated and the three offsite connections to the north (which serve several properties to the north) will need to be maintained with the relocation. The southern portion of the property is served by a 24-inch SPU main in NE 106th Street, which combines with the public sewer main within the Beaver Pond Natural Area.

The City of Seattle requires all runoff from covered parking areas to be collected and treated with an oil water separator prior to discharging.

Refer to the attached Sewer and Drainage Map.

STORM DRAINAGE

Per City of Seattle online GIS, there is an existing 18-inch SPU storm main both west and east of the parcel; one flowing south along 8th Ave NE and the other flowing south along Roosevelt Way NE. Instead of discharging untreated storm water directly to the public storm drainage system as is the current status, we are proposing to detain and treat water onsite and discharge the enhanced water to the wetlands within the Beaver Pond Natural Area southeast of the site. After the Preliminary Assessment Report (PAR) is obtained, options for discharging stormwater to the SPU storm system and/or the wetlands within Beaver Pond Natural Area should be verified with the city drainage reviewer.

Previous projects in the vicinity reveal groundwater at about 5-feet below grade. It is recommended that a licensed and registered Geotechnical Engineer provide an analysis and assessment of the site, including on-site borings, to determine site specific groundwater conditions.

Any redevelopment will be subject to requirements of the current Seattle Stormwater Manual (SSWM). Per the SSWM, for Thornton Creek drainage basin requirements, on-site detention will be required. In addition, the site will be subject to enhanced treatment. On-site stormwater management (OSM) should also be expected for the site. Infiltrating OSM improvements will need to be evaluated *outside* of the pink highlighted areas on the attached Sewer and Drainage Map; new sidewalk in the right-of-way will need to be evaluated for rain gardens and permeable pavement, and new onsite improvements will need to be evaluated for infiltration, infiltrating bioretention, permeable pavement, rainwater harvesting, vegetated roofs, etc. *Within* the pink highlighted areas, non-infiltrating OSM improvements such as non-infiltrating bioretention and vegetated roofs will need to be evaluated but any infiltrating OSM improvements do not need to be evaluated.

Refer to the Stormwater Improvements Assessment by BCRA (dated June 15, 2017) for further assessment of storm drainage requirements.

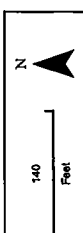
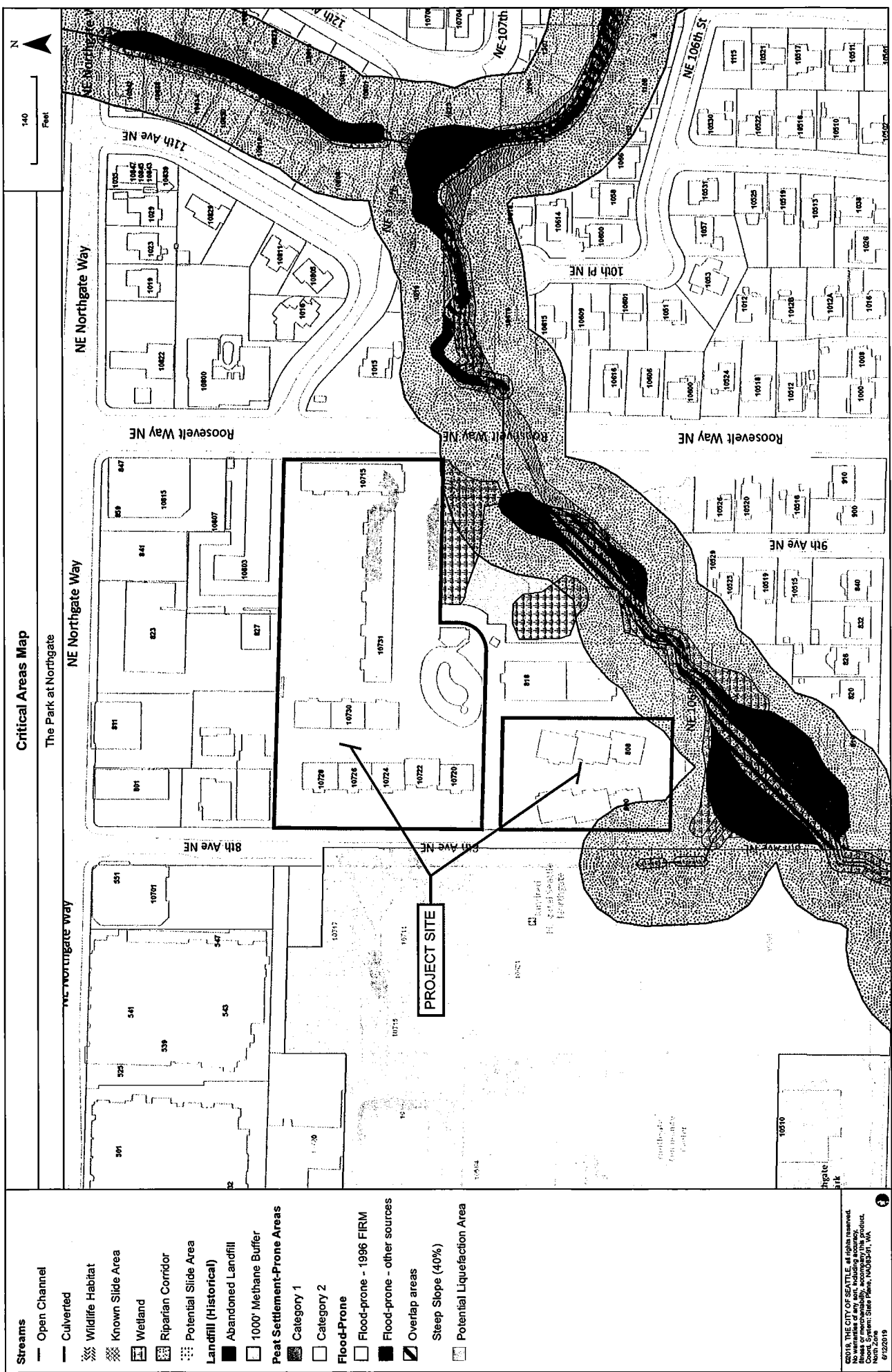
Refer to the attached Sewer and Drainage Map.

