

Director's Analysis and Recommendation on  
the 23rd Avenue Action Plan (Union-Cherry-Jackson)  
Rezone Proposal

Department of Planning and Development  
June, 2015

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## I. Executive Summary

The Central Area is a neighborhood full of history, character, shops, organizations, schools and most importantly a community of people from a broad diversity of backgrounds. It is a community proud of its culture, heritage, and diversity of people and places. This richness derives from the fact that this neighborhood has always been a place of welcome. The Central Area has experienced changes that cause anxiety, fragmentation and disappointment for some people while also generating excitement and expectation in others. These changes can be seen in the demographics of the 23rd & Union-Jackson Urban Village. The percentage of the population who was Black/African American declined from 64% in 1990 to 28% in 2010, while the White population increased from 16% to 44% in the same time period (census data). Currently it is a neighborhood attracting significant private and public investment. The Central Area has been, and continues to be the center of the African American community with engaged youth and seniors; strong businesses; and a vibrant cultural district. It is time to refocus our efforts around key priorities for three community cores – to honor its history and shape its future. Achieving this will require the coordinated effort and investment of multiple city departments.

In 2013, Central Area residents, business interests, property owners, and local institutions began work with the City to create the 23rd Avenue Action Plan (Union – Cherry – Jackson). The purpose of the planning process was to create a focused set of priorities and actions ripe for implementation. The mayor’s office is leading an interdepartmental effort for continued collaboration and coordination with implementation of the Action Plan, development of an economic development plan, and creation of a Central Area Cultural and History District. These efforts aim to improve the sustainability and resiliency of the Central Area.

The Department of Planning and Development (DPD) is recommending rezones and land use code amendments to implement the Comprehensive Plan Central Area Neighborhood Planning Element and carry out priorities identified by the community during the 23rd Avenue Action Plan (Union-Cherry-Jackson) and Urban Design Framework process. The 23rd Avenue Action Plan (Union–Cherry–Jackson) is not a replacement of the previous Central Area action plans, instead, it intends to confirm and update priorities in previous Central Area Action Plans with focus on 23rd Ave at Union, Cherry and Jackson, and identify implementation mechanisms to help make this great neighborhood a healthier, more equitable and viable destination for all people who call the Central Area home.

The rezone focuses on three community cores along 23rd Avenue at East Union Street, East Cherry Street, and South Jackson Street. The Central Area has an unusual asset in its multiple community nodes. This fact allows each to have a different role in the community, to have its own identity and character, while still claiming the larger identity of the Central Area. Great community nodes are places to get goods and services, including culturally specific items; places for gathering, where you can get together with others in your community; and a way to proudly proclaim the Central Area as a great place. These community nodes together serve the diversity of cultures in the Central Area and continue to be home to businesses and institutions that are central to the African American community.

The rezones are intended to achieve the community's vision and goals to strengthen the Central Area's unique identity and community character as identified in the Comprehensive Plan Central Area Neighborhood Planning Element. These actions will help create vibrant and resilient commercial districts that encourage pedestrian friendly mixed use development, support existing and new businesses and development, provide opportunities for a variety of shops, services and affordable housing that serves the diverse Central Area community.

These rezones are the product of a two year community development process that engaged a broad cross section of the community through hands-on and interactive workshops, focus group meetings, individual workshops, in-person interviews, business canvassing, and online surveys. Throughout the planning process, community stakeholders have been engaged and provided the project team with valuable input through 93 meetings (54 city-hosted meetings, 15 community organization-hosted meetings, 24 Advisory Core Team meetings), online surveys (127 participants), and business canvassing (67 businesses) (See appendix A). Over 2,000 total participants and 40 community based organizations helped form priorities, goals, strategies, and actions for the project. All of the proposed rezones are within or abutting the 23rd Ave. @ S Jackson-Union Residential Urban Village and are within areas designated as Commercial/Mixed Use or Multi-Family Residential on the Comprehensive Plan's Future Land Use Map. The rezoning for each community core will go to the council as individual legislation.

This report contains analysis of the proposed rezones using general rezone criteria related to commercial, multifamily and single family zones. It also reviews each rezone as it relates to specific criteria for each new zone. The report provides an assessment of the proposal's effect on estimated growth and the ability of local infrastructure and services to support such development. DPD has conducted an environmental analysis (SEPA) associated with each community core and made a determination of non-significance for each. DPD recommends adoption of the entire package of rezone proposals.

## **II. Summary of Zoning and Land Use Recommendations**

DPD is recommending eight (8) rezones in three community cores along 23rd Avenue at East Union Street, East Cherry Street, and South Jackson Street to implement the goals and policies of the 23rd Avenue Action Plan (Union-Cherry-Jackson) to create a vibrant and resilient commercial district at each core that encourages pedestrian friendly mixed use development, supports existing and new businesses and development, and provides opportunities for a variety of shops, services and affordable housing. Together these cores serve the diverse Central Area community. The proposed rezones will help guide current and future development in these community cores. The following are the key elements of the rezone:

## Rezones

The proposed rezones include a total of 111 parcels on approximately 22 acres of land, centered on the community cores along 23rd Avenue at East Union Street, East Cherry Street, and South Jackson Street. Eight (8) individual areas are proposed for rezone. All of the rezones are depicted on Exhibit A, Exhibit B, and Exhibit C: Rezone Proposal Maps. All of the rezones include provisions for affordable housing through the Incentive Provisions program. (See discussion of Incentive Zoning below, which includes explanation of the incentive zoning suffix noted in parentheses in the zone designations).

The 8 rezone areas and recommended code amendments are identified as follows:

### **23rd Ave and Union: total 74 parcels approximately 11 acres**

- **Area 1:** **Area 1a:** Rezone from Neighborhood Commercial 2 (NC2P-40) to Neighborhood Commercial 2 (NC2P-65(3.0)). The existing Pedestrian designation in this area is retained  
**Area 1b:** Rezone from Neighborhood Commercial 2 (NC2-40) to Neighborhood Commercial 2 (NC2-65(3.0))
- **Area 2:** Neighborhood Commercial 2 (NC2P-30) to Neighborhood Commercial 2 (NC2P-65(2.25)). The Pedestrian designation in this area is retained
- **Area 3:** Rezone from Neighborhood Commercial 2 (NC2P-30) to Neighborhood Commercial 2 (NC2P-40(2.25)). The Pedestrian designation in this area is retained.

### **23rd Ave and Cherry: total 20 parcels approximately 3 acres**

- **Area 4:** Rezone from Neighborhood Commercial 1 (NC1-30) to Neighborhood Commercial 1 (NC1-40(2.25))
- **Area 5:** Rezone from Single Family (SF 5000) to Neighborhood Commercial 1 (NC1-40(.75))
- **Area 6:** Rezone from Lowrise 2 (LR2) to Neighborhood Commercial 1 (NC1-40(1.3))
- **Area 7:** Rezone from Single Family (SF 5000) to Lowrise 2 Residential Commercial (LR2-RC(.75))

### **23rd Ave and Jackson: total 17 parcels approximately 9 acres**

- **Area 8:** **Area 8a:** Rezone from Neighborhood Commercial 3 (NC3P-65) to Neighborhood Commercial 3 (NC3P-85(4.25)). The Pedestrian designation in this area is retained  
**Area 8b:** Rezone from Neighborhood Commercial 3 (NC3-65) to Neighborhood Commercial 3 (NC3P-85(4.25))

## **Incentive Provisions for Affordable Housing**

Under this proposal, all additional floor area capacity allowed through the rezone will be contingent on the provision of public benefits according to SMC Chapter 23.58A, Incentive Provisions. Zoning contingent on the provision of public benefits is noted on zoning maps by indicating a base Floor Area Ratio (FAR) in parentheses after the zoning designation. For example, the notation NC2-65 (3.0) indicates a zoning of NC2-65 with a base FAR of 3. All extra floor area above this base FAR requires the provision of public benefits per Chapter 23.58A.

Future development using the additional floor area allowed through this rezone would be required to comply with Incentive Provisions in place at the time of permitting. Currently, Chapter 23.58A requires that all extra floor area allowed for buildings in zones with a maximum height limit of 85 feet or less be achieved by providing affordable housing on site or off site.

The City is currently undertaking a review of the Incentive Provisions program. It is possible that the review could result in structural changes to Chapter 23.58A Incentive Provisions. This Director's report and recommendation evaluate current regulations and programs in place.

## **Amendments to the Land Use Code**

**Incentive Zoning Provisions for Affordable Housing:** Amend sections 23.58A.014 and 23.58A.024 in Incentive Provisions to require off-site affordable housing for development within the rezone area that uses bonus floor area to be located within the Central Area Neighborhood Plan area (Exhibit F).

**Revisions to the Land Use Code to Enhance Transition, Pedestrian Environment and Circulation:** In addition to the zone designation changes, DPD recommends inclusion of several new development standards in section 23.47A.009 to limit bulk and enhance transition from higher intensity to single family zones. Additional development standards are also intended to improve pedestrian environment and circulation and urban form in the core areas. All of the development standards are depicted on Exhibit D Union Development Standards, and Exhibit E Jackson Development Standards.

### **23<sup>rd</sup> and Union (Area 1):**

- **Setback.** Setbacks are required in the area shown in Exhibit D: Union Development Standards (Proposed Map C for 23.47A.009). A minimum street level setback of 5 feet along the length of the street property line; and a minimum upper level setback of 15 feet is required for all portions of a structure above a height of 35 feet above the average sidewalk grade. These areas can be generally described as below:
  - North of East Spring Street between 23rd Avenue and 24th Avenue

- West of 24th Avenue between East Union Street and East Spring Street where Single Family (SF5000) zones are on the opposite side of 24th Avenue;
  - South of East Pike Street between 23rd Avenue and 24th Avenue;
  - East of 22nd Ave between East Union Street and East Spring Street where Single Family (SF5000) zones are on the opposite side of 22nd Avenue.
- **Street level residential use.** Street level residential uses are required in area shown in Exhibit D: Union Development Standards (Proposed Map C for 23.47A.009). Street frontage may contain uses accessory to a residential use including but not limited to residential access, open space or required amenity space. These areas can be generally described as below:
    - North of East Spring Street between 23rd Avenue and 24th Avenue except within 80 feet of the property line on 23rd Avenue
    - West of 24th Avenue between East Union Street and East Spring Street where Single Family (SF5000) zones are on the opposite side of 24th Avenue;
    - South of East Pike Street between 23rd Avenue and 24th Avenue except within 80 feet of the property line on 23rd Avenue;
    - East of 22nd Ave between East Union Street and East Spring Street where Single Family (SF5000) zones are on the opposite side of 22nd Avenue.

### **23<sup>rd</sup> and Jackson (Area 8):**

- **Setback.** Along South Jackson Street property lines as indicated in Exhibit E Jackson Development Standards (Proposed Map C for 23.47A.009), a minimum upper level setback of 10 feet is required for all portions of a structure above a height of 45 feet as measured from average sidewalk elevation.
- **Maximum length of street facing facade.** The maximum length of a facade that is parallel to South Jackson Street or 23rd Avenue is 250 feet. Setbacks or separation can be considered as a break in street facing façade if:
  - a. A portion of the street-facing facade shall project or be recessed from abutting facade planes by a minimum depth of 15 feet and a minimum width of 15 feet; or
  - b. A separation with a minimum width of 15 feet between principal structures at any two points on different interior facades.
- **Pedestrian connection requirement.** A proposal that includes new development between South Main Street and South King Street within 400 feet east of 23rd Ave S shall provide an improved north-south pedestrian connection on the block in which it is located, subject to the following requirements:
  - a. The connection may be located to adjoin existing right-of-way with a minimum width of 6 feet. The connection is not required to bisect a project site, but may be located on the perimeter of the site.
  - b. The connection shall be located within the block (including adjoining right-of-way) between S. Main Street and S. King Street on which the development is

proposed and should make provision for connection to the adjoining block, either north or south, on which the connection would be intended to continue.

- c. The connection shall include at least one of the following: entries to retail stores; seating areas for pedestrians; street furniture; public art; bicycle parking; landscaping; pedestrian scale lighting; water features; overhead weather protection.
- d. The connection may be located between structures, or may be located in a parking area if the pedestrian area is separated from the parking area.

