



City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND RECOMMENDATION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3006392

Applicant Name: Tony Case, Case Design, for Rainier Beach Urban Village, LLC

Address of Proposal: 9125 Yukon Avenue S.

Clerk File Number: 310852

SUMMARY OF PROPOSED ACTION

Council Land Use Action to rezone approximately 73,000 square feet of land (bounded by unimproved South Director Street on the north and Yukon Avenue South on the east) from SF 5000 to L1.

The following approvals are required:

Rezone - To rezone a site from SF 5000 to L1- Seattle Municipal Code 23.34

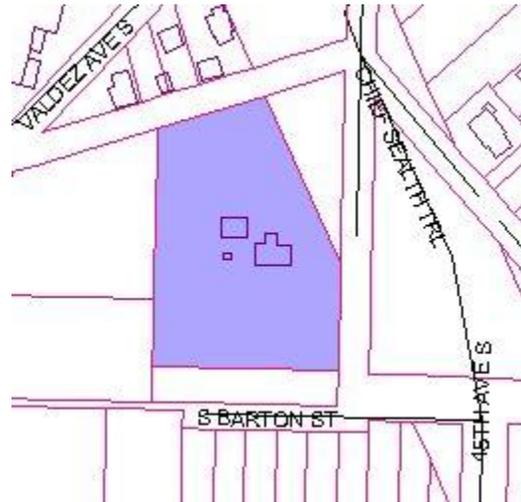
SEPA - Environmental Determination - Seattle Municipal Code Chapter 25.05.

SEPA DETERMINATION: [] Exempt [X] DNS [] MDNS [] EIS
[] DNS with conditions
[] DNS involving non-exempt grading, or demolition,
or another agency with jurisdiction.

BACKGROUND INFORMATION

Site and Vicinity Description

The project site lies to the south of unimproved S. Director Street and fronts on Yukon Avenue S. to the east. It is located within the Rainier Beach Residential Urban Village of Seattle. Two large, heavily vegetated and undeveloped lots lie to the west of the subject site. The Chief Sealth greenbelt and trail are situated east and northeast of the property. The hilltop site rises above Martin Luther King Jr. Way South which lies two blocks to the west and is separated from the site by an undeveloped area of steep terrain and vegetation. Immediately to the east of Yukon Avenue South and intersecting the site at an angle in the northeast corner is the 200-foot Seattle City Light transmission line easement area. Renton Avenue S., an arterial, is located two blocks to the east. A separate undeveloped parcel, some 44 feet in depth, separates the subject rezone site from the S. Barton Street right-of-way, which is located south of the site. That street marks the south extension of the expanded Rainier Beach Residential Urban Village.



The site was previously cultivated and in agricultural as well as residential use. Currently there are a partially burned-out single-family residential structure and a barn/garage on site. The residential structure is uninhabited and neither structure is deemed habitable. Martin Luther King Junior Way South provides access between the site and regional principal arterials and highways. The surrounding land use is either undeveloped or, primarily to the south and southeast, developed with single family housing. There is retail development along S. Henderson Street and along Martin Luther King Jr. Way S. The northwest corner of the site is located within 200 yards of the Rainier Beach (Henderson) Link Light Rail Station. Getting to the station from the site, however, via the existing roadways, Yukon Avenue S. and Valdez Avenue S. would require a trip of about a quarter of a mile.

Proposal Description

The proposal is a Council Land Use Action to rezone approximately 73,000 square feet of land, bounded by unimproved S. Director Street to the north and Yukon Avenue S. to the east from a single family (SF 5000) zone to a multifamily lowrise (L1) zone.

Public Comments

The City received no written comments during the comment period which ended on June 30, 2010.

ANALYSIS - REZONE

Rezoning is subject to the procedures outlined in (SMC 23.34.002). A rezone from SF 5000 to L1 requires several stages of analysis. This analysis of the rezone criteria includes code sections of General rezone criteria (SMC section 23.34.008), Designation of single-family zones (SMC section 23.34.010), where the code states that “single-family zoned areas may be rezoned to zones more intense than single-family 5000 only if the City council determines that the area does not meet the criteria for single-family designation.” Any analysis must also consider the function and locational criteria of single-family zones (SMC section 23.34.011) as well as an analysis of the criteria for function and location of the proposed Lowrise 1 (L1) zone (SMC section 23.34.016). All rezoning is subject to the provisions of Sub-chapter II, and the general provisions contained in SMC section 23.34.007.

The following analysis will discuss the code criteria and the merits of the proposal. Code language is in italics followed by a discussion of the criteria and site-specific information. This analysis follows the code citations in their numerical order as mentioned above.