POWER, COMMUNICATION, AND GAS

Overhead power lines are located to the west and south of the parcel. Additional underground service lines appear to be located through the northern portion of the parcel as well as in the east/southeast corner of the southern portion of the parcel.

The relocation and/or removal of any existing power lines, poles, or associated structures will need to be coordinated with Seattle City Light (SCL).

There is an existing 2" gas line along 8th Ave NE. New gas lines will be required to serve the proposed buildings. All work related to existing and new gas lines will need to be coordinated with Puget Sound Energy (PSE).



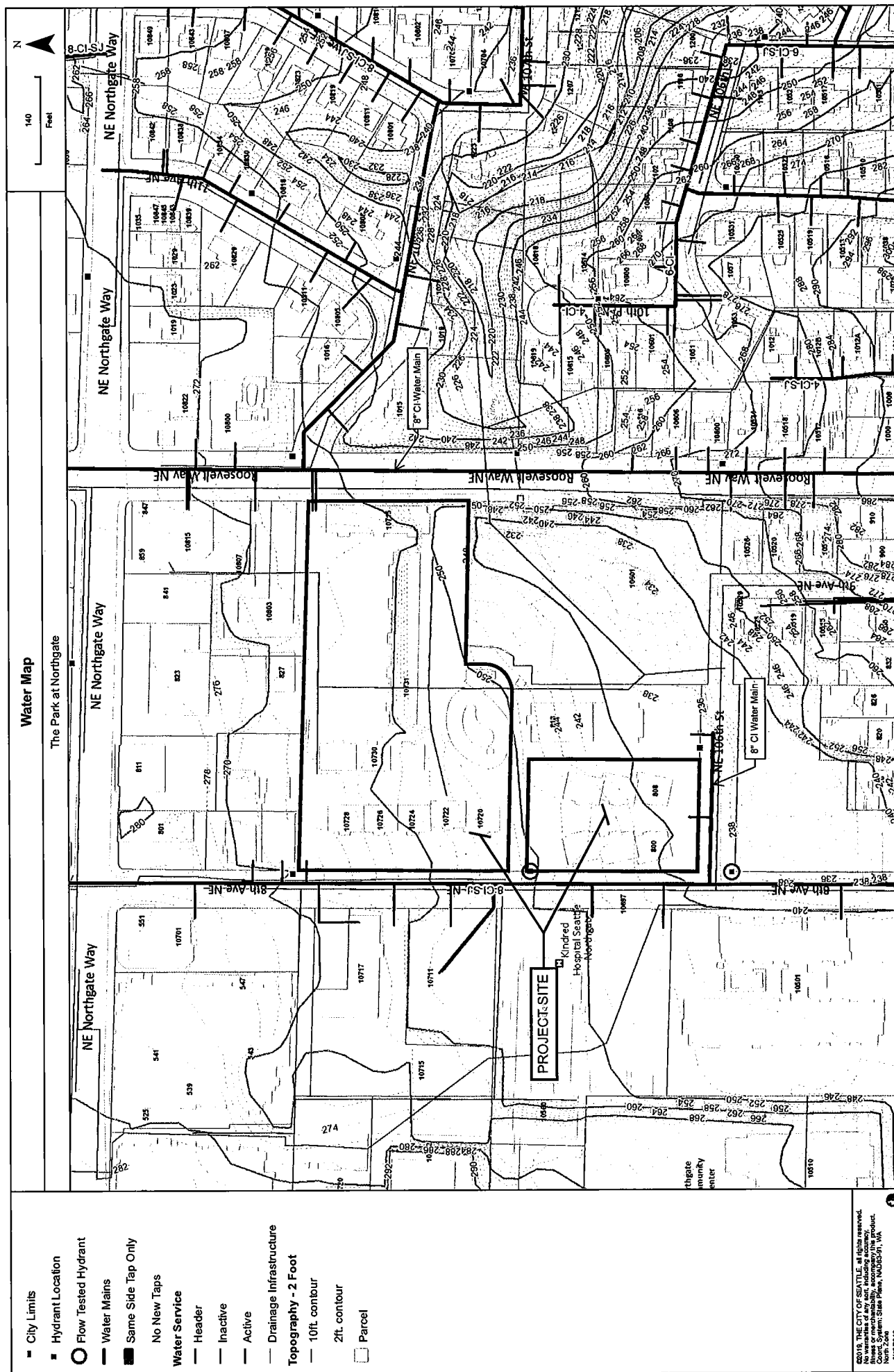
Critical Areas Map