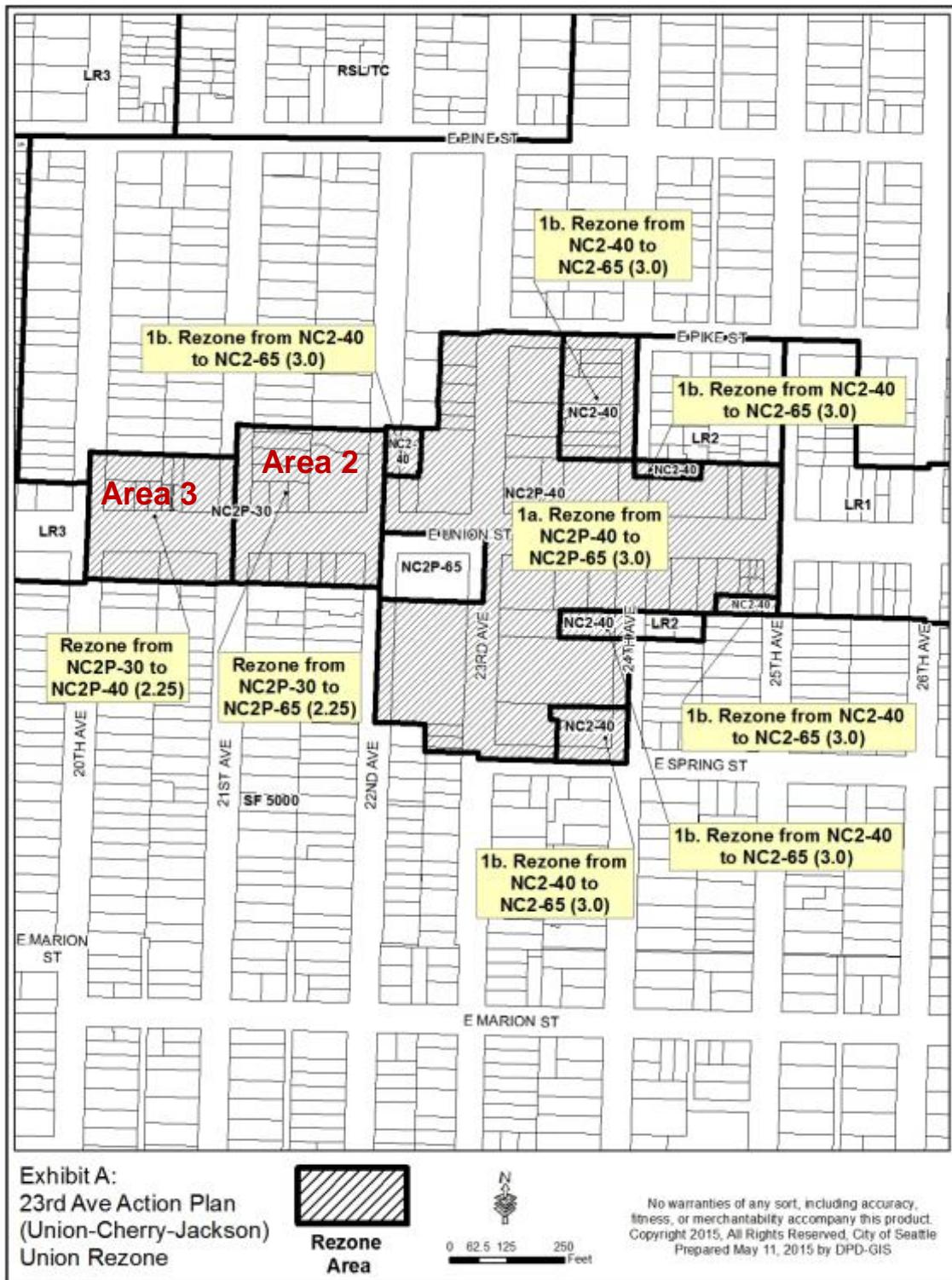
Quanlin Hu

DPD-23rd Avenue Action Plan (Union-Cherry-Jackson) Rezone

June 17, 2015

Version #8 - SEPA Review DRAFT

### Exhibit A: Union Rezone Proposal Map



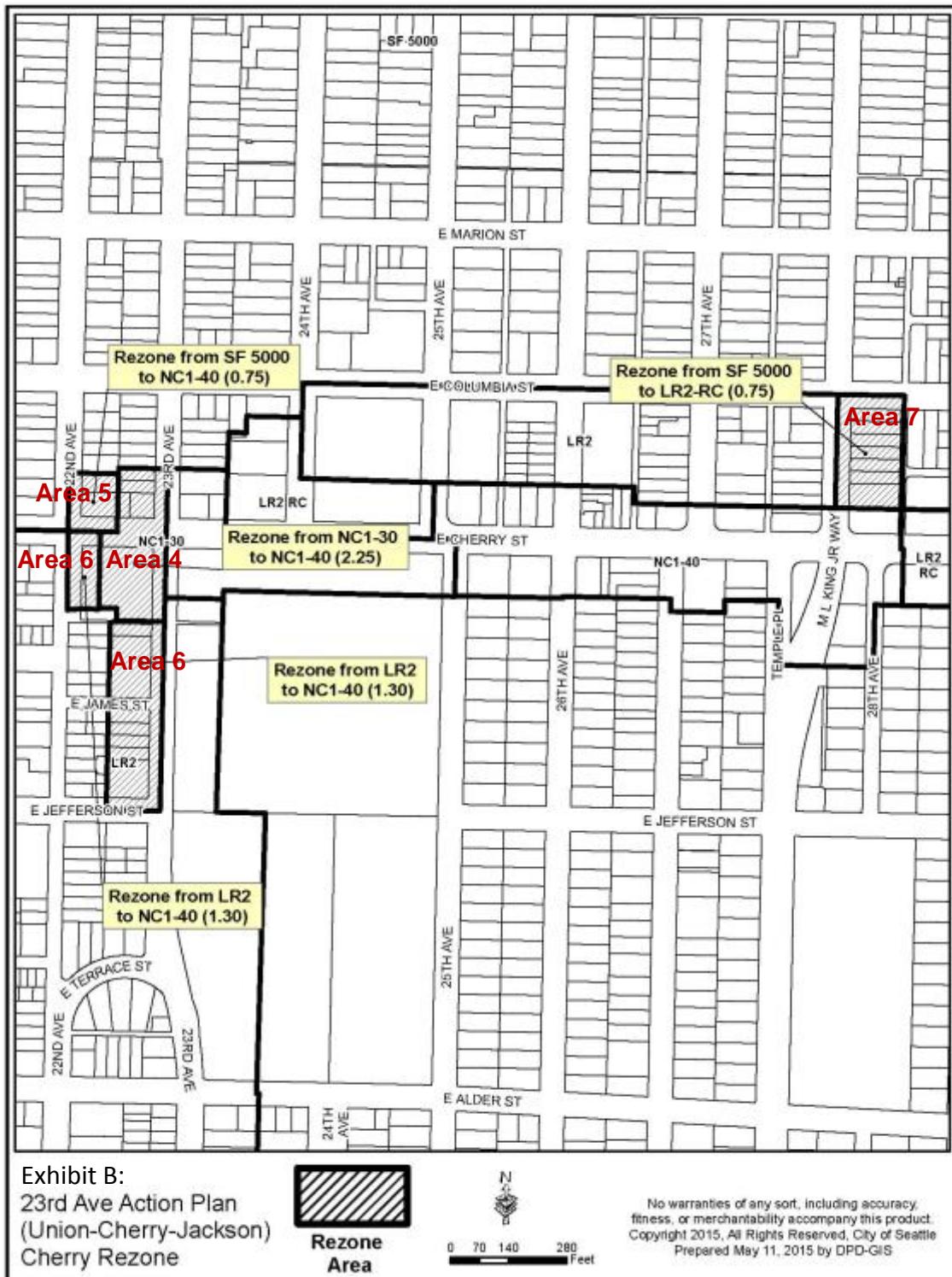
Quanlin Hu

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### Exhibit B: Cherry Rezone Proposal Map



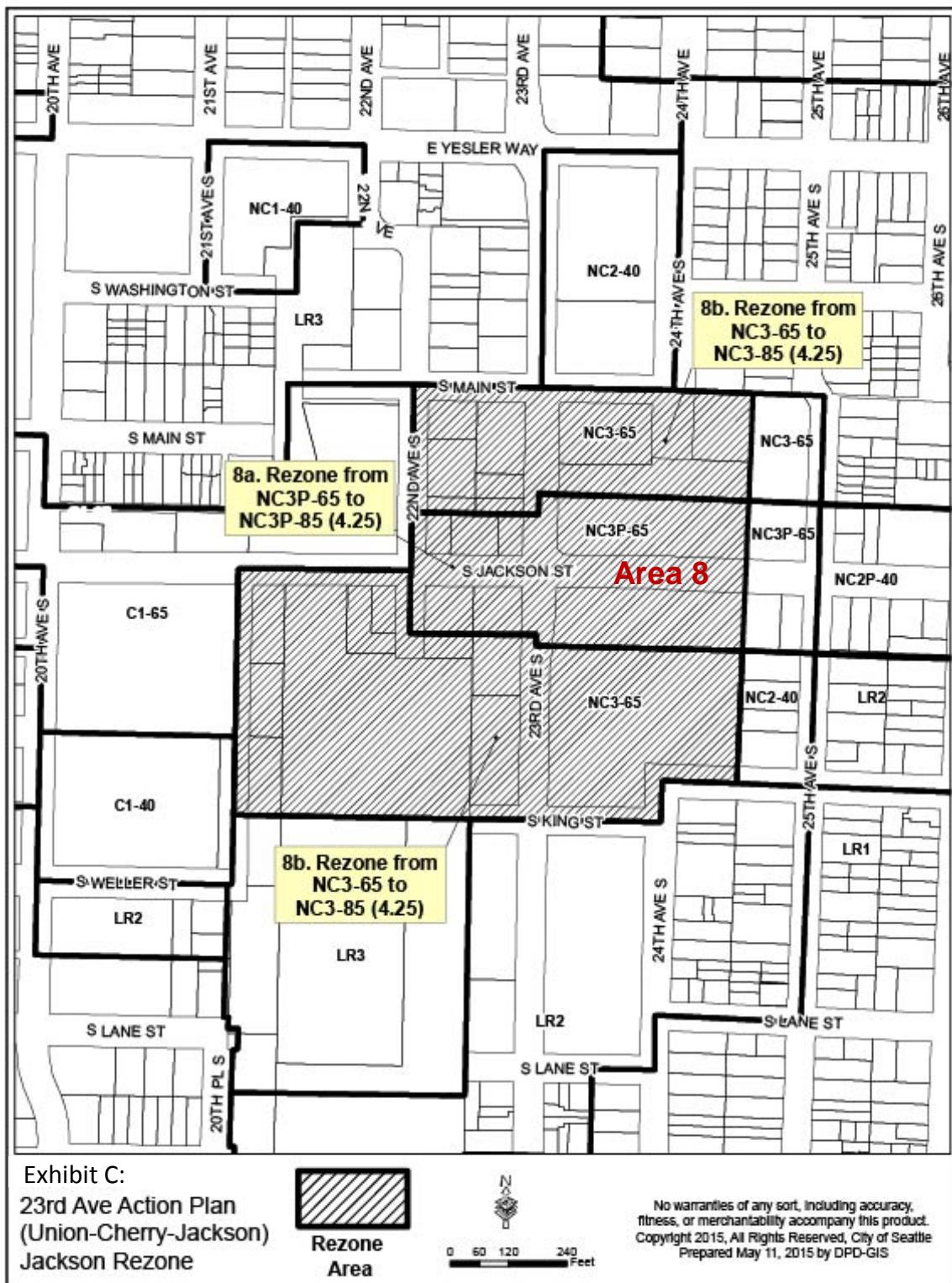
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### Exhibit C: Jackson Rezone Proposal Map



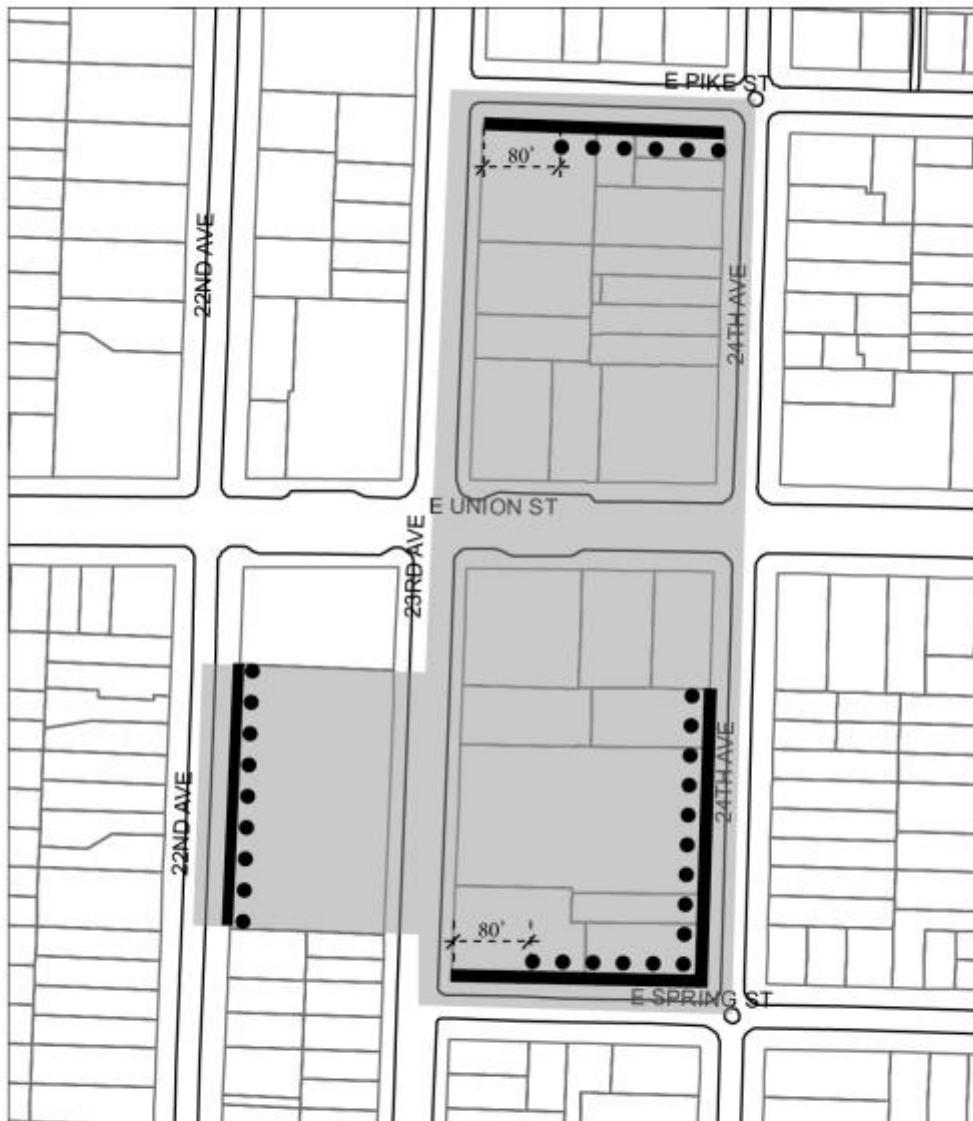
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DPD-23rd Avenue Action Plan (Union-Cherry-Jackson) Rezone

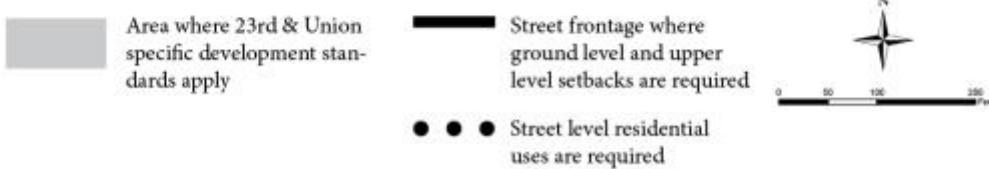
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### Exhibit D: Union Development Standards



**Map B for 23.47A.009: Standards Applicable to Specific Areas: 23rd & Union**



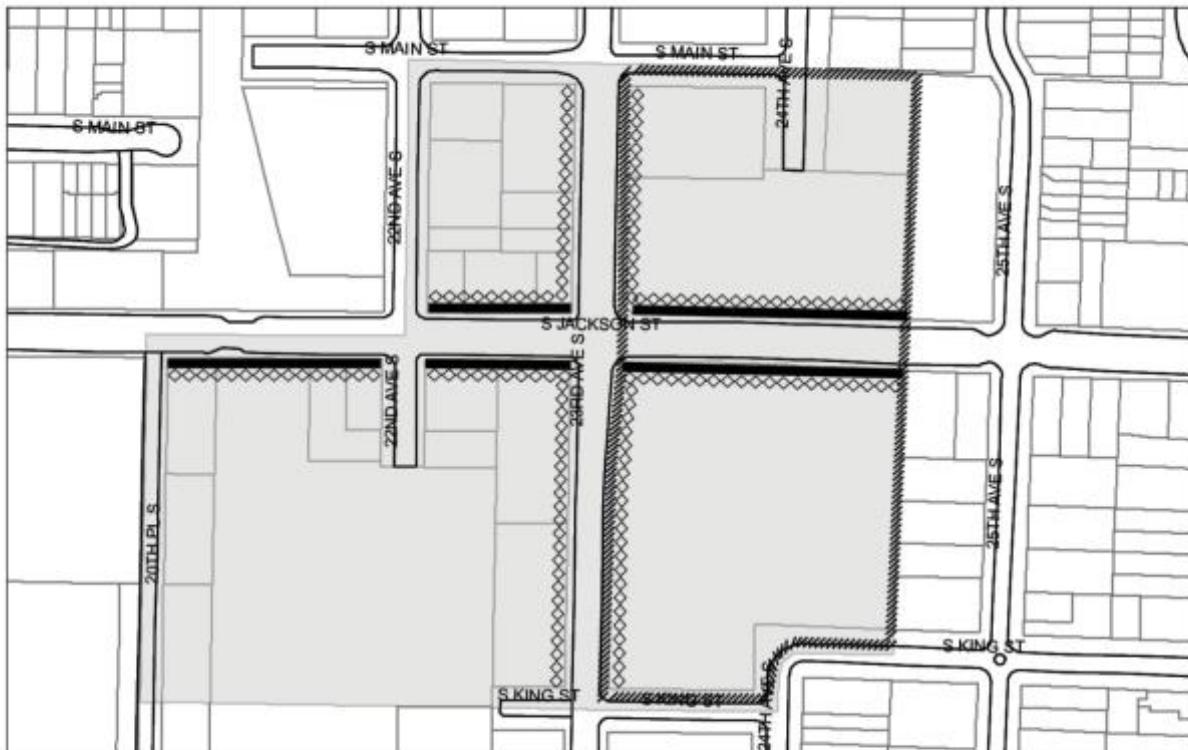
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### Exhibit E: Jackson Development Standards