The proposed rezone must meet the General rezone criteria of SMC section 23.34.008).

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

1. *In urban centers and urban villages the zoned capacity for the center or village taken as a whole shall be no less than one hundred twenty-five percent (125%) of the growth targets adopted in the Comprehensive Plan for that center or village.*
2. *For the area within the urban village boundary of hub urban villages and for residential urban villages taken as a whole the zoned capacity shall be within the density ranges established in Section A1 of the Land Use Element of the Comprehensive Plan.*

The site is located within the boundaries of the Rainier Beach Residential Urban Village and the zoned capacity is within the density ranges established in Section A1 of the Land Use Element of the Comprehensive Plan for residential urban villages taken as a whole.

B. *Match Between Zone Criteria and Area Characteristics. The most appropriate zone designation shall be that for which the provisions for designation of the zone type and the location criteria for the specific zone match the characteristics of the area to be rezoned better than any other zone designation.*

Analysis of the match between zone criteria and area characteristic follows in the summary at the end of the rezone analysis section. The analysis more logically follows an evaluation of the site and the proposed project’s fit with single family zoning (23.34.010 and .011) and L1 zoning (23.34.016).

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

In 1907 the site was part of the Rainier Beach annexation into the City of Seattle. In 1923 it was zoned First Residence District. In 1947 the site was zoned R1-A (First Residence District, Area District A). The subject rezone area was designated RS 5000, Single Family 5000, in 1957. The single family zoning designation was labeled SF 5000, single family 5000, in 1982. For a while after 1982 a northern portion of the site was included within the Greenbelt District (GB,

SF 5000). The City of Seattle Transmission Lines easement appears on the historical zoning maps in 1981.

Council Bill 116776 Ordinance 1123267) amending the Seattle Comprehensive Plan and Future Land Use Map “to adjust the Rainier Beach urban village boundary and designate the land shown of Attachment [which includes the subject site in its entirety] as a Multi-Family Residential Area” became effective on May 8, 2010. Rezoning from Single Family in this case would not be precedential because this particular area would be a rezone from a single-family zone (SF 5000) to a Lowrise 1 (L1) zone and fall under the specification of SMC 23.34.010B2a as a Single Family zone eligible for LDT, L1 or L2 designation.

D. Neighborhood Plans.

1. *For the purposes of this title, the effect of a neighborhood plan, adopted or amended by the City Council after January 1, 1995, shall be as expressly established by the City Council for each such neighborhood plan.*
2. *Council adopted neighborhood plans that apply to the area proposed for rezone shall be taken into consideration.*
3. *Where a neighborhood plan, adopted or amended by the City Council after January 1, 1995, establishes policies expressly adopted for the purpose of guiding future rezones, but does not provide for rezones of particular sites or areas, rezones shall be in conformance with the rezone policies of such neighborhood plan.*
4. *If it is intended that rezones of particular sites or areas identified in a Council adopted neighborhood plan are to be required, then the rezones shall be approved simultaneously with the approval of the pertinent parts of the neighborhood plan.*

The current Neighborhood Planning Element of Seattle Comprehensive Plan for the Rainier Beach Residential Urban Village neighborhood was adopted in 1999 by Ordinance 119614. Seattle Municipal Code Ordinance number 123267 and Council Bill number 116776 was signed by the Mayor of Seattle on April 8, 2010 and became effective on May 8, 2010. In that ordinance, Section 1 A amends the Seattle Comprehensive Plan as follows: “Amend the Future Land Use Map to adjust the Rainier Beach residential urban village boundary and designate the land shown on Attachment A as a Multi-Family Residential Area.”

The subject rezone area in its entirety is located within the Rainier Beach Residential Urban Village as amended and within the area in Attachment A of Ordinance Number 123267 designated as “change from Single Family Residential to Multifamily Residential.” Thus, this parcel meets the criteria specifically identified as an appropriate candidate for a rezone.

The Rainier Beach Residential Urban Village neighborhood plan is found in *Seattle’s Comprehensive Plan*. Land use policies of the *Plan* anticipate future rezones to higher densities.

“**RB-P1** Encourage the revitalization of the Henderson Street corridor as a conduit between the future light rail station at Martin Luther King, Jr. Way and the commercial center along Rainier Avenue South.

RB-P2 Seek to promote transit-oriented development around Rainier Beach’s proposed light rail station at Martin Luther King, Jr. Way and South Henderson Street.

RB-P5 Encourage the City to support rezones within the Rainier Beach Residential Urban Village for projects that:

- A. meet the overall community vision,
- B. promote redevelopment of underutilized and derelict sites, and
- C. result in pedestrian-friendly, well-designed new buildings.”