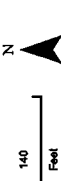
The Park at Northgate

Streams

- Open Channel
- Culverted
- Wildlife Habitat
- Known Slide Area
- Wetland
- Riparian Corridor
- Potential Slide Area
- Landfill (Historical)
- Abandoned Landfill
- 1000' Methane Buffer
- Peat Settlement-Prone Areas
- Category 1
- Category 2
- Flood-Prone
- Flood-prone - 1996 FIRM
- Flood-prone - other sources
- Overlap areas
- Steep Slope (40%)
- Potential Liquefaction Area

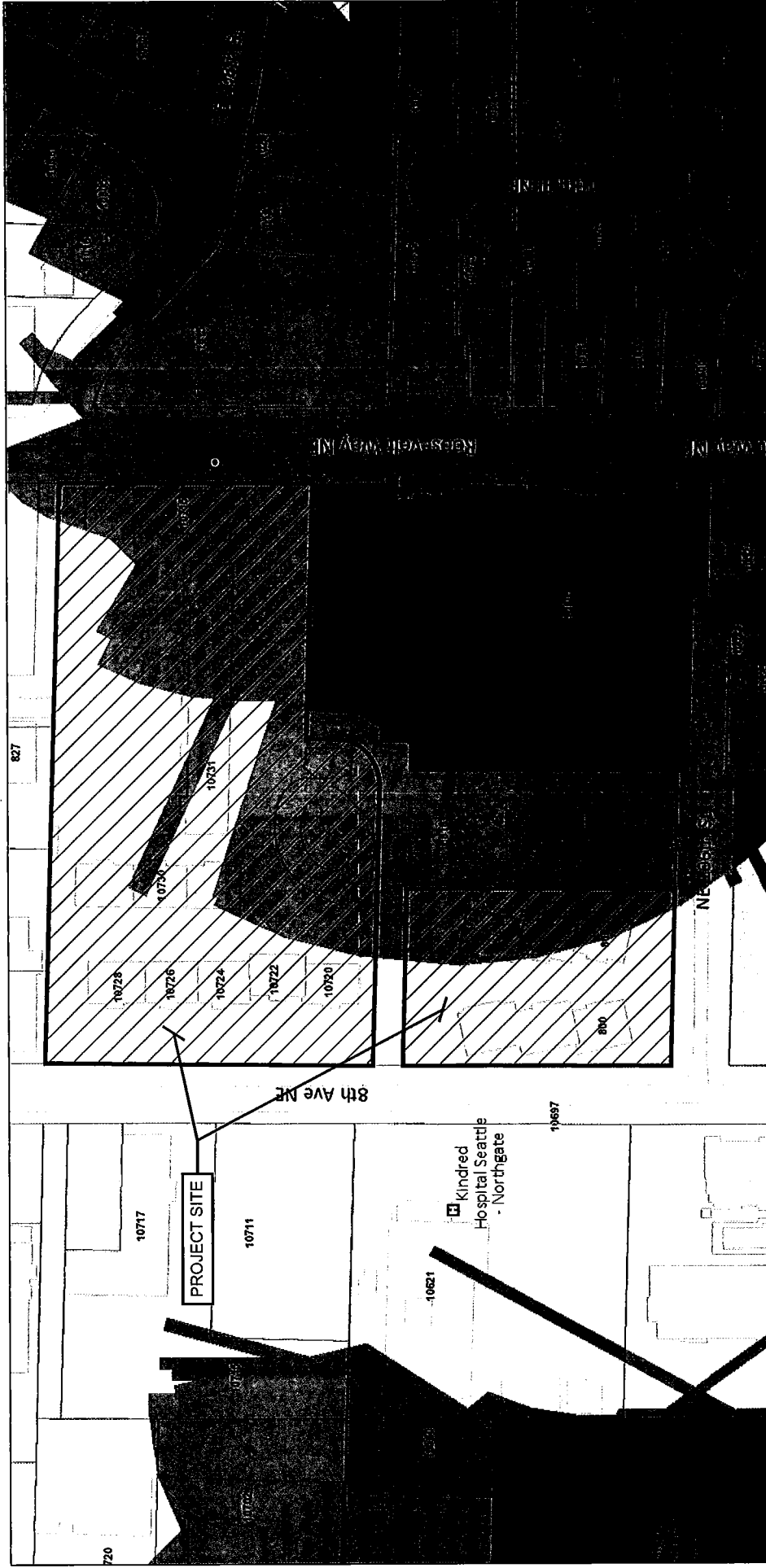
©2018 THE CITY OF SEATTLE. All rights reserved.
No warranties of any sort, including accuracy, are made by the City of Seattle for this product.
Coord. System: State Plane, NAD83, WA
North Zone
6/22/2018