Map C for 23.47A.009: Standards Applicable to Specific Areas: 23rd & Jackson

Area where 23rd & Jackson  
specific development stan-  
dards apply

Street frontage where  
upper level setback is  
required

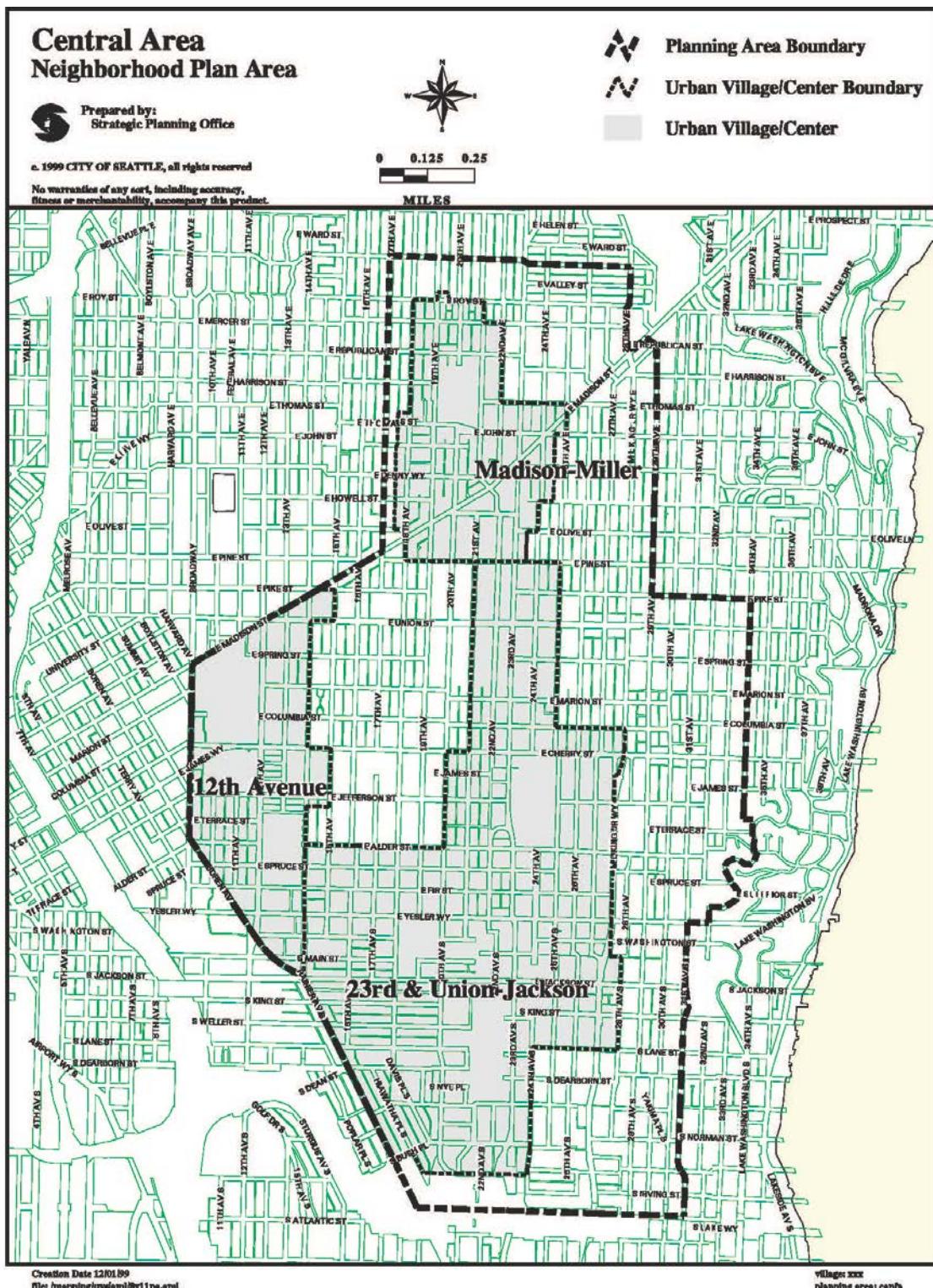
Maximum structure width  
of 250 feet

Area where pedestrian  
access requirement applies



0 50 100 200 Feet

## Exhibit F: Central Area Neighborhood Plan Boundary



### **III. Background**

#### **23rd Ave Action Plan (Union-Cherry-Jackson) Context and Community Engagement**

The community has worked together to create the Central Area Action Plan I (1992) and Action Plan II (1998) to manage growth and changes. Action Plan I “told the story of trying to recover a neglected neighborhood while keeping a wary eye on the human impact those changes might bring.” In Action Plan II, the primary vision is “about managing the changes that nearly all community members see on the horizon.” It also envisions “a multi-cultural community, proud of its African-American heritage as well as its many links to other cultures.” Physically it pictures the Central Area as “a series of unique individual urban villages and neighborhood magnets linked together in a common economy and a shared destiny.” These plans are living, breathing documents that reflect the vision, goals and character of the Central Area community. Many major projects have been completed since the last neighborhood plan adoption such as Flo Ware Park renovation, Judkins Playfield Improvements, Ernestine Anderson Place and Village Spirit Center for affordable housing, Jackson and Union street improvements. The 23rd Avenue Action Plan (Union–Cherry–Jackson) (2015) is not a replacement of the previous action plans, instead, it intends to confirm and update priorities in previous Central Area action plans with focus on 23rd Avenue at Union, Cherry and Jackson, and identify implementation mechanisms to turn passion into action. This will help make this great neighborhood a healthier, more equitable and viable destination for all people who call the Central Area home.

Public and private investments are happening in this area. Private property owners are exploring redevelopment of several key properties in these three community cores. Seattle Department of Transportation (SDOT) is beginning a street improvement project that aims to improve livability on 23rd Avenue from East John St to South Jackson St. The Office of Economic Development (OED) also supports building partnerships with property owners and businesses to revitalize commercial districts. The Action Plan articulates community vision and priorities so that the City, developers and community stakeholders can work together to honor Central Area’s history and shape its future.

Starting in early 2013, a broad cross-section of community members worked with City staff to assess and address those conditions that have changed since the 1998 Central Area Action Plan II. New neighbors and new voices worked with those who participated in the planning over twenty years ago. Through hands-on and interactive workshops, focus group meetings, individual workshops, in-person interviews, business canvassing, and online surveys, neighbors used a variety of ways to become and stay involved in the project. Throughout the planning process, community stakeholders have been engaged and provided the project team with valuable input through 93 meetings (54 city-hosted meetings, 15 community organization-hosted meetings, 24 Advisory Core Team meetings), online surveys (127 participants), and business canvassing (67 businesses) (See Appendix A). Over 2,000 total participants and 40 community based organizations helped form priorities, goals, strategies, and actions for the project.

The identified five community priorities are:

- **A destination with unique identity** recognizes the Central Area as the historical heart of the African American community while welcoming all people in a multicultural and layered environment that celebrates old and new
- A neighborhood with **connected people and community** where community assets serve and reflect the community and are equitably accessed by all people including youth, seniors and people of color, and where people from all backgrounds connect, engage, and learn from one another;
- **A great business community** where commercial and community cores work together to provide a broad spectrum of goods and services, viable and sustainable commercial centers and proclaim the Central Area's identity;
- A community with **livable streets for all** that includes an inviting street network for all transportation modes that safely connects to key destinations;
- A place that supports a **healthy and stable community** that provides a safe and comfortable environment, opportunities for physical activity, social interaction, and affordable as well as diverse housing choices.

Throughout the planning process, the community also discussed the character for each community core. These characters are described below. The zoning proposals not only respond to the desirable community character for each core, but also address the community priorities mentioned above.

- 23rd and Union: This is a neighborhood scaled destination with housing above businesses that draw customers from the larger neighborhood. It builds on what it already has: a cinema, churches and a major foundation. Plans are already underway on two key properties. This vision creates a cohesive fabric of buildings and uses by incorporating those two proposals to create a node that reads as a place – a place that draws people in – a destination.
- 23rd and Cherry: This is a smaller scaled node with an abundance of community assets, especially for youth. It is home to a park, Garfield High School, community center, teen center, arts programs, and small businesses including culturally specific restaurants. The focus here is to improve safety through increased pedestrian activity on the sidewalks and more “eyes on the streets” and to create a finer grained place that allows those things that are special to this node, like Ezell’s, to stay and flourish.
- 23rd and Jackson: This is a larger scaled node with regional destinations such as Pratt, the Wood Technology Center, Seattle Vocational Institute, and the Langston Hughes Library nearby. It also has housing for a broad mix of people, social services and parks, with a library nearby. Finally, it is the place to shop for daily household needs.

## Central Area Coordinated Work

The mayor's office is leading an interdepartmental effort for continued collaboration and coordination in leveraging investment and resources and achieving the overall vision for the Central Area. Specific activities include:

- Implementation of the Action Plan such as the rezone legislation
- Development of commercial revitalization plan which will include economic development strategies such as small business retention
- Creation of a Central Area Cultural District which will include a series of tools that respond to community needs and preserve and enhance cultural richness and neighborhoods. It will focus on the Central Area's historic community and culture.

## Transportation Improvements

23rd Avenue is a north-south principal arterial that connects a variety of users to businesses, institutions and residences. Improvements mentioned below will serve increased volumes of pedestrians, bike riders, and transit users, support alternatives to driving, provide better connectivity between the community cores at Union, Cherry and Jackson and the surrounding areas.

### 23rd Avenue Corridor Improvements Project:

- Seattle Department of Transportation (SDOT) will be reconfiguring 23rd Ave between E John St and Rainier Ave S from the current four lanes (two lanes in each direction) to three lanes (one lane in each direction and a center turn lane). The corridor revisions aim to balance safety, mobility, and reliability needs for a variety of users in the area, as well as enhance the local community and natural environment. The project will include benefits such as new pavement, wider sidewalk, street and pedestrian lighting improvements, increased transit reliability, traffic signal improvements, public art, and implementation of an adjacent neighborhood greenway.

### Central Area Neighborhood Greenway:

- As part of SDOT's 23rd Avenue Corridor Improvement Project, a neighborhood greenway will be built near this busy arterial. Neighborhood greenways are non-arterial streets that prioritize bicycle and pedestrian travel by providing a more comfortable environment for people to walk, run, and bike. Small improvements to streets with already low car volumes and speeds add up to a big difference. Greenways can provide access to schools, trails, parks, transit, and neighborhood businesses. They can be especially beneficial for families, children and seniors who might find these routes more comfortable than busier nearby streets.
- The installation of the Central Area Neighborhood Greenway is underway. It will run from S. Jackson St. north on 25th/26th avenues. It will turn west at E. Columbia Street, providing a new signalized crossing for bikes and pedestrians. Then the route will go up 22nd Avenue to E. Madison Street, where it will cross over to 21st Avenue and continue north to E. John St.

## Housing

Each rezone includes Incentive Provisions for affordable housing on site or off-site within the Central Area Neighborhood Planning Area. This will provide more affordable housing to off-set displacement pressure, help stabilize the community and promote equitable growth. This will allow people of all races, ethnicities and abilities access to more housing and stay within the Central Area. Rezones also increase mixed use density in 3 key commercial nodes which will allow more people living and using these business nodes, more shopping and community gathering opportunities, more pedestrian activities, “more eyes on the street”, which will help create a strong and vibrant community.

## Open Space

Based on the 2011 Gap Report Update of An Assessment of Gaps in Seattle’s Open Space Network, the 33.48 acres of existing parks and open space within and abutting the 23rd Ave. @ S Jackson-Union Urban Village exceeds the 4.38 acres required to meet the 2024 Open Space/Household Goal (1 acre Village Open Space / 1,000 households) and it exceeds the 5.78 acres required to meet the 2035 growth projections. There is an area along E Union between 21<sup>st</sup> and 25<sup>th</sup> Aves that does not meet the Distribution-Based Open Space Goal (all locations within 1/4 mile of any qualifying Village Open Space), and the Department of Parks and Recreation will continue to pursue acquisition in gap areas of the city.

## Comprehensive Plan Amendment

Based on the recommendations of the 23rd Ave Action Plan (Union-Cherry-Jackson), amendments of the goals and policies of the Central Area Neighborhood Planning Element in the City of Seattle Comprehensive Plan and the Future Land Use Map are made. The State Growth Management Act requires jurisdictions to enact zoning that is consistent with the Comprehensive Plan Future Land Use Map. The proposed rezones align zoning in the neighborhood with the Future Land Use Map.

As part of the 2013-2014 Comprehensive Plan annual amendments (Ordinance 124458), goals and policies were amended and the Future Land Use on some parcels along 23rd Avenue within the 23rd Ave. @ S Jackson-Union Residential Urban Village were changed from Multi-Family Residential to Commercial/Mixed Use. The 2014-2015 Comprehensive Plan annual amendments cycle<sup>1</sup> includes changes to the Future Land Use Map on a few parcels along East Cherry Street within the 23rd Ave. @ S Jackson-Union Residential Urban Village from Single Family Residential and Multi-Family Residential to Commercial/Mixed Use, expansion of the

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<sup>1</sup> The ordinance that will be proposed to Council for adoption including the 2014 - 2015 annual amendments and the Periodic Review and Update of the Comprehensive Plan

Urban Village boundary on E Union Street, and one policy change to support existing institutions. These are currently under review by Council.

Below are the key goals and policies in the current Comprehensive Plan relevant to the rezone proposal.

- CA-G18 The three community nodes along 23rd Ave at Jackson, Union and Cherry are each distinct with a different niche, but together they exhibit or demonstrate the shared identity of the Central Area. These community nodes together serve the diversity of cultures in the Central Area and continue to be home to those businesses and institutions that are central to the African American community:
  - 23rd and Jackson - The largest of the three community nodes with larger scaled mixed use developments. It is the community's center for general goods and services including education, arts, places of worship and gathering, parks, a library, housing, social services and places to shop for daily household needs. It is a local and regional destination that draws a broad mix of people.
  - 23rd and Union - A medium sized community-serving node with mixed use developments. This node has locally owned businesses and institutions and continues to serve as the center of the African American community. It is a neighborhood scale destination that builds on existing assets and draws customers from the larger neighborhood.
  - 23rd and Cherry - This is a smaller scaled community-serving node with finer grained mixed use developments. This node has an abundance of community assets including parks/open space, Garfield High School and Community Center, teen center, arts programs, and small businesses, in particular ethnic restaurants, that create a unique identity for this node. It draws a broad mix of people, especially youth.
- CA-P63 Encourage new pedestrian-friendly mixed-use development and increased housing density in and around the 23rd Avenue and Jackson Street commercial area. Include small and large businesses, opportunities for startup businesses, and affordable housing while preserving existing gathering spaces.
- CA-P65 Encourage new pedestrian-friendly mixed-use development at 23rd and Union that includes neighborhood serving shops and services, opportunities for startup businesses, affordable housing and live/work housing while respecting the small scale and historic character of this node.
- CA-P66 Preserve small-scale neighborhood character, immigrant and refugee owned businesses while providing a greater variety of shops and services at 23rd and Cherry and an activated street frontage.

- CA-P67 Improve access and connectivity to community assets at 23rd and Cherry and activate space around Garfield High School, Garfield Community Center, and Medgar Evers Pool.
- CA-G1 The Central Area is a community proud of its culture, heritage, and diversity of people and places. This richness derives from the fact that this neighborhood has always been a place of welcome and it has been, and continues to be the center of the African American community.
- CA-P6 Create an appealing environment that enhances the historic character while providing opportunities for existing and new development to grow, and serve the emerging needs of the diverse community.
- CA-P7 Create a vibrant commercial district, encouraging dense urban development in the commercial areas and encouraging housing supportive of the community through land use tools, such as rezones, design guidelines and incentives.
- CA-G7 The Central Area is a culturally and ethnically diverse and economically strong community. Its business districts provide the goods and services needed for the multicultural community who live, work, worship and shop there.
- CA-P38 Support vibrant, diverse and distinct commercial districts that provide a range of goods and services for the entire community.

Below is the proposed policy in the 2014-2015 Comprehensive Plan annual amendments relevant to the rezone proposal.

- CA-P68 Consider rezoning single-family zoned parcels to neighborhood commercial to support continuation and expansion of services provided by local institutions such as the Cherry Hill Baptist Church.

### Pedestrian Overlay

A Pedestrian (P) designation already exists along E Union St between 20<sup>th</sup> Ave and 25<sup>th</sup> Ave. The existing P designation will remain in these areas.

On May 11, 2015, the City Council passed Ordinance 124770 adding a Pedestrian designation along S Jackson St from 22nd Ave S to M L King Jr Way S approximately 120' deep along both sides of S Jackson (see below description) and designated S Jackson St as a Principal Pedestrian Street in the citywide pedestrian legislation.

- Between 22nd and 23rd both sides of the street – follows the rear lot line of the parcels at the northeast and southeast corners of 22nd Ave S and S Jackson St

- Between 23rd and ML King Jr. Way S – follows the existing NC2-40 zone boundary and extends the same line across the large parcels to 23rd

The Pedestrian designation at the Jackson node accommodates the community desire for an improved pedestrian environment along S Jackson as well as the ability to locate drive-through retail (such as pharmacies) in the non-pedestrian designated portions of the area.

#### **IV. Development Capacity**

To assess the potential benefits and impacts of proposed zoning changes, DPD developed an estimate of additional development capacity in housing and jobs that could be expected under the proposed zoning compared with existing zoning. The amount of development capacity that will be used is difficult to accurately predict as it is driven primarily by market forces including national economic trends, desirability of the location, regional rent rates, regional home prices, construction costs, credit availability, transportation patterns, and other issues. The capacity estimates do not include a time dimension because they do not incorporate any direct measurement of demand. Many parcels in the city today have zoning that allows for more development than currently exists, but not all parcels are available or have a demand for development. The City used available data, including assumptions about which parcels are most likely to redevelop over time, to create a planning-level estimate for impact analysis. Based on maximum build out scenarios of existing and proposed zones, the proposed zoning changes could increase the overall development capacity in the 23rd Ave. @ S Jackson-Union Residential Urban Village over the next 20 years by about 895 housing units, 180,263 commercial square footage, and 587 jobs.

The development capacity change for each core is listed below:

<b>Node</b>	<b>Existing Zoning Capacity</b>			<b>Proposed Zoning Capacity</b>			<b>Change in Capacity</b>		
	<b>Dwelling Units</b>	<b>Commercial Floor Area</b>	<b>Jobs</b>	<b>Dwelling Units</b>	<b>Commercial Floor Area</b>	<b>Jobs</b>	<b>Dwelling Units</b>	<b>Commercial Floor Area</b>	<b>Jobs</b>
Union	916	241,199	804	1,390	297,539	992	474	56,340	188
Cherry	105	12,586	42	212	58,408	181	107	45,822	139
Jackson	1,174	178,260	594	1,488	256,361	855	314	78,101	260
<b>Total</b>	<b>2,195</b>	<b>432,045</b>	<b>1,440</b>	<b>3,090</b>	<b>612,308</b>	<b>2,027</b>	<b>895</b>	<b>180,263</b>	<b>587</b>

## Growth Estimates

The Comprehensive Plan identifies 20-year growth targets for each urban center and urban village. The Comprehensive Plan estimates were last adopted in 2004, and for the 23rd Ave. @ S Jackson-Union Residential Urban Village, the estimates anticipated 650 new housing units by the year 2024. This represents 1.3% of the expected citywide growth for 2024. Growth estimates are prepared using a model that allocates future growth as estimated by the state and distributed at the county and then city levels. Information about development capacity, as described above, aids in the setting and allocating of growth estimates.

The City is updating the Comprehensive Plan in 2015. Based on the higher level of growth forecasted by the State of Washington and agreements within King County, the overall citywide growth estimates for Seattle are expected to be 70,000 new households and 115,000 new jobs by 2035.

## V. Rezone Analysis

### Current zoning overview

The rezone area contains a mix of Neighborhood Commercial (NC1, NC2, and NC3), Lowrise (LR2) and Single-Family (SF5000) zoning.

- **23<sup>rd</sup> and Union:** Properties along East Union Street are generally zoned Neighborhood Commercial 2 (NC2) which allows for moderate-scale mixed-use commercial/residential buildings. A pedestrian (P) designation applies to properties fronting on East Union Street and 23rd Avenue between 20th Avenue and 25th Avenue. In limited areas, multifamily zoning – Lowrise 1 (LR1), Lowrise 2 (LR2) or Lowrise 3 (LR3) provides for multifamily development that serves as a transition between single-family and commercial areas.
- **23<sup>rd</sup> and Cherry:** Properties along East Cherry Street are generally zoned Neighborhood Commercial 1 (NC1) which allows for small-scale mixed-use commercial/residential buildings. Properties along 23rd Avenue are generally zoned Lowrise 2 (LR2). In limited areas, multifamily zoning – Lowrise 2 (LR2) or Lowrise 2 – Residential Commercial (LR2-RC) provides for multifamily development that serves as a transition between single-family and commercial areas.
- **23<sup>rd</sup> and Jackson:** Properties along South Jackson Street and 23rd Avenue are zoned Neighborhood Commercial 3 (NC3) which allows for larger scale mixed-use commercial/residential buildings. In most areas, multifamily zoning – Lowrise 1 (LR1), Lowrise 2 (LR2) or Lowrise 3 (LR3) provides for multifamily development that serves as a transition between single-family and commercial areas.

### Some Planned Activities

The followings are some examples of known activities on private properties when this report is prepared June 2015.

#### 23<sup>rd</sup> and Union:

- A 6-story mixed use development is under construction at the southwest corner of 23rd Avenue and East Union Street.
- For property at the southeast corner of 23rd Avenue and East Union Street, the property owner submitted a quasi-judicial rezone to increase maximum building height from 40' to 65'. It was appealed and rejected due to lack of transition to surrounding single family zones.
- At the northwest corner of 23rd Avenue and East Union Street where Cappy's Boxing Gym and a 76 gas station currently operate, the current height limit is 40'. The developer would like to develop to 65'.
- At the northwest corner of 24th Avenue and East Union Street, the current height limit is 40'. The developer would like 65' to make project for an affordable housing development with ground-level commercial space feasible.

- For property at the southeast corner of 24th Avenue and East Union Street, the developer is constructing a four-story mixed use building with apartments, live-work units, and ground floor retail
- As part of the 1% for Art program for the 23rd Ave Corridor Improvement project, street art works are proposed at the intersection of 23rd Ave and Union to create gateway features to improve identity and sense of arrival into the heart of the Central Area.
- The Seattle Bicycle Master Plan indicates future protected bicycle lanes on E Union St.

### **23<sup>rd</sup> and Cherry:**

- Within and around the Garfield campus area between East Cherry Street and East Jefferson Street and between 23rd Avenue and 25th Avenue, there are some proposed improvements underway through the Neighborhood Park and Street Fund for a safer, more walkable and inviting community gathering place. These improvements include paving, lighting, landscaping and picnic table/chairs. SDOT is also evaluating the mid-block crossing on E Cherry Street between 24<sup>th</sup> Avenue and 25<sup>th</sup> Avenue to identify possible improvement to enhance safe crossing.
- At the northeast corner of 24th Avenue and East Cherry Street, NOVA high school, an Alternative Learning Experience of Seattle Public Schools is under renovation and will be open in 2015 to accommodate approximately 400 students. This site used to be the Horace Mann School.
- At the northeast corner of 25th Avenue and East Cherry Street, the Islamic School has been exploring options for future expansion.
- At the northwest corner of 23rd Avenue and East Jefferson Street, the owner of Ezell's Famous Chicken is exploring options for future expansion.

### **23<sup>rd</sup> and Jackson:**

- At the southeast corner of the 23rd Avenue South and South Jackson Street, the developer of the Promenade 23 property is looking for redevelopment opportunity.

### **Intent of zoning changes**

In general, the proposed rezones increase the allowed density and intensity of neighborhood commercial areas near the identified community cores within the 23rd Ave. @ S Jackson-Union Residential Urban Village, and with a focus on pedestrian oriented design of new buildings. The intent is to provide for pedestrian-oriented commercial districts by concentrating commercial and residential growth along 23rd Avenue at East Union Street, East Cherry Street and South Jackson Street. These changes will encourage concentration of activity, a great variety of shops, services and housing in the community cores that serve the Central Area community, and enhance the sense of community and Central Area identity. The proposed zoning fully supports the Goals and Policies of the Central Area Neighborhood Plan in the Comprehensive Plan, and the 23rd Avenue Action Plan (Union-Cherry-Jackson).

**23rd and Union:** it includes locally-owned businesses and institutions and continues to serve as the center of the African American community. This node lacks a coherent urban design as one parcel was rezoned with a 65' height limit while much of the rest is zoned to 40'. In addition, the southeast corner is largely vacant now that the Post Office has essentially moved out. Public safety is a concern. The rezone will allow for a medium sized mixed-use commercial node with increased vitality and commercial energy. The proposed zoning will also support a coherent identity for this node and serve as a gateway for the Central Area.

**23rd and Cherry:** This node has an abundance of community assets including parks/open space, Garfield High School and Community Center, teen center, arts programs and small businesses. There are also several ethnic restaurants that create a unique identity for this node. It draws a broad mix of people, especially youth. There are inconsistencies between existing zoning and current uses; and existing zoning and future land use map designations. The proposed zoning will support a small scaled community-serving node that allows mixed-use commercial development along 23rd Ave across the street from the Garfield High School campus, activates street frontage and enables existing landmark businesses (such as Ezell's) and institutions (such as Cherry Hill Baptist Church) to expand. It will also support increased development capacity along MLK Jr Way S, which is a major arterial. The proposed rezone will align zoning, current uses and future land use map designations.

**23rd and Jackson:** This is the largest of the three nodes and is zoned to include larger scaled mixed-use developments. It is the community's primary destination for general goods and services including education, arts, places of worship and gathering, parks, a library, housing, social services and places to shop for daily household needs. It is a local and regional destination that draws a broad mix of people. The node currently lacks urban design coherence and is auto-dominated. The rezone will encourage new pedestrian-friendly mixed-use development, and increases housing density and opportunity including affordable housing in and around the 23rd Ave and S Jackson St commercial area, and expand retail choices.

## Neighborhood-wide Rezone Criteria

### General Rezone Criteria (SMC [23.34.008](#))

The table below analyzes the broad rezone proposal for all 8 rezone areas against a set of general rezone criteria.

Criterion	Met?	Analysis – 23rd Ave Action Plan
<i>In urban centers and urban villages the zoned capacity for the center or village taken as a whole shall be no less than one hundred twenty-five percent (125%) of the growth targets adopted in the Comprehensive Plan for that center or village. (SMC 23.34.008.A.1)</i>	Yes	The proposal represents an increase in the development capacity available in the neighborhood, thus, this criterion is met.
<i>For the area within the urban village boundary of hub urban villages and for residential urban villages taken as a whole the zoned capacity shall not be less than the densities established in the Urban Village Element of the Comprehensive Plan. (SMC 23.34.008.A.2)</i>	Yes	The proposal represents an increase in the development capacity available in the neighborhood, thus, this criterion is met.
<i>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. (SMC 23.34.008.B)</i>	Yes	A specific analysis of each individual rezone in relationship to criteria for the specific zones is provided in the Zone-specific Rezone Criteria section (see page 36 of this report).
<i>Previous and potential zoning changes both in and around the area proposed for rezone shall be examined. (SMC 23.34.008.C)</i>	Yes	Previous and potential zoning changes were examined, and were not found to conflict with this proposal.
<i>Council adopted neighborhood plans that apply to the area proposed for rezone shall be taken into consideration. (SMC 23.34.008.D.2)</i>	Yes	The proposals are consistent with the Comprehensive Plan, the 1998 Central Area Neighborhood Plan and the 23rd Ave Action Plan (Union-Cherry-Jackson).