-

Required Evaluation Area for Infiltration



6/12/2019 2:07:58 PM

Green Stormwater Infrastructure Infiltration Evaluation Not Required

Parcels

STORMWATER IMPROVEMENTS ASSESSMENT

Date:	June 15, 2017		
To:	Wallace Properties Attn: Courtney Skony PO Box 4184 Bellevue, WA 98009 cskony@wallaceproperties.com	From:	Juan Romero, PE
		Reviewed by:	Andy Epstein, PE
		Project:	The Park at Northgate Rezone

BCRA Project #: 16102

CC: Gareth Roe (BCRA); Randy Gould (BCRA)

RE: Project Stormwater Requirements

Attachments: Conceptual Stormwater Plan

CODE REQUIREMENTS

Per the Seattle Stormwater Manual (SWM), the project is classified as a parcel project and required to provide flow control, water quality, and on-site Best Management Practices (BMPs) to the maximum extent feasible.

Since the project discharges to a wetland that discharges to Thornton Creek (a non-listed Creek), the project is subject to the flow control wetland protection standard and pre-developed pasture standard.

In addition, per SMC 220.805.020.E, projects discharging to a wetland or its buffer shall prevent impacts to the wetlands that would result in a net loss of functions or values.

Since the project is expected to create more than 5,000 SF of pollution-generating impervious surfaces (paved areas with vehicle traffic) and it discharges to fresh waters designated for aquatic life use, these areas will be subject to enhanced water quality treatment.

The SWM requires evaluation of the following types of on-site BMPs:

1. Dispersion BMPs: These BMPs will not be feasible because of the proximity to walls/steep slopes and the lack of a long enough flow path with native vegetation.
2. Infiltration BMPs: Per the city of Seattle GIS map infiltration, BMP evaluation is not required for *most* of the site. However, additional geotechnical information will be required to determine if infiltration BMPs will be feasible in the northern portion of the site. Based on the Preliminary Site Research Report by CPL, dated June 2016, neighboring properties had groundwater elevations of only 5 ft. below the surface. If this holds true for this property, then drywells or infiltration trenches/basins will not be feasible. However, other facilities that require less separation from groundwater, such as bioretention or pervious pavement, may be feasible if the geotechnical evaluation is favorable.
3. Non-infiltrating BMPs: Since there is only a small area of the site where infiltration is identified by the city as potentially feasible, the site will likely be required to implement non-infiltrating bioretention cells to meet the on-site BMP requirement.

4. Vegetated roofs and rainwater harvesting are generally not feasible for this type of structure due to high cost.

SITE CONDITIONS

This site includes two basins that discharge to two distinct wetlands. The northeast portion of the site discharges to the NE Wetland and the remainder of the site discharges to the wetland south of NE 106th St. (SW Wetland). To preserve the function of both wetlands, the existing stormwater basins and discharge points will need to be maintained. For this reason, we expect two detention vaults will be required. We assessed a single detention vault option, however, site grades will not allow stormwater to be separately discharged from one detention vault to both wetlands.

CONCLUSION

Two detention vaults will be necessary to maintain hydrology to two distinct wetlands.

For the SW Basin, the Stormwater Concept Plan includes two options for a detention vault. The vault for this basin would detain flows from the Phase I development and roughly half of the Phase II development to match the existing flow to the SW Wetland. We performed some preliminary calculations and estimate 55,000 CF of storage would be required.

Detention Vault Option A is shown within the Phase I Building footprint. To discharge to the wetland via gravity, the vault would be located within the P2 level (below P1) where it would impact proposed parking. Detention Vault Option B is located under the shared driveway; this option would likely impact utilities for existing development to the east and require permission from the adjacent property owner for its construction. In addition, because it is further from the wetland, the vault would need to be higher and the top would be at the same elevation as the existing grades at the NE corner of the vault. This would require the vault to be structurally designed for vehicles to drive directly over the top slab at that corner.

The NE Basin includes the remainder of the site. Approximately 60,000 CF of detention volume would be required. We have located it under the Phase II Building.

The water quality treatment requirement for the northern driveway may be met by a multi-celled infiltrating or non-infiltrating bioretention cell. A geotechnical assessment will be required to determine if infiltration is feasible. Multiple cells will be required because this driveway will exceed 5,000 SF. Water quality for the southern driveway may be provided by a non-infiltrating bioretention cell. This driveway will be very close to 5,000 SF, so it may or may not require the bioretention to be split into two cells.

The on-site BMP requirement may be met for the other surfaces as follows:

Roofs: For the NW and NE buildings, for Phase II and Phase III, we would propose non-infiltrating bioretention cells at the perimeter of the building.) Because the elevation of the water surface in the detention vault would back up into the cells due to the grades adjacent to that portion of the building, this is infeasible for the southern half of the SW building (Phase I). Other BMPs are infeasible and discussed in the code requirements section.

Other Hard Surfaces: Walks around the site may be required to be pervious unless geotechnical investigation demonstrates this to be infeasible. The driveways will not be required to be pervious because they will be constructed over the parking structure. As discussed previously, the driveways can flow to bioretention cells.

END OF REPORT

Memo to: Nathan Torgelson, SDCI Director
February 3, 2021
Page 53

ATTACHMENT K

July 21, 2019 photographs of tree canopy south of Site along 105th Street NE.