Criterion	Met?	Analysis – 23rd Ave Action Plan
		See page 17-18 of this report for a listing of specific neighborhood plan goals and policies applicable to this rezone.
<i>Where a neighborhood plan 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. (SMC 23.34.008.D.3)</i>	Yes	The proposed rezones conform to the Central Area goals and policies CA-G1, CA-G7, CA-G18, CA-P6, CA-P7, CA-P38, CA-P63, CA-P65, CA-P66, CA-P67 as amended by Ordinance 124458, and CA-P68 planned for amendment and to be contained in the Neighborhood Planning Element of the Comprehensive Plan.
<i>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. Physical buffers may provide an effective separation between different uses and intensities of development. (SMC 23.34.008.E.1)</i>	Yes	<p>The rezone proposal locates more intensive Neighborhood Commercial zones in the community cores around 23rd Ave at Union, Cherry and Jackson.</p> <p>In 23<sup>rd</sup> and Union Core, the proposed development standards in rezone Area 1 recommend street and upper level setback requirements to respect adjacent single family zones, and reduce the perceived bulk of buildings to create a more pedestrian friendly environment. The proposed 40' in Area 3 provides a gradual transition between the proposed 65' in Area 1&amp;2 and the adjacent residential zones.</p> <p>In 23<sup>rd</sup> and Cherry Core rezone Area 7, the rezone proposal locates Lowrise (LR) multi-family zones between the arterial and single family zones to provide a transition.</p> <p>In 23<sup>rd</sup> and Jackson core rezone Area 8, the proposed development standards for upper level setbacks will provide more light onto the street and reduce the perceived bulk of buildings to create a</p>

Criterion	Met?	Analysis – 23rd Ave Action Plan
		<p>more pedestrian friendly environment, and the maximum length of street facing facade will ensure pedestrian scale storefront, solar access, view and relief.</p> <p>An appropriate transition to abutting residential zones is provided through existing setback requirement in the Land Use Code section 23.47A.014 and proposed development standards.</p>
<p><i>Physical buffers may provide an effective separation between different uses and intensities of development. (SMC 23.34.008.E.2)</i></p>	Yes	<p>The proposed rezones consider and use the available physical buffers such as street right-of-way.</p>
<p><i>In establishing boundaries the following elements shall be considered:</i></p> <ul style="list-style-type: none"> <li>• Physical buffers;</li> <li>• Platted lot lines.</li> </ul> <p><i>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 (SMC 23.34.008.E.3).</i></p>	Yes	<p>In a majority of instances, the proposed rezones will result in Neighborhood Commercial (NC) zoned lots facing each other along 23rd Ave, E Union St, E Cherry St, and S Jackson St.</p> <p>In the 23<sup>rd</sup> and Union core, rezone to Neighborhood Commercial zones (NC2P-65, NC2-65) include areas that are either abutting or across streets from single family zones (Rezone Area 1, 2 &amp; 3 on Exhibit A, page 8). In Rezone Area 1 &amp; 2, commercial zones that are abutting single family zones will face streets away from single family uses. In Rezone Area 1 where commercial zones are across streets from single family zones, existing streets will provide physical buffers. In addition, the proposed development standards in Area 1 recommend limiting ground floor to residential uses in these areas to preserve the residential feel of the street.</p> <p>In the 23rd and Cherry core, rezone area 4,5 and 6 to Neighborhood Commercial</p>

Criterion	Met?	Analysis – 23rd Ave Action Plan
		<p>zone (NC1-40) are separated from residential zones by 23<sup>rd</sup> Ave arterial street or 22<sup>nd</sup> Ave residential street. Rezone area 7 to Lowrise 2 Residential Commercial zone along ML King Jr. Way S will face away from adjacent residential areas and act as a transition between commercial activities at Cherry and MLK and single family residential zones.</p> <p>In the 23<sup>rd</sup> and Jackson core, the rezone area 8 follows the existing 65' Neighborhood Commercial zones. The pedestrian designation along S Jackson St follow platted lot lines or the abutting NC2-40 zone as described below. This accommodates the community desire for an improved pedestrian environment along S Jackson as well as the ability to locate drive-through retail (such as pharmacies) in the non-pedestrian designated portions of the area and development flexibility.</p> <ul style="list-style-type: none"> <li>• Between 22nd and 23rd both sides of the street – follows the rear lot line of the parcels at the northeast and southeast corners of 22nd Ave S and S Jackson St</li> <li>• Between 23rd and ML King Jr. Way S – follows the existing NC2-40 zone boundary and extends the same line across the large parcels to 23rd</li> </ul> <p>In all other areas where commercial zones are abutting residential zones, existing setback requirements in the Land Use Code section 23.47A.014 will provide sufficient buffer.</p>
<i>In general, height limits greater than forty (40) feet should be limited to urban villages. (SMC 23.34.008.E.4).</i>	Yes	All proposed rezones greater than 40 feet are within the 23rd Ave. @ S Jackson-Union Residential Urban Village.

<b>Criterion</b>	<b>Met?</b>	<b>Analysis – 23rd Ave Action Plan</b>
<p><i>Negative &amp; positive impacts on the area, including factors such as housing (particularly low-income housing), public services, environmental factors (noise, air &amp; water, flora &amp; fauna, odor, glare &amp; shadows, energy), pedestrian safety, manufacturing activity, employment activity, architectural or historic character, shoreline review, public access and recreation, should be examined. (SMC 23.34.008.F.1).</i></p>	Yes	<p>The rezone proposal provides for a modest increase in new, slightly more intensive neighborhood commercial and multifamily structures. This could result in minor negative impacts such as increase in shadowing by new structures, replacement of some existing single family and smaller scale housing structures, and some minor increase in local traffic. The area is largely built-out so impacts on natural systems are limited.</p> <p>Minor negative impacts described above would be offset by positive impacts. For instance, new development could enhance vegetative cover by complying with Seattle's Green Factor and Drainage Code. Since the City's incentive zoning program for affordable housing will be applied, new affordable housing units are likely to be created.</p> <p>Development resulting from the proposed zoning would increase pedestrian-focused retail activity; enhance the neighborhood's existing employment opportunities; increase housing opportunities and diversify the area's housing stock; improve pedestrian safety by improved sidewalks with new development; and allow new residences and businesses in close proximity to the community cores so as to increase travel by walking, biking and transit.</p>
<p><i>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 street access, street capacity, transit service, parking</i></p>	Yes	<p>The 23rd Ave. @ S Jackson-Union Residential Urban Village is served by several arterial roadways and a full range of existing utility infrastructure. The 23rd Avenue Corridor Improvements Project will improve transit's reliability and pedestrian environment. And the</p>

Criterion	Met?	Analysis – 23rd Ave Action Plan
<i>capacity, utility and sewer capacity. (SMC 23.34.008.F.2).</i>		neighborhood greenway parallel to 23rd Ave will prioritize bicycle and pedestrian travel by providing a more comfortable environment for people to walk, run, and bike. In addition, encouraging the creation of more pedestrian-oriented shopping will provide a broader range of goods and services for the surrounding neighborhood and greater Central Area. Additional car trips to outlying shopping areas can be reduced.
<i>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. (SMC 23.34.008.G).</i>	Yes	<p>The 23rd Ave multimodal improvements, drainage and lighting improvements significantly enhance the livability of the area.</p> <p>In the 23<sup>rd</sup> and Union core, a 6-story mixed use development is under construction at the southwest corner of 23rd Ave and E Union St. The southeast corner of 23rd Ave and E Union St, the property owner of the Midtown Center property, where the US Post Office is located is evaluating a rezone to increase maximum building height from 40' to 65'. At the northwest corner of 23rd Ave and E Union St where Cappy's Boxing Gym and a 76 gas station currently operate, the developer plans to turn it into a 6-story mixed use development with apartments and retail space. At the northwest corner of 24th Ave and E Union St the developer is planning to redevelop the property into an affordable housing development with ground-level commercial space.</p> <p>In the 23<sup>rd</sup> and Cherry core, ongoing Garfield campus improvements including paving, lighting, and mid-block crossing on Cherry St between 24th and 25th will create inviting environment around 23rd</p>

Criterion	Met?	Analysis – 23rd Ave Action Plan
		<p>Ave and Cherry St. NOVA high school will be opening soon at 24th Ave and Cherry St to accommodate around 400 students. Islamic School on 25th Ave and Cherry St, and Ezell's Chicken at 23rd and Jefferson St are both planning for expansion. The Cherry Hill Baptist Church is planning to redevelop their sites into mixed use buildings.</p> <p>In the 23<sup>rd</sup> and Jackson core, at the southeast corner of the 23rd Ave and S Jackson St, the developer of the Promenade 23 property is looking for redevelopment opportunity.</p>
<i>If the area is located in or adjacent to a critical area, the effect of the rezone on the critical area shall be considered. (SMC 23.34.008.I).</i>	Yes	No impacts to critical areas are expected to result from the rezone proposal. The area is already an intensely developed urban environment and is mostly flat.
<p><b>Conclusion:</b> DPD has weighed and balanced these criteria together, and determines that the areas generally meet the rezone criteria and therefore that the areas are appropriate for proposed rezones.</p>		

**Criteria for Height Limits of Proposed Zones (SMC 23.34.009),**

The table below analyzes the broad rezone proposal for all 7 rezone areas against a set of criteria setting height limits.

Criterion	Met?	Analysis – 23rd Ave Action Plan
<p><i>Height limits for commercial zones shall be consistent with the type and scale of development intended for each zone classification. The demand for permitted goods and services and the potential for displacement of preferred uses shall be considered. (SMC 23.34.009.A)</i></p>	Yes	<p>The 23rd Ave Action Plan (Union-Cherry-Jackson) encourages businesses that serve the needs of the community. The proposal is estimated to create new opportunities for mixed use development. The proposed rezone will increase the commercial and housing development capacity and would likely increase the diversity of available options for locating small businesses in the neighborhood.</p> <p>In the 23<sup>rd</sup> and Union core, the highest proposed height of 65' in the rezone Areas 1 &amp; 2 is 20 and 30 feet higher than currently allowed height in the neighborhood, and is in scale with recent development at the southwest corner of 23<sup>rd</sup> and Union. The proposed height of 40' in the rezone area 3 is 10' higher than the existing height of 30' in the neighborhood core. The increase in height is consistent with current construction underway in this node and typical mixed use development scale found within urban villages and centers, and it reflects community's vision for this core as a moderate size pedestrian-oriented mixed-use destination that includes neighborhood serving shops, services and housing.</p> <p>In the 23<sup>rd</sup> and Cherry core, the highest proposed height of 40' in the rezone Areas 4, 5 &amp; 6 is 5'-10' higher than currently allowed height in neighborhood. In the rezone Area 7, the height limit for the proposed Lowrise zone is the same as</p>

Criterion	Met?	Analysis – 23rd Ave Action Plan
		<p>the existing single family zone. The increase in height is consistent with existing zoning at this node along E Cherry St and typical mixed use development scale found within urban villages and centers, and it reflects community's vision for this core as a smaller scaled community-serving node with finer grained mixed use developments.</p> <p>In the 23<sup>rd</sup> and Jackson core, the highest proposed height of 85' in the rezone Area 8 is 20' higher than currently allowed 65 feet height in the neighborhood. The 85' zone is proposed to be located in areas where a significant amount of land is under-developed or lacking in retail and service uses. The increase in height reflects the community vision for this core as the largest of the three community nodes with larger scaled mixed use developments, the community's center for general goods and services, and a local and regional destination that draws a broad mix of people.</p>
<i>Height limits shall reinforce the natural topography of the area and its surroundings, and the likelihood of view blockage shall be considered. (SMC 23.34.009.B)</i>	Yes	<p>Existing and proposed height limits respond primarily to the context of the urban grid and the major arterial axis of 23rd Ave and Union, Cherry and Jackson streets. While some views from private and public properties may be impacted by future development that benefit from additional height, it is not anticipated that view impacts would be significantly greater than might be expected from development permissible under the existing height limit. The proposed development standards intend to mitigate these impacts.</p>

Criterion	Met?	Analysis – 23rd Ave Action Plan
<p><i>The height limits established by current zoning in the area shall be given consideration. In general, permitted height limits shall be compatible with the predominant height and scale of existing development, particularly where existing development is a good measure of the area's overall development potential. Height limits for an area shall be compatible with actual and zoned heights in surrounding areas. (SMC 23.34.009.C)</i></p>	Yes	<p>Heights are proposed to increase throughout most of the proposed rezone areas. The existing context consists of diverse mix of multifamily and mixed-use buildings, commercial buildings, and single family. The commercial buildings are generally built considerably below the existing development potential.</p> <p>In the 23<sup>rd</sup> and Union core, a 65' height limit proposed in rezone Areas 1 and 2 is compatible with current 65' development underway. A number of properties are likely to redevelop in the near future. These will likely use the allowed heights thereby establishing a future context of 40'-65' building heights in the rezone area subject to the Incentive Provisions and providing a transition between the commercial core with a 65' height limit and adjacent single family residential zones.</p> <p>In the 23<sup>rd</sup> and Cherry core, the height increase as a result of the proposed rezones is 5'-10'. This presents a slight increase over the existing neighborhood height and scale along 23rd Ave and E Cherry arterial streets.</p> <p>In the 23<sup>rd</sup> and Jackson core, an 85' height limit proposed in rezone Areas 8 is compatible with recent six story developments. A number of properties are likely to redevelop in the near future. These will likely use the allowed heights thereby establishing a future context of 65' - 85' building heights in the rezone area subject to Incentive Provisions for affordable housing.</p> <p>DPD is proposing development standards</p>

Criterion	Met?	Analysis – 23rd Ave Action Plan
		including additional setbacks, maximum length of street facing facade and pedestrian access that would manage the bulk of structures in some specific areas.
<p><i>A gradual transition in height and scale and level of activity between zones shall be provided unless major physical buffers are present. (SMC 23.34.009.D.2.)</i></p>	Yes	<p>In general, the proposed rezones are consistent with the traditional zoning pattern established in the neighborhood in which more intensive (commercial) zones are buffered from least intensive (single-family) zones by moderately intensive (multifamily) zones.</p> <p>Overall, areas identified for upzone are generally located in the existing neighborhood core and are mostly zoned Neighborhood Commercial and a few for Lowrise.</p> <p>In the 23<sup>rd</sup> and Union core, rezone in Area 1 to Neighborhood Commercial zones (NC2P – 65 and NC2-65) includes areas that are either abutting or across streets from single family zones (Area 1 on Exhibit A, page 8). In areas abutting single family zones, the existing setback requirements in the code will provide a gradual transition in height and scale. In areas across streets from single family zones, existing streets will provide physical buffers. In addition, the proposed setback requirements standards at 23rd Ave and E. Union St. will help provide a gradual transition. Rezones in Area 2 &amp; 3 will apply existing setback requirement to provide transitions to single family zones at the edges, and bring light to the street and reduce the perceived bulk of buildings to create a more pedestrian friendly environment.</p> <p>In the 23<sup>rd</sup> and Jackson core (Rezone</p>

Criterion	Met?	Analysis – 23rd Ave Action Plan
		<p>Area8), the proposed development standards for upper level setbacks will provide more light onto the street and reduce the perceived bulk of buildings to create a more pedestrian friendly environment, and the maximum structure width will ensure pedestrian scale storefront, solar access, view and relief.</p> <p>Generally, in all areas where commercial zones are abutting residential zones, existing setback requirements in the Land Use Code 23.47A.014 will provide sufficient buffer.</p>
<p><i>Particular attention shall be given to height recommendations in business district plans or neighborhood plans adopted by the City Council subsequent to the adoption of the 1985 Land Use Map. (SMC 23.34.009.E.)</i></p>	Yes	<p>The proposed increase in height limit is a recommendation developed during the extensive community engagement that occurred during the 23rd Ave Action Plan (Union-Cherry-Jackson). It aims to achieve community's vision and goals to strengthen the Central Area's unique identity and community character, and create vibrant and resilient commercial districts that encourage pedestrian friendly mixed use development, support existing and new businesses and development, provide opportunities for a variety of shops, services and housing that serve the diverse Central Area community.</p>
<p><b>Conclusion:</b> DPD has weighed and balanced these criteria, and determines that the areas meet the criteria and therefore the proposed allowed heights are appropriate.</p>		

## Zone-specific Rezone Criteria

This section of the rezone analysis reviews each of the 8 proposed individual rezones according to the specific functional and locational criteria for the proposed zoning designation. According to the rezone criteria in 23.34.008, the characteristics of the area proposed for rezone should match the locational criteria of the proposed zone better than any other zoning designation.