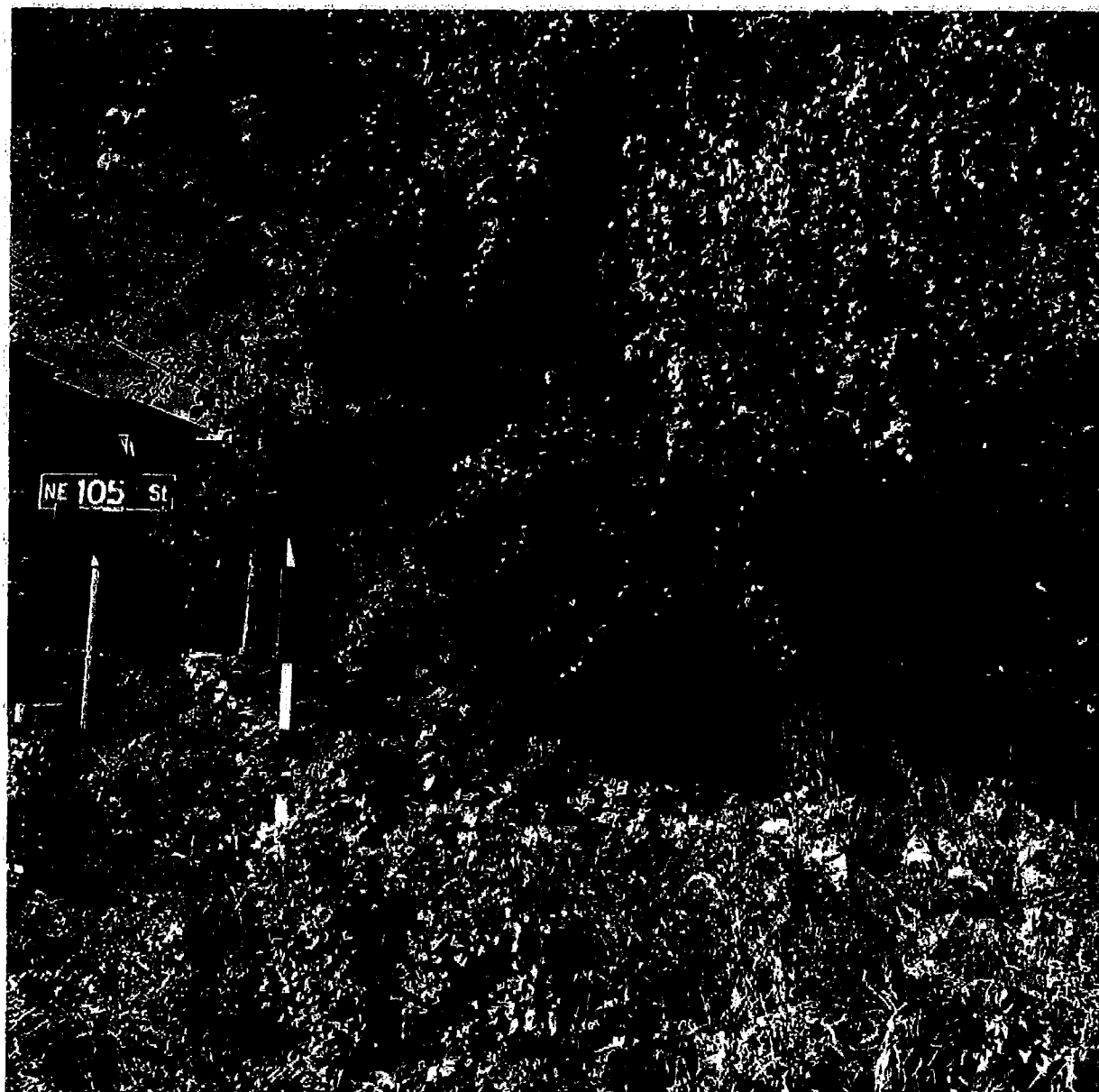


Photo One: View looking north toward Site from intersection of NE 105th Street / 8th Avenue NE.



Photo Two: View looking north toward Site moving east from intersection of NE 105th Street / 8th Avenue NE.

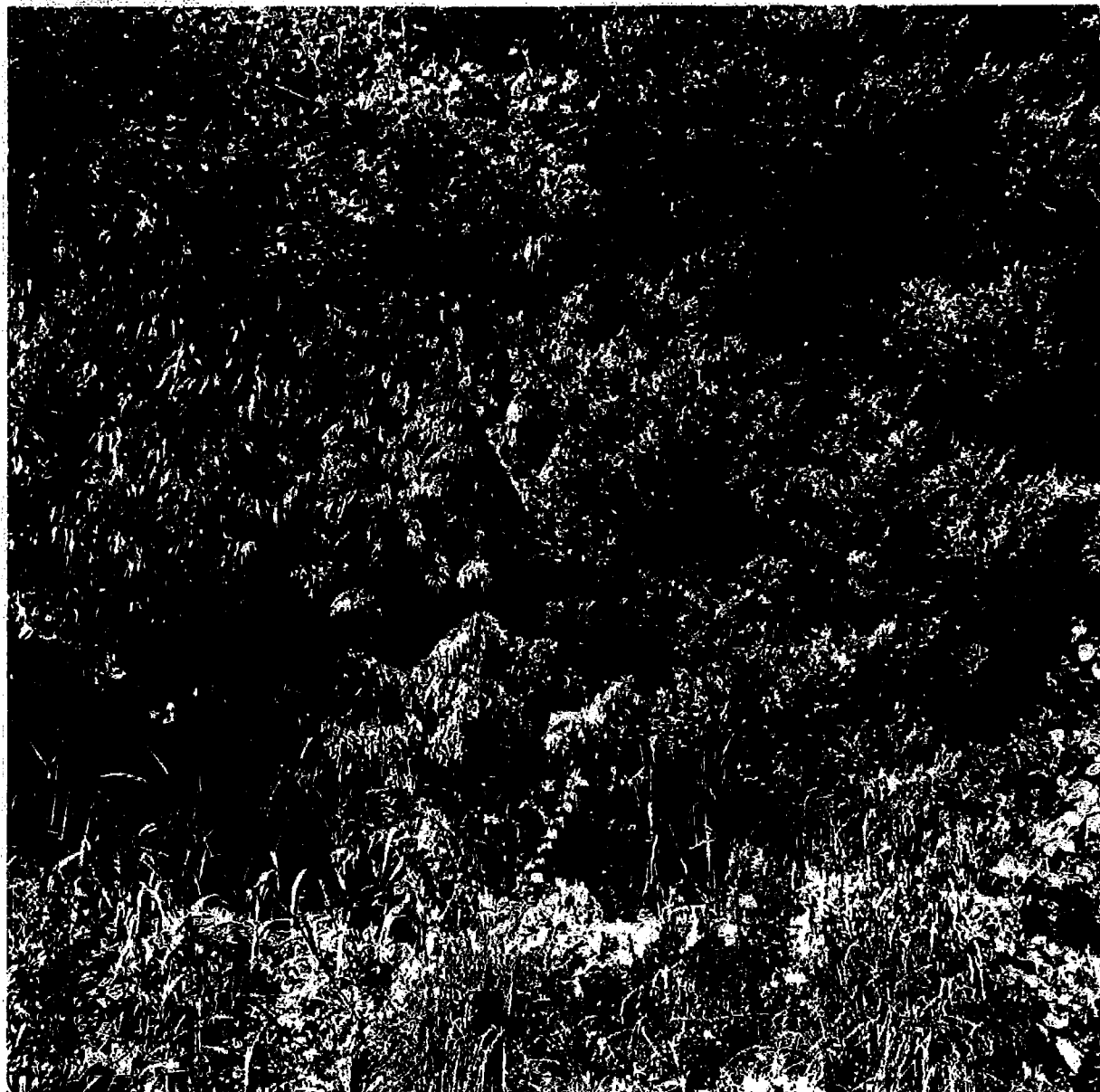


Photo Three: View looking north toward Site moving continuing east from intersection of NE 105th Street / 8th Avenue NE.



Photo Four: View looking north toward Site moving continuing east from intersection of NE 105th Street / 8th Avenue NE. Adjacent property to east of this location is single-family home. Remainder of parcels along north side of NE 104th Avenue are single-family homes that abut



Location of photographed area in red.

Memo to: Nathan Torgelson, SDCI Director
February 3, 2021
Page 54

ATTACHMENT L

April 2019 Amendments to Seattle 2035 Comprehensive Plan (Northgate)



Seattle
2035

Comprehensive Plan 2019 Amendments

Managing Growth to Become an
Equitable and Sustainable City
2015-2035

April 2019



Introduction

In April 2019, the Seattle City Council adopted amendments to the Seattle 2035 Comprehensive Plan, our city's 20-year vision and roadmap for Seattle's future. These annual amendments add, revise or delete policy language from the comprehensive plan adopted by the City Council in October of 2017.

Key

A 1.1 The quick brown fox jumped over the ~~lazy~~ dog.