1

### Increase Allowed Heights from 40' to 65' through the Incentive Provisions

**Rezone Proposal:** rezone existing neighborhood commercial properties located on E. Union St between 22<sup>nd</sup> Ave and 25<sup>th</sup> Ave. (See Area 1, Exhibit A, Page 8)

**Area 1a:** Rezone from Neighborhood Commercial 2 (NC2P-40) to Neighborhood Commercial 2 (NC2P-65(3.0)) through Incentive Provisions

**Area 1b:** Rezone from Neighborhood Commercial 2 (NC2-40) to Neighborhood Commercial 2 (NC2-65(3.0)) through Incentive Provisions

This rezone is only for height. The change in allowed heights from 40' to 65' is evaluated in section "Criteria for Height Limits of Proposed Zones" on pages 31.

**Existing Conditions:** This area has a mix of retail/service, office, single family and multifamily residential, and institution uses.

2

### Increase Allowed Heights from 30' to 65' through the Incentive Provisions

**Rezone Proposal:** Rezone from Neighborhood Commercial 2 (NC2P-30) to Neighborhood Commercial 2 (NC2P-65(2.25)) through Incentive Provisions for existing neighborhood commercial properties located on E. Union St between 21st Ave and 22nd Ave. (See Area 2, Exhibit A, Page 8)

This rezone is only for height. The change in allowed heights from 30' to 65' is evaluated in section "Criteria for Height Limits of Proposed Zones" on pages 31.

**Existing Conditions:** This area has a mix of retail/service, office, single family, multifamily residential, and institutions uses.

3

### Increase Allowed Heights from 30' to 40' through the Incentive Provisions

**Rezone Proposal:** Rezone from Neighborhood Commercial 2 (NC2P-30) to Neighborhood Commercial 2 (NC2P-40(2.25)) through Incentive Provisions for existing neighborhood commercial properties located on E. Union St between 20th Ave and 21st Ave. (See Area 3, Exhibit A, Page 8)

This rezone is only for height. The change in allowed heights from 30' to 40' is evaluated in section "Criteria for Height Limits of Proposed Zones" on pages 31.

**Existing Conditions:** This area has a mix of retail/service, office, single family and multifamily residential uses.

4

### Increase Allowed Heights from 30' to 40' through the Incentive Provisions

**Rezone Proposal:** Rezone from Neighborhood Commercial 1 (NC1-30) to Neighborhood Commercial 1 (NC1-40(2.25)) through Incentive Provisions for existing neighborhood commercial properties located at the northwest and southwest corner of 23<sup>rd</sup> Ave and E. Cherry St. (See Area 4, Exhibit B, Page 9)

This rezone is only for height. The change in allowed heights from 30' to 40' is evaluated in section "Criteria for Height Limits of Proposed Zones" on pages 31.

**Existing Conditions:** This area has a mix of retail/service, and single family residential uses.

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### Change Zoning from Single Family (SF5000) to Neighborhood Commercial 1 (NC1-40'(0.75)) through the Incentive Provisions

**Rezone Proposal:** Rezone from Single Family (SF5000) to Neighborhood Commercial 1 (NC1-40(0.75)) for existing Cherry Hill Baptist Church properties located northwest of 22nd Ave and E. Cherry St. (See Area 5, Exhibit B, Page 9)

**Existing Conditions:** This area has the existing Cherry Hill Baptist Church and its parking area.

This rezone requires consideration of the rezone criteria for single-family, designation of Commercial Zones, and function and locational criteria for neighborhood commercial zones.

### **Rezone of Single-family Zoned Areas (SMC 23.34.010.B.2)**

<b>Criterion</b>	<b>Met?</b>	<b>Analysis – Area 5</b>
<p><i>B. Areas zoned single-family or RSL that meet the criteria for single-family zoning contained in subsection B of Section 23.34.011 and that are located within the adopted boundaries of an urban village may be rezoned to zones more intense than Single-family 5000 when all of the following conditions are met:</i></p> <p><i>1. A neighborhood plan has designated the area as appropriate for the zone designation, including specification of the RSL/T, RSL/C, or RSL/TC suffix, if applicable;</i></p> <p><i>2. The rezone is:</i></p> <p><i>d. Within a designated Urban Center or Urban Village and the underlying Future Land Use Map designation is a designation other than Single-Family. (SMC 23.34.010.B.2.d).</i></p>	Yes	<p>The 23rd Ave Action Plan (Union-Cherry-Jackson) has identified more appropriate zones for a few single family zoned areas in Area 5.</p> <p>These areas are within the 23rd Ave. @ S Jackson-Union Residential Urban Village and have been designated on the Comprehensive Plan's Future Land Use Map as Commercial/Mixed use areas.</p> <p>This rezone will allow the existing institution Cherry Hill Baptist Church to provide expanded services to the community including businesses, services and housing including affordable housing. It will also provide more activities on the street with more people working, visiting and living in the area, which could improve the safety and image of the area.</p>

### **Criteria for Designation of Commercial Zones (SMC 23.34.072)**

<b>Criterion</b>	<b>Met?</b>	<b>Analysis – Area 5</b>
<p><i>The encroachment of commercial development into residential areas shall be discouraged. (SMC 23.34.072.A)</i></p>	Yes	<p>The rezone area is abutting Neighborhood Commercial zones to east, and a residential street to the west. The residential street can act as a buffer between the existing residential zones and proposed Neighborhood Commercial zones and would not encroach upon adjacent residential areas.</p>

Criterion	Met?	Analysis – Area 5
<i>Areas meeting the locational criteria for a single-family designation may be designated as certain neighborhood commercial zones as provided in Section <u>23.34.010</u>. (SMC 23.34.072.B)</i>	N/A	The proposal includes rezone from Single Family to Neighborhood Commercial. The rezone meets the requirement stated in Section 23.34.010
<i>Preferred configuration of commercial zones shall not conflict with the preferred configuration and edge protection of residential zones as established in Sections <u>23.34.010</u> and <u>23.34.011</u> of the Seattle Municipal Code. (SMC 23.34.072.C)</i>	Yes	The preferred configuration of the commercial zones will remain the same as the existing configuration . Council redesignated Area 5 from Single Family Residential to Commercial/Mixed Use in the Future Land Use map as part of the 2014-15 Comprehensive Plan annual amendments.
<i>Compact, concentrated commercial areas, or nodes, shall be preferred to diffuse, sprawling commercial areas. (SMC 23.34.072.D)</i>	Yes	The proposal's intent is described in Policy 7 of the Central Area Neighborhood Planning Element of the Comprehensive Plan: "Create a vibrant commercial district, encouraging dense urban development in the commercial areas and encouraging housing supportive of the community through land use tools, such as rezones, design guidelines and incentives" The proposal concentrates the commercial area around the 23rd Ave and Cherry intersection, consistent with this criterion.
<i>The preservation and improvement of existing commercial areas shall be preferred to the creation of new business districts. (SMC 23.34.072.E)</i>	Yes	The proposal does not create a new business district – rather, it would supplement the existing neighborhood commercial core around the 23rd Ave and Cherry core with a great variety of shops, services and housing. It is intended to enhance the neighborhood scaled commercial core, and improve streetscape and safety through more pedestrian activities and eyes on the streets.

**Neighborhood Commercial 1 (NC1) zones, function and locational criteria (SMC 23.34.074)**

<b>Criterion</b>	<b>Met?</b>	<b>Analysis – Area 5</b>
<i>A. Function: To support or encourage a small shopping area that provides primarily convenience retail sales and services to the adjoining residential neighborhood, where the following characteristics can be achieved: (SMC 23.34.074.A)</i>	Yes	The proposed rezone for Area 5 would support the continuation and expansion of services provided by the Cherry Hill Baptist Church. The proposed NC1 – 40 zoning would also enable other uses such as housing, offices, and mixed use development that would activate street frontage along E Cherry St and create more eyes on the street to improve safety around the Cherry community core.
<i>1. [can achieve] A variety of small neighborhood-serving businesses; (SMC 23.34.074.A.1)</i>	Yes	The proposal to rezone Area 5 to NC1 – 40 zone will enable more flexibility in providing space for small neighborhood-serving businesses similar to those around the 23 <sup>rd</sup> Ave and E Cherry St, and along E. Cherry St between 23 <sup>rd</sup> Ave and ML King Jr Way.
<i>2. [can achieve] continuous storefronts built to the front lot line; (SMC 23.34.074.A.2)</i>	Yes	The proposal to rezone Area 5 to NC1 – 40 would encourage continuous storefronts built to the front lot line similar to those around the 23rd Ave and E Cherry St, and along E. Cherry St between 23rd Ave and ML King Jr Way.
<i>3. [can achieve] an atmosphere attractive to pedestrians; (SMC 23.34.074.A.3)</i>	Yes	The proposed NC1 – 40 zoning for Area 5 would help achieve an atmosphere attractive to pedestrians in addition to existing pedestrian activities around the Cherry community core.
<i>4. [can achieve] Shoppers can walk around from store to store; (SMC 23.34.074.A.4)</i>	Yes	The proposed NC1 – 40 zoning would enable shoppers to walk from store to store around the 23 <sup>rd</sup> Ave and E Cherry St, and along E. Cherry St between 23 <sup>rd</sup> Ave and ML King Jr Way.

Criterion	Met?	Analysis – Area 5
<i>Locational Criteria. A Neighborhood Commercial 1 zone designation is most appropriate on land that is generally characterized by the following conditions: (SMC 23.34.074.B)</i>		
<i>1. Outside of urban centers and urban villages, or within urban centers or urban villages where isolated or peripheral to the primary business district and adjacent to low-density residential areas; (SMC 23.34.074.B.1)</i>	Yes	Area 5 at 22nd Ave and E. Cherry St is within the strong community core that attracts businesses and community activities within the 23rd Ave. @ S Jackson-Union Residential Urban Village. It is adjacent to the primary business district along 23rd Ave at Union and Jackson, and long E. Cherry St. It is adjacent to low-density residential uses.
<i>2. Located on streets with limited capacity, such as collector arterials; (SMC 23.34.074.B.2)</i>	Yes	Area 5 is located along E Cherry St, a minor arterial. A NC1 designation will provide opportunities for small neighborhood scale businesses and services as well as create a more active storefront along E. Cherry St.
<i>3. No physical edges to buffer the residential areas; (SMC 23.34.074.B.3)</i>	Yes	There is no physical edge to buffer Area 5 from the adjacent single family residential zoned area.
<i>4. Small parcel sizes; (SMC 23.34.074.B.4)</i>	Yes	Area 5 consists of 2 small parcels. One is 5,160 sq ft., the other is 3,870 sq ft.
<i>5. Limited transit service. (SMC 23.34.074.B.5)</i>	Yes	The area has limited transit service along E Cherry St.
<b>Conclusion:</b> The rezone proposal meets the functional criteria of the NC1 zone, and meets all locational criteria. DPD determines that Area 5 generally meets the functional and locational criteria of the NC1 zone and therefore is appropriate for the proposed NC1 zone.		

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## Change Zoning from Lowrise 2 (LR2) to Neighborhood Commercial 1 (NC1-40'(1.3)) through Incentive Provisions

**Rezone Proposal:** Rezone from Lowrise 2 (LR2) to Neighborhood Commercial 1 (NC1-40'(1.3)) for existing neighborhood commercial and residential properties located west of 23rd Ave between E. Jefferson St. and south of E. Cherry St. (See Area 6, Exhibit B, Page 9)

**Existing Conditions:** This area has a mix of retail, single family and multifamily residential, and institution uses.

This rezone requires consideration of the criteria for designation of Commercial Zones, and function and locational criteria for neighborhood commercial zones.

### Criteria for Designation of Commercial Zones (SMC 23.34.072)

Criterion	Met?	Analysis – Area 6
<i>The encroachment of commercial development into residential areas shall be discouraged. (SMC 23.34.072.A)</i>	Yes	The site proposed for rezone to a Neighborhood Commercial 1 zone is occupied by a mix of residential and commercial uses including Ezell's Famous Chicken, memorial facility and learning center, and Cherry Hill Baptist Church. Commercial development on this site will be consistent with the current use, development pattern and would not encroach upon adjacent residential areas.
<i>Areas meeting the locational criteria for a single-family designation may be designated as certain neighborhood commercial zones as provided in Section <u>23.34.010</u>. (SMC 23.34.072.B)</i>	N/A	The proposal includes rezone from Single Family to Neighborhood Commercial. The rezone meets the requirement stated in Section 23.34.010

Criterion	Met?	Analysis – Area 6
<i>Preferred configuration of commercial zones shall not conflict with the preferred configuration and edge protection of residential zones as established in Sections <u>23.34.010</u> and <u>23.34.011</u> of the Seattle Municipal Code. (SMC 23.34.072.C)</i>	Yes	The preferred configuration of the commercial zones will remain the same as the existing configuration. Council redesignated these areas from Multi-Family Residential to Commercial/Mixed Use in the Future Land Use map as part of the 2013-14 Comprehensive Plan annual amendments in Ordinance 124458, and as part of the 2014-15 Comprehensive Plan annual amendments.
<i>Compact, concentrated commercial areas, or nodes, shall be preferred to diffuse, sprawling commercial areas. (SMC 23.34.072.D)</i>	Yes	The proposal's intent is described in Policy 7 of the Central Area Neighborhood Planning Element of the Comprehensive Plan: "Create a vibrant commercial district, encouraging dense urban development in the commercial areas and encouraging housing supportive of the community through land use tools, such as rezones, design guidelines and incentives" The proposal concentrates the commercial area around the 23rd Ave and Cherry intersection, consistent with this criterion.
<i>The preservation and improvement of existing commercial areas shall be preferred to the creation of new business districts. (SMC 23.34.072.E)</i>	Yes	The proposal does not create a new business district – rather, it would provide existing businesses a conforming zoning designation and supplement the existing neighborhood commercial core around the 23rd Ave and Cherry core with a great variety of shops, services and housing. It is intended to enhance the neighborhood scaled commercial core, and improve streetcape and safety through more pedestrian activities and eyes on the streets.

**Neighborhood Commercial 1 (NC1) zones, function and locational criteria (SMC 23.34.074)**

The proposed rezone must meet the general functional and locational criteria of the NC1 zone.