↑

Underline:
New policy language

↑

Strikethrough:
Removed policy language

Northgate

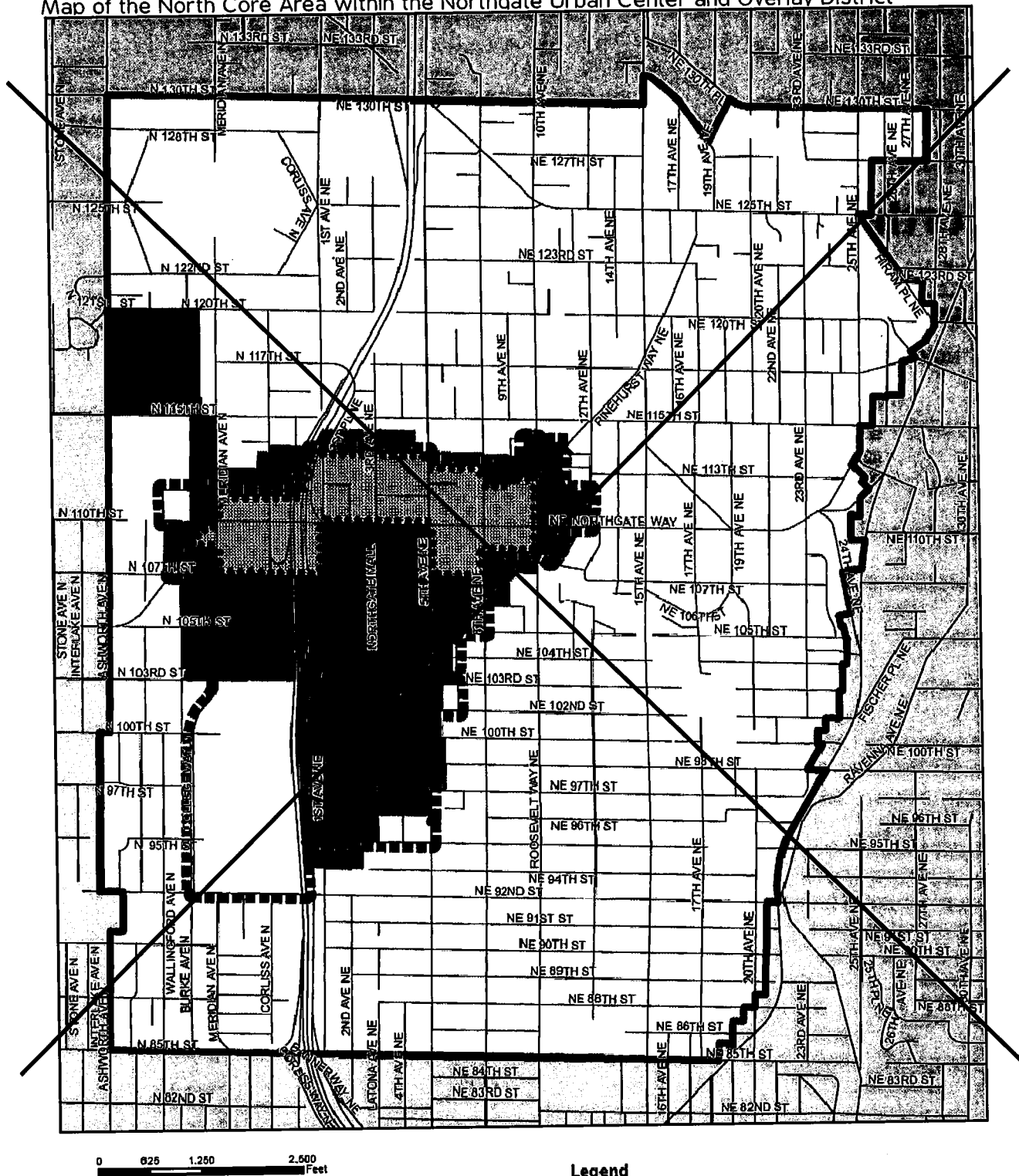
LAND USE & HOUSING POLICIES

- NG-P8** Maintain the physical character and integrity of the existing single-family zoned historically lower-density areas of the urban village by maintaining current single-family zoning on properties meeting the locational criteria for single-family zones, encouraging housing choices such as rowhouses, townhouses, and low-rise apartments. Encourage primarily residential uses in these areas while allowing for commercial and retail services for the village and surrounding area.



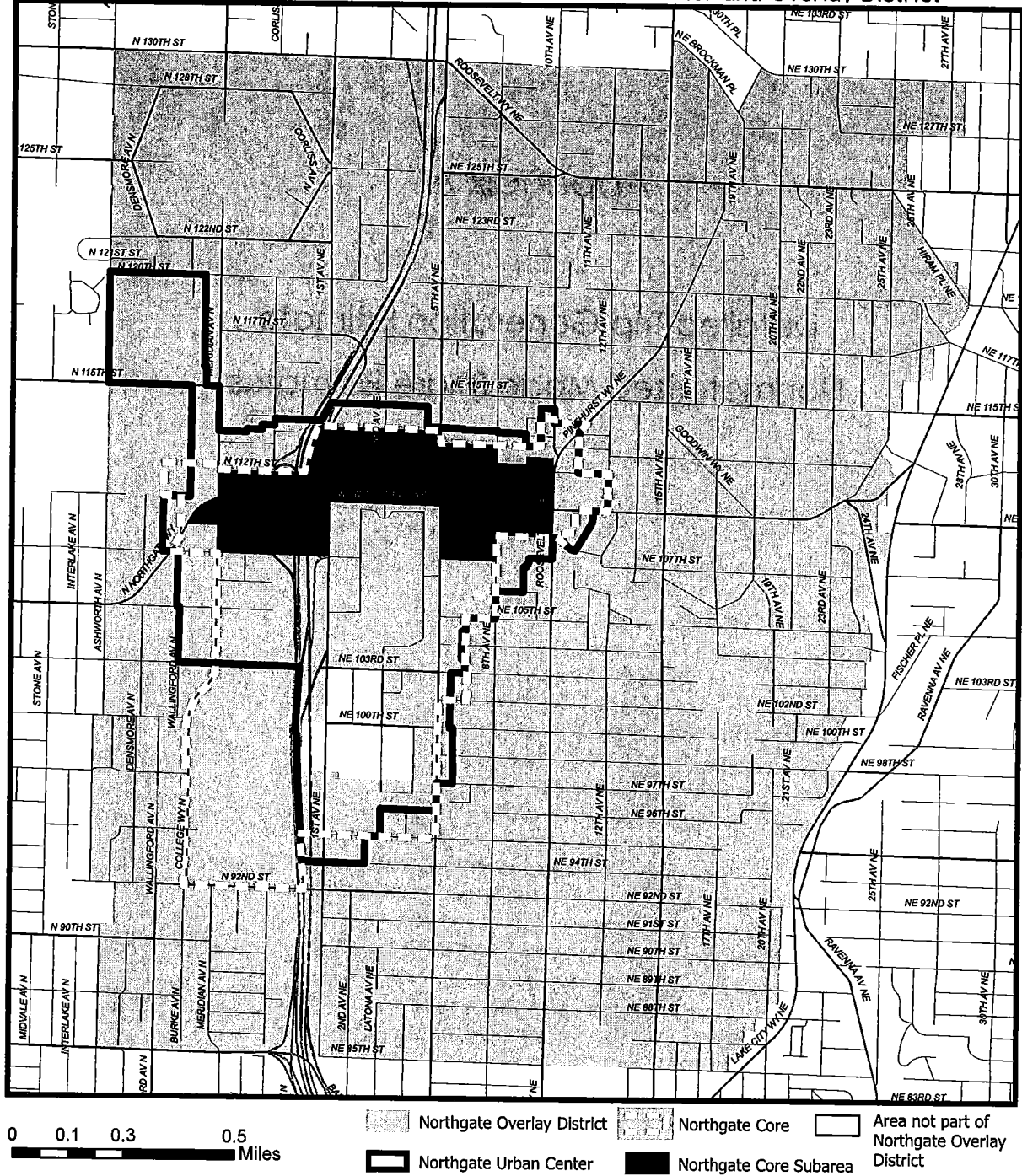
NORTHGATE

Map of the North Core Area within the Northgate Urban Center and Overlay District



NORTHGATE

Map of the North Core Area within the Northgate Urban Center and Overlay District



Appendix A

Detailed Trip Generation Estimate
Nonmotorized Mode Share Estimates

ITE Trip Generation, 10th Edition, 2017 Park at Northgate

Proposed	X	LU	AM Peak		PM Peak		Daily	Daily Rate	AM Rate	PM Rate
Mid-Rise Apartment (Dense Urban Mixed-Use, Vicinity Light Rail)	954	Code 221/222	Enter	Exit	Trips	Enter	Trips	2,470	0.20	fitted curve
			23	168	191	107	42	2.59		
Total			23	168	191	107	42	2,470		

Proposed	X	LU	AM Peak		PM Peak		Daily	Daily Rate	AM Rate	PM Rate
High-Rise Apartment (Typical Suburban/Urban)	954	Code 222	Enter	Exit	Trips	Enter	Trips	4,244	fitted curve	fitted curve
			67	213	280	198	126	4.45		
Total			50	157	207	146	93	3141		

Sound Transit LRT /Walk Access¹
 20% reduction for residential trips
 5% mode share reduction for walkability to jobs/retail/service

1. Source: Sound Transit Access Mode Analysis of Northgate Station Access Study.
 A walk mode share of 35% of an assumed 60% home-based work trips was applied.

Mode Share Estimates - Total Person Trips (Trip Generation Manual, 10th Edition, High-Rise 222, Dense Urban Mixed Use)

	X	LU	AM Peak		PM Peak		Daily
Total Persons	1,100	Code 222	Enter	Exit	Trips	Enter	Trips
In Vehicles (AVO 1.2 peak, 1.1 daily)			800		600		7250
Bikes (10-20%)			290		330		2695
Transit/LRT (20%)			80		60		1450
Walk (30-35%)			160		130		725
			270		80		2380
			800		600		7250

Appendix B

King County Right-Size Parking Model

Enter a location...

③

➤

2 Parcels Selected

Building & Parking Specifications

Location Characteristics

Parking Impacts

📍

0.57

parking optimization estimates and guidance on unbounded and affordable housing options.

NUMBER OF UNITS
AVERAGE RESIDENTIAL RENT (\$)
AREA (SQ FT)

STUDIOS:	450	\$1,250	350
1 BEDROOMS:	550	\$1,750	550
2 BEDROOMS:	100	\$2,250	750
3+ BEDROOMS:	0	\$0	0
TOTAL:	1100	\$1,591	\$35,000

AFFORDABLE UNITS:

200

PARKING

PARKING STALLS:	630
PRICE PER STALL (\$/MO.)	\$50

✓ Right Sized

UPDATE RESET

Optimized Parking Supply and Market Price

Modeled parking utilization per building is \$30 parked cars and this estimate has a range of \$83 - \$77 cars per building.

✓ \$30 stalls is the optimal parking capacity priced at \$50/mo.
\$50/mo. TRY THIS

✓ Optimal pricing for \$30 stalls is estimated at \$50/mo per stall.

Memo to: Nathan Torgelson, SDCI Director
February 3, 2021
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