Criterion	Met?	Analysis – Area 6
<p><i>A. Function. To support or encourage a small shopping area that provides primarily convenience retail sales and services to the adjoining residential neighborhood, where the following characteristics can be achieved:</i> (SMC 23.34.074.A)</p>	Yes	<p>The proposed rezone for Area 6 would support the existing businesses and institution uses on the west side of 23rd Ave by aligning the zoning with existing uses and future development pattern. The proposed NC1 – 40' zone would also enable other uses such as housing, offices, and mixed use development that would activate street frontage along 23<sup>rd</sup> Ave and create more eyes on the street to improve safety around Garfield campus.</p>
<p><i>1. [can achieve] A variety of small neighborhood-serving businesses;</i> (SMC 23.34.074.A.1)</p>	Yes	<p>The proposal to rezone Area 6 to NC1 – 40' zone will enable more flexibility in providing space for small neighborhood-serving businesses similar to those around the 23<sup>rd</sup> Ave and E Cherry St, and along E. Cherry St between 23<sup>rd</sup> Ave and ML King Jr Way.</p>
<p><i>2. [can achieve] continuous storefronts built to the front lot line;</i> (SMC 23.34.074.A.2)</p>	Yes	<p>The proposal to rezone Area 6 to NC1 – 40' would encourage continuous storefronts built to the front lot line similar to those around the 23rd Ave and E Cherry St, and along E. Cherry St between 23rd Ave and ML King Jr Way.</p>
<p><i>3. [can achieve] an atmosphere attractive to pedestrians;</i> (SMC 23.34.074.A.3)</p>	Yes	<p>The proposed NC1 – 40' zoning for Area 6 would help achieve an atmosphere attractive to pedestrians in addition to existing pedestrian activities around the Garfield campus and along 23<sup>rd</sup> Ave and E Cherry St. This is also consistent with the goal of the 23<sup>rd</sup> Ave corridor improvement project to improve pedestrian environment and activities along 23<sup>rd</sup> Ave.</p>

<b>Criterion</b>	<b>Met?</b>	<b>Analysis – Area 6</b>
<i>4. [can achieve] Shoppers can walk around from store to store; (SMC 23.34.074.A.4)</i>	Yes	The proposed NC1 – 40' zoning would enable shoppers to walk from store to store around the 23 <sup>rd</sup> Ave and E Cherry St, and along E. Cherry St between 23 <sup>rd</sup> Ave and ML King Jr Way.
<i>Locational Criteria. A Neighborhood Commercial 1 zone designation is most appropriate on land that is generally characterized by the following conditions: (SMC 23.34.074.B)</i>		
<i>1. Outside of urban centers and urban villages, or within urban centers or urban villages where isolated or peripheral to the primary business district and adjacent to low-density residential areas; (SMC 23.34.074.B.1)</i>	Yes	Area 6 at 23 <sup>rd</sup> Ave and E. Cherry St is within the strong community core that attracts businesses and community activities within the 23rd Ave. @ S Jackson-Union Residential Urban Village. It is adjacent to the primary business district along 23rd Ave at Union and Jackson, and along E. Cherry St. It is adjacent to low-density residential uses.
<i>2. Located on streets with limited capacity, such as collector arterials; (SMC 23.34.074.B.2)</i>	No	Area 6 is located along 23 <sup>rd</sup> Ave which is a principal arterial. A NC1 designation will provide existing neighborhood scale businesses and institution uses a consistent zoning as well as create a more active storefront while minimize business competition from existing primary business district along 23rd Ave at Union and Jackson, and along E. Cherry St.
<i>3. No physical edges to buffer the residential areas; (SMC 23.34.074.B.3)</i>	Yes	There is no physical edge to buffer Area 6 from the abutting lowrise residential area. Area 6 can act as a buffer between 23 <sup>rd</sup> Ave and the abutting residential areas.
<i>4. Small parcel sizes; (SMC 23.34.074.B.4)</i>	Yes	Area 6 consist of 7 parcels, 5 of which have an approximate size of 3,000 sq ft., The other two parcels are between 9,000 and 14,800 sq ft.
<i>5. Limited transit service. (SMC 23.34.074.B.5)</i>	No	The area has good transit service along 23 <sup>rd</sup> Ave.

Criterion	Met?	Analysis – Area 6
<b>Conclusion:</b> The rezone proposal meets the functional criteria of the NC1 zone, and meets 3 of 5 locational criteria. DPD determines that Area 6 generally meets the functional and locational criteria of the NC1 zone and therefore is appropriate for the proposed NC1 zone.		

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### Change Zoning from Single Family (SF 5000) to Lowrise 2 Residential Commercial (LR2-RC)

**Rezone Proposal:** Rezone from Single Family (SF 5000) to Lowrise 2 Residential Commercial (LR2-RC) residential properties located at the northeast corner of E. Cherry St. and ML King Jr Way (See Area 7, Exhibit B, Page 9)

**Existing Conditions:** This area has a mix of single family and institution uses.

This rezone requires consideration of the rezone criteria for Single-Family, criteria for Designation of Multifamily Zones, and function and locational criteria for Lowrise2 and Residential Commercial zones.

**Rezone of Single-family Zoned Areas (SMC 23.34.010.B.2), and Criteria for Designation of Multifamily Zones (SMC 23.34.013)**

Criterion	Met?	Analysis – Area 7
<p><i>An area zoned single-family that meets the criteria of Section <u>23.34.011</u> for single-family designation, may not be rezoned to multifamily except as otherwise provided in Section <u>23.34.010</u> B. (SMC 23.34.010)</i></p> <p><i>B. Areas zoned single-family or RSL that meet the criteria for single-family zoning contained in subsection B of Section 23.34.011 and that are located within the adopted boundaries of an urban village may be rezoned to zones more intense than Single-family 5000 when all of the following conditions are met:</i></p> <p><i>1. A neighborhood plan has designated the area as appropriate for the zone designation, including specification of the RSL/T, RSL/C, or RSL/TC suffix, if applicable;</i></p> <p><i>2. The rezone is:</i></p> <p><i>d. Within a designated Urban Center or Urban Village and the underlying Future Land Use Map designation is a designation other than Single-Family. (SMC 23.34.010.B.2.d).</i></p>	Yes	<p>The 23rd Ave Action Plan (Union-Cherry-Jackson) has identified more appropriate zones for a few single family zoned areas. These areas are within the 23rd Ave. @ S Jackson-Union Residential Urban Village and have been designated on the Comprehensive Plan's Future Land Use Map as Multifamily Residential areas.</p> <p>This rezone will create a consistency between the existing single-family zoning and the Comprehensive Plan Future Land Use Map designation and increase development capacity along MLK .</p>
<p><i>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. (SMC 23.34.013)</i></p>	Yes	See above

**(LR2) zone, function and locational criteria (23.34.018)**

<b>Criterion</b>	<b>Met?</b>	<b>Analysis – Area 7</b>
<p><i>The dual functions of the LR2 zone are to:</i></p> <ol style="list-style-type: none"> <li><i>1. Provide opportunities for a variety of multifamily housing types in existing multifamily neighborhoods and along arterials that have a mix of small scale residential structures; and</i></li> <li><i>2. Accommodate redevelopment in areas within urban centers, urban villages, and Station Area Overlay Districts in order to establish multifamily neighborhoods of low scale and density.</i></li> </ol>	Yes	<p>Area 7 is in the existing Multifamily residential area as designated in the Comprehensive Plan's Future Land Use map. It will provide low scale and density multifamily use within the 23rd Ave. @ S Jackson-Union Residential Urban Village.</p>
<p><i>Locational Criteria. The LR2 zone is most appropriate in areas generally characterized by the following conditions: (SMC 23.34.018.B)</i></p>		
<p><i>1. The area is either:</i></p> <ol style="list-style-type: none"> <li><i>a. located in an urban center, urban village, or Station Area Overlay District where new development could help establish a multifamily neighborhood of small scale and density; or</i></li> <li><i>b. located in or near an urban center, urban village, or Station Area Overlay District, or on an arterial street, and is characterized by one or more of the following conditions:</i></li> </ol> <ol style="list-style-type: none"> <li><i>1) small-scale structures generally no more than 35 feet in height that are compatible in scale with SF and LR1 zones;</i></li> <li><i>2) the area would provide a gradual transition between SF or LR1 zones and more intensive multifamily or neighborhood commercial zones;</i></li> </ol> <p><i>(SMC 23.34.018.B.1)</i></p>	Yes	<p>Area 7 is currently located within the 23rd Ave. @ S Jackson-Union Residential Urban Village.</p> <p>Area 7 is adjacent to a multifamily neighborhood of small scale and density.</p> <p>Area 7 is adjacent to SF5000, LR2, LR2-RC and NC1-40' and compatible in scale with the surrounding height. It can provide a gradual transition between single family and more intensive multifamily, residential commercial or neighborhood commercial zones across E. Cherry St. and ML King Jr Way.</p>

<b>Criterion</b>	<b>Met?</b>	<b>Analysis – Area 7</b>
<i>2. The area is characterized by local access and circulation conditions that accommodate low density multifamily development; (SMC 23.34.018.B.2)</i>	No	Area 7 is along ML King Jr Way and E Cherry St which are both arterial streets. It is characterized by a mix of local and external access and circulation conditions that accommodate low density single family, multifamily and small scale neighborhood commercial development.
<i>3. 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; and; (SMC 23.34.018.B.3)</i>	Yes	Area 7 has direct access to ML King Jr Way, a minor arterial street.
<i>4. The area is 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; (SMC 23.34.014.B.4)</i>	Yes	Area 7 is well supported by existing facilities. Within half mile of Area 7, there are a Garfield Community Center, Medgar Evers Pool, P-Patch, Powell Barnett Park, Nora's Woods, and Gerber Park, and a variety of retail sales services along E Cherry St and ML King Jr way. The area has good pedestrian access to these facilities
<b>Conclusion:</b> The rezone proposal meets 6 of 7 of the functional and locational criteria of the LR2 zone. DPD has determined that Area 7 is appropriate for the proposed LR2 zone.		

### **Residential-Commercial (RC) zone, function and locational criteria (23.34.070 )**

The proposed rezone must meet the general functional and locational criteria of the Residential-Commercial (RC) Zone (SMC 23.34.070)

Criterion	Met?	Analysis – Area 7
<i>A residential-commercial designation shall be combined only with a multifamily designation. (SMC 23.34.070.B.1)</i>	Yes	The rezone combines Residential Commercial with Lowrise 2
<i>Other Criteria. Residential-Commercial zone designation is most appropriate in areas generally characterized by the following:</i> <i>a. Existing Character.</i> <i>(1) Areas which are primarily residential in character (which may have either a residential or commercial zone designation), but where a pattern of mixed residential/commercial development is present; or</i> <i>(2) Areas adjacent to commercial areas, where accessory parking is present, where limited commercial activity and accessory parking would help reinforce or improve the functioning of the commercial areas, and/or where accessory parking would help relieve spillover parking in residential areas.</i> <i>(SMC 23.34.070.B.2.a)</i>	Yes	The rezone area is at the edge of the Urban Village surrounded mostly by residential uses. However it abuts existing retail cluster at E. Cherry St. and ML King Jr Way intersection. This presents a pattern of mixed residential/commercial development.
<i>Physical Factors Favoring RC Designation.</i> <i>(1) Lack of edges or buffer between residential and commercial uses;</i> <i>(2) Lack of buffer between major arterial and residential uses;</i> <i>(3) Streets with adequate access and circulation;</i> <i>(4) Insufficient parking in adjacent commercial zone results in parking spillover on residential streets.</i> <i>(SMC 23.34.070.B.2.b)</i>	Yes	The rezones front ML King Jr Way, a minor north-south arterial. The proposed LR2-RC will act as a buffer between arterials and residential uses.

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## Increase Allowed Heights from 65' to 85' through Incentive Provisions

**Rezone Proposal:** rezone existing commercial properties around 23<sup>rd</sup> Ave S and S Jackson St. (See Area 8, Exhibit C, Page 10)

Area 8a: Rezone from Neighborhood Commercial 3 (NC3P-65') to Neighborhood Commercial 3 (NC3P-85'(4.25)) through Incentive Provisions

**Area 8b:** Rezone from Neighborhood Commercial 3 (NC3-65') to Neighborhood Commercial 3 (NC3P-85'(4.25)) through Incentive Provisions and apply

This rezone is only for height. The change in allowed heights from 65' to 85' is evaluated in section "Criteria for Height Limits of Proposed Zones" on pages 31.

**Existing Conditions:** This area has a mix of retail/service, office, single family and multifamily residential, and institution uses.

## VI. Development Standards Analysis

### Revisions to the Land Use Code to Provide Transition and Limit Bulk

DPD recommends inclusion of several new development standards in subsection 23.47A.009 to improve the transition of bulk and scale to lower intensity zones. Additional development standards are also intended to improve pedestrian circulation and urban form in the core areas. All of the development standards are depicted on Exhibit D Union Development Standards, and Exhibit E Jackson Development Standards.

#### 23<sup>rd</sup> and Union (See Exhibit D Union Development Standards):

- Setback Requirements: Setbacks are required in the Neighborhood Commercial zone area shown in Exhibit D: Union Development Standards (Proposed Map C for 23.47A.009). A minimum street level setback of 5 feet along the length of the street property line; and a minimum upper level setback of 15 feet for all portions of a structure above a height of 35 feet above the average sidewalk grade. These requirements aim to provide transitions to single family zones at the edges, and bring light to the street and reduce the perceived bulk of buildings to create a more pedestrian friendly environment. The 35 feet upper level setback requirement corresponds to the height of single family residential across the street. These areas can be generally described as below:
  - a. North of East Spring Street between 23rd Avenue and 24th Avenue
  - b. West of 24th Avenue between East Union Street and East Spring Street where Single Family (SF5000) zones are on the opposite side of 24th Avenue;
  - c. South of East Pike Street between 23rd Avenue and 24th Avenue;

- d. East of 22nd Ave between East Union Street and East Spring; Street where Single Family (SF5000) zones are on the opposite side of 22nd Avenue.
- Street level residential uses: Street level residential uses are required in area shown in Exhibit D: Union Development Standards (Proposed Map C for 23.47A.009). Street frontage may contain uses accessory to a residential use including residential access, open space or required amenity space and other uses. This requirement aims to preserve the residential feel of the street and respect adjacent single family zones. 80 feet of the street property line aligns with the single family lot length across the residential streets and at the same time provides retail frontage opportunity along 23rd Ave Arterial Street. These areas can be generally described as below:
  - a. North of East Spring Street between 23rd Avenue and 24th Avenue except within 80 feet of the street property line of 23rd Avenue
  - b. West of 24th Avenue between East Union Street and East Spring Street where Single Family (SF5000) zones are on the opposite side of 24th Avenue;
  - c. South of East Pike Street between 23rd Avenue and 24th Avenue except within 80 feet of the street property line of 23rd Avenue;
  - d. East of 22nd Ave between East Union Street and East Spring Street where Single Family (SF5000) zones are on the opposite side of 22nd Avenue.

**23<sup>rd</sup> and Jackson (See Exhibit F Jackson Development Standards):**

- Setback Requirements: Along South Jackson Street property lines as shown in Exhibit E Jackson Development Standards (Proposed Map C for 23.47A.009), a minimum upper level setback of 10 feet is required for all portions of a structure above a height of 45 feet as measured from average sidewalk elevation. This requirement aims to provide more light onto the street and reduce the perceived bulk of buildings to create a more pedestrian friendly environment. This upper level setback requirement is applied to South Jackson Street to promote a stronger main street and promenade character.
- Maximum length of street facing façade: The maximum length of a facade that is parallel to South Jackson Street or 23rd Avenue South is 250 feet. Setbacks or separation can be considered as a break in the maximum length of the street facing façade if the below requirements are met. This requirement aims to achieve massing and scale more compatible with the existing neighborhood context, achieve a human scale, and ensure more light penetration to the street level.
  - a. A portion of the street-facing facade shall project or be recessed from abutting facade planes by a minimum depth of 15 feet and a minimum width of 15 feet; or
  - b. A separation with a minimum width of 15 feet between principal structures at any two points on different interior facades

- Pedestrian connection requirement. A proposal that includes new development between South Main Street and South King Street within 400 feet east of 23rd Ave S shall provide an improved north-south pedestrian connection on the block in which it is located. This requirement aims to connect existing and future commercial and residential development in the surrounding area with pedestrian connection along the public sidewalk or within the block. This is consistent with the community vision for a pedestrian friendly environment at this key community node. The specific requirements for the pedestrian connection are listed below:
  - a. The connection may be located to adjoin existing right-of-way with a minimum width of 6 feet. The connection is not required to bisect a project site, but may be located on the perimeter of the site.
  - b. The connection shall be located within the block (including adjoining right-of-way) between S. Main Street and S. King Street on which the development is proposed and should make provision for connection to the adjoining block, either north or south, on which the connection would be intended to continue.
  - c. The connection shall include at least one of the following: entries to retail stores; seating areas for pedestrians; street furniture; art; bicycle parking; landscaping; pedestrian scale lighting; water features; overhead weather protection.
  - d. The connection, may be located between structures, or may be located in a parking area if the pedestrian area is separated from the parking is provided.

## VII. Application of Incentive Provisions

In December of 2008, the City Council adopted Ordinance 122882 creating a new Chapter 23.58A in the Land Use Code that establishes a specific mechanism for provision of affordable housing through incentive zoning provisions. Under the provisions of this chapter, the City can require that additional floor area beyond current zoning be allowed contingent on the provision of certain public benefits by the developer. DPD recommends that all additional floor area capacity under the current rezone proposal be contingent on the provision of affordable housing, and require the on-site or off-site affordable housing to be built within the Central Area Neighborhood Plan Boundary.

The 23rd Ave Action Plan (Union-Cherry-Jackson) provides considerable support for making new height contingent on provision of affordable housing. Below are specific policies and strategies included in the Action Plan that are relevant:

Policy 11: Ameliorate the potential impacts of gentrification and displacement of existing residents through a variety of affordable housing programs including preserving existing multi-family affordable housing and producing new affordable housing.

Strategies:

- Develop affordable housing strategies, preserve existing and create new subsidized housing
- Increase affordable housing access to many cultures in the Central Area especially the African American community
- Encourage green built affordable housing

Policy 12: Maintain and create affordable housing to keep a range of housing prices and unit sizes including affordable family-sized units with amenities for families, and a balance of rental and owner-occupied housing.

Strategies:

- Encourage and require a mix of home prices and sizes through incentives, direct funding, and surplus property programs.
- Achieve a balance of affordable rental and homeownership housing through incentives, direct funding, and surplus property programs.
- Increase family size housing in both single family and multifamily stocks to support families
- Track housing trends

Policy 14: Encourage affordable housing in close proximity or with easy access to community assets and amenities.

- Expand affordable multi-family housing in the core areas

Policy 15: Target affordable housing investments near investments in high-frequency transit to reduce the transportation costs of low-income households.

Policy 16: Leverage publicly owned properties to produce affordable housing.

Policy 17: Provide development incentives to multi-family housing developers for provision of affordable housing units within market rate housing projects.

## **Revisions to the Land Use Code Incentive Provisions**

The Central Area has been experiencing high pressures of displacement. An amendment to the Land Use Code Chapter 23.58A Incentive Provisions is proposed to require development within the 23rd & Union-Jackson Residential Urban Village to provide off-site affordable housing within the Central Area Neighborhood Plan Boundary (See Exhibit F). This will provide more affordable housing to off-set displacement in the Central Area and promote equitable growth. This will allow people of all races, ethnicities and abilities to access more housing and stay within the Central Area.

## FAR Comparison of Existing and Proposed Zones

Existing Zones		Proposed Zones	
	FAR	Base FAR*	Max FAR
<b>Area 1a: NC2P-40; Area 1b: NC2-40</b>		<b>Area 1a: NC2P-65(3.0); Area 1b: NC2-65(3.0)</b>	
Total permitted for a single-purpose structure containing only residential or non-residential use.	3	3	4.25
Total permitted for any single use within a mixed-use structure.	n/a	3	4.25
Total permitted for all uses within a mixed-use structure containing residential and non-residential uses.	3.25	3	4.75
<b>Area 2: NC2P-30</b>		<b>NC2P-65(2.25)</b>	
Total permitted for a single-purpose structure containing only residential or non-residential use.	2.25	2.25	4.25
Total permitted for any single use within a mixed-use structure.	n/a	2.25	4.25
Total permitted for all uses within a mixed-use structure containing residential and non-residential uses.	2.5	2.25	4.75
<b>Area 3: NC2P-30</b>		<b>NC2P-40 (2.25)</b>	
Total permitted for a single-purpose structure containing only residential or non-residential use.	2.25	2.25	3
Total permitted for any single use within a mixed-use structure.	n/a	2.25	n/a
Total permitted for all uses within a mixed-use structure containing residential and non-residential uses.	2.5	2.25	3.25
<b>Area 4: NC1-30</b>		<b>NC1-40 (2.25)</b>	
Total permitted for a single-purpose structure containing only residential or non-residential use.	2.25	2.25	3
Total permitted for any single use within a mixed-use structure.	n/a	2.25	n/a
Total permitted for all uses within a mixed-use structure containing residential and non-residential uses.	2.5	2.25	3.25
<b>Area 5: SF5000</b>		<b>NC1-40 (0.75)</b>	
Total permitted for a single-purpose structure containing only residential or non-residential use.	n/a	0.75	3
Total permitted for any single use within a mixed-use structure.	n/a	0.75	n/a
Total permitted for all uses within a mixed-use structure containing residential and non-residential uses.	n/a	0.75	3.25
<b>Area 6: LR2</b>		<b>NC1-40 (0.75)</b>	
Total permitted for a single-purpose structure containing only residential or non-residential use.	1.1 for Cottage housing developments and single-family dwelling units; 1.1 or 1.3* for rowhouse/apartment ; 1.0 or 1.2 for townhouse	1.3	3
Total permitted for any single use within a mixed-use structure.		1.3	n/a
Total permitted for all uses within a mixed-use structure containing residential and non-residential uses.		1.3	3.25
<b>Area 7: SF5000</b>		<b>LR2-RC(.75)</b>	

<b>Existing Zones</b>		<b>Proposed Zones</b>	
	<b>FAR</b>	<b>Base FAR*</b>	<b>Max FAR</b>
Cottage housing developments and single-family dwelling units	n/a	0.75	1.1
Rowhouse developments	n/a	0.75	1.1 or 1.3**
Townhouse developments	n/a	0.75	1.0 or 1.2**
Apartments	n/a	0.75	1.1 or 1.3**
<b>Area 8a: NC3P-65; Area 8b: NC3-65</b>		<b>Area 8a: NC3P-85(4.25); Area 8b: NC3-85(4.25)</b>	
Total permitted for a single-purpose structure containing only residential or non-residential use.	4.25	4.25	4.5
Total permitted for any single use within a mixed-use structure.	4.25	4.25	4.5
Total permitted for all uses within a mixed-use structure containing residential and non-residential uses.	4.75	4.25	6

*Note:*

\* The base FAR is defined by the Land Use Code subsection 23.58A.028 - Application of incentive zoning in legislative rezones.

\*\*The higher FAR limit applies for rowhouse, townhouse or apartments if the project meets the standards of Land Use Code subsection 23.45.510.C.

### VIII. Recommendation

DPD recommends adoption of the proposed rezone and text amendments. This proposal will help implement the goals and policies of the 23<sup>rd</sup> Ave Action Plan (Union-Cherry-Jackson) and the City's Comprehensive Plan by directing growth to the community cores along 23<sup>rd</sup> Ave in a manner that will foster a vibrant neighborhood core with living-wage employment opportunities, a range of housing, neighborhood-focused services, and public gathering spaces - a hub that is well served by a range of comfortable and convenient travel options.

### Appendix:

- A. Summary of community meetings
- B. 23rd Ave (Union-Cherry-Jackson) Urban Design Framework

## Appendix A: Summary of community meetings

### City Hosted Community Meetings

Date	Community Meetings	# of Attendees	Types of Engagement
4-Feb-13	Property Owner Group (Monica's Village Place )	11	Meeting
12-Feb-13	Housing Group (SMT)	9	Meeting
18-Feb-13	Hispanic/Latino POEL workshop #1 (Casa Latina)	5	
19-Feb-13	Community Organization Group (Coyote Central)	15	Meeting
20-Feb-13	Business Owner Group (Monica's Village Place )	19	Meeting
7-Mar-13	Hispanic/Latino POEL workshop #2 (Casa Latina)	62	Meeting
9-Mar-13	Umojafest (Garfield Community Center)	20	Meeting
13-Apr-13	Community Mtg (Garfield Community Center)	130	Meeting / Workshop
19-Apr-13	Senior POEL workshop (Central Area Senior Center)	9	Meeting
23-Apr-13	Senior POEL workshop (Ernestine Anderson Place)	3	Meeting
29-Jun-13	Joint DPD & SDOT Open House and Workshop	95	Open house & workshop
17-Jul-13	Full-day Community Open House	37	Open House
21-Sep-13	Community Mtg (Garfield Community Center)	100	Meeting
18-Dec-13	ACT and Action Team special meeting on Urban Design (Garfield Community Center - Multipurpose Room )	25	Meeting
7-Jan-14	Action Team Meeting - Livable Streets for All (Garfield Community Center - Multipurpose Room )	16	Meeting
10-Mar-14	ACT and Action Team special meeting on Market Retail Study Presentation (Centerstone)	15	Meeting
7-May-14	Action Team Meeting - Unique Identity (Monica's Village Place)	7	Meeting
24-Apr-14	Action Team Meeting - Livable Streets for All (Douglass-Truth Library)	9	Meeting
3-Sep-14	ACT special meeting with Weingarten on Promenade 23 rezone	20	Meeting
22-Sep-14	ACT special meeting on Block Party planning		Meeting
27-Sep-14	Central Area Block Party (Cherry St)	1,000	Block Party & Open House
10-Nov-14	ACT special meeting on 23rd and Union art	20	Meeting
Mar 2013 - Dec 2014	ACT regular monthly meeting -- <b>total 19 meetings</b>		
<b>TOTAL PARTICIPANTS</b>			<b>1,627</b>
<b>TOTAL MEETINGS</b>			<b>41</b>

### Community Based Organization hosted meetings (briefed by City staff)

Date	CBOs	# of Attendees	Types of Engagement
14-Jan-13	Jackson Place Community Council	45	Meeting
16-Jan-13	Central Area Community Development Coalition	50	Meeting
14-Feb-13	Central Area Neighborhood District Council (Central Area Senior Center)	19	Meeting
20-Feb-13	Central Area Community Development Coalition	37	Meeting
2-Mar-13	SDOT 23rd Ave Open House	82	Open House
26-Mar-13	United Black Clergy	15	Meeting
26-Mar-13	Central Area Community Development Coalition	27	Meeting
27-Mar-13	Center Stone board meeting (Firehouse)	12	Meeting
11-Apr-13	Central Area Neighborhood District Council	18	Meeting
5-Aug-13	Central Area Chamber of Commerce meeting	8	Meeting
8-Apr-14	Jackson Place Community Council	17	Meeting
8-Apr-14	Garfield Advisory Council	4	Meeting
12-Apr-14	Squire Park Community Council	20	Meeting
16-Apr-14	LURC	16	Meeting
3-Sep-14	Leshi Community Council	30	Meeting
<b>TOTAL PARTICIPANTS</b>		<b>400</b>	
<b>TOTAL MEETINGS</b>		<b>15</b>	

## Other Outreach and Meetings

Date	Community Meeting	# of Attendees	Types of Engagement
Feb - Apr 2013	Business canvassing (Feb 7 & 28, Mar 30, Apr 2)	95	Business Canvassing
4-Apr-13	Residential canvassing		Residential Canvass
July, 2013	Business canvassing and survey	22	
Ongoing	other POEL outreach (over 100 people)	100	POEL
27-Mar-13	Mt Calvary Christian Center	2	Meeting
13-Aug-13	CAYA (Central Area Youth Association)	2	CBO meeting
14-Aug-13	Central Area Senior Center	2	Meeting
15-Aug-13	Seattle Neighborhood Group	2	Meeting
22-Aug-13	Centerstone	2	Meeting
22-Aug-13	Pratt Art center	2	Meeting
28-Aug-13	Coyote Central	2	Meeting
1-Apr-14	<i>Property owner meeting (Union) - Jean Tinnea, Selome Teshome, Zach Teshome</i>	3	Meeting
11-Sep-14	Cherry Hill Baptist Church	2	Meeting
9-Jul-14	<i>Property owner meeting (Jackson) - Lance with Weingarten</i>	3	Meeting
30-Jul-14	<i>Property owner meeting (Jackson) - Lance with Weingarten</i>	3	Meeting
19-Aug-14	<i>Property owner meeting (Cherry) - Ezell's family (at Garfield Community Center)</i>	3	Meeting
4-Sep-14	<i>Property owner meeting (Union) - Bangasser's rezone</i>	2	Meeting
<b>TOTAL PARTICIPANTS</b>		<b>247</b>	
<b>TOTAL MEETINGS</b>		<b>13</b>	

**Appendix B:**

**23rd Avenue Action Plan (Union-Cherry-Jackson)**

The following is the full report of the 23rd Avenue Action Plan (Union-Cherry-Jackson) developed by the Department of Planning and Development.

This report is also available on the City's website at

<http://www.seattle.gov/dpd/cityplanning/completereportslist/unionjackson/projectdocuments/index.htm>

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**Appendix C:**  
**23<sup>rd</sup> Ave Action Plan Urban Design Framework**

The following is the full report of the Urban Design Framework developed by the Department of Planning and Development for the 23<sup>rd</sup> Ave Action Plan (Union-Cherry-Jackson).

This report is also available on the City's website at

<http://www.seattle.gov/dpd/cityplanning/completereportslist/unionjackson/projectdocuments/index.htm>

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