The overall community vision encompasses increased density in the vicinity of the Sound Transit light rail station located at South Henderson Street and Martin Luther King Jr. South. Portions of the subject site lie within two blocks of the light rail station.

E. Zoning Principles. The following zoning principles shall be considered:

- 1. The impact of more intensive zones on less intensive zones shall be minimized by the use of transitions or buffers, if possible. A gradual transition between zoning categories, including height limits, is preferred.*

The proposal is for a rezone from single-family 5000 to Lowrise 1 (L1). The proposal would create a zone boundary with parcels zoned single-family to the north, east, west and south of the site. The Yukon Avenue South right-of-way directly east of a portion of the site would separate the L1 zoning from the SF 5000 zoning applied to that portion of the City of Seattle Transmission Lines. The area directly to the east of the northeast corner of the site will remain zoned SF 5000 as a part of the City of Seattle Transmission Lines. The lot immediately to the south of the subject site and intervening between the site and S. Barton Street right-of-way, not included in this proposal, will remain zoned SF 5000.

The building height limit of the single family zone is 30 feet with a 5 foot pitched roof allowance. The height limit of structures in the L1 zone is 25 feet with allowances for pitched roofs to extend up to 5 and 10 feet above the 25-foot limit. Rear and side setback requirements of the L1 zone would produce separations between future structures roughly comparable to the yard requirements in single family zones. Potential density limits would be theoretically trebled by a rezone from Single Family 5000 to Lowrise 1, although actual topographical conditions at the subject site could dictate lower density development.

The rezone proposal would have the most height, bulk, and density impact along the south property line where the zoning would transition to single-family zoning without an intervening buffer. The hillside to the west, characterized by designated steep slope and potential landslide environmental critical areas, might well limit actual single family residences being constructed in that area. The 40-foot right-of-way for S. Director Street at the northern edge of the side would provide a buffer between the Lowrise 1 zoning and the Single Family 5000 zone north of the street right-of-way. The 40-foot Yukon Avenue S. right-of-way abutting the southern half of the eastern portion of the site provides a similar buffer, augmented by the 200-foot Transmission

Line easement which crosses Yukon Avenue S. and immediately abuts the eastern edge of the northern half of the site. These factors serve to minimize the impact of the L-1 zone on the surrounding SF5000 zone and provide some measure of what the Land Use Code characterizes as a “preferred” gradual transition between zones.

2. *Physical buffers may provide an effective separation between different uses and intensities of development. The following elements may be considered as buffers:*
 - a. *Natural features such as topographic breaks, lakes, rivers, streams, ravines and shorelines;*
 - b. *Freeways, expressways, other major traffic arterials, and railroad tracks;*
 - c. *Distinct change in street layout and block orientation;*
 - d. *Open spaces and greenspaces.*

As noted above, the large parcel zoned Single Family 5000 and bordering on the west side of the northern two thirds of the subject parcel, contains steep slopes and is designated as a landslide prone environmentally critical area. It is also heavily wooded and would appear to be limited for actual single family residential development. The large parcel to its south and bordering on the southern third of the subject site is under the control of the City of Seattle Parks Department and as a greenbelt buffer parcel would not be opened to development.

The Seattle City Light Transmission Lines easement, 200 feet in width, directly borders a portion of the site on the east and abuts the east side of the Yukon Avenue S. right-of-way that in turn abuts the east edge of the southern half of the proposed rezone site. This large easement area gives a sense of open green space even though the transmission wires are overhead. The Chief Sealth Trail, a paved multipurpose bike and pedestrian path, lies within the confines of the transmission line easement.

The single-family zone to the north is somewhat buffered by the 40 foot wide right of way of unimproved S. Director Street. There is no physical buffer that provides separation between the subject parcel and the less intensive single-family zone to the south.

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

The proposed L1 zoning boundary would follow platted lot line lines on the west, south and a portion of the east side and run through the centerline of platted S. Director Street on the north and Yukon Avenue South on the east. The existing parcel line on the east for the northern half of the site runs along line of the Seattle City Light Transmission Line Easement.

- b. *Boundaries between commercial and residential areas shall generally be established so that commercial uses face each other across the street on which they are located, and face away from adjacent residential areas. An exception may be made when physical buffers can provide a more effective separation between uses.*

The rezone proposal does not add commercial uses or affect the boundaries of commercial areas.

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

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

a. Housing, particularly low-income housing;

Code arithmetic relative to density allowances would indicate a development proposal could include as many as 45 units on site. No development is proposed as a part of this rezone, however, and the number of allowable units could be reduced due to topographical conditions of the site and environmental regulations applicable to the site. The proposal itself is for a rezone only and not expressly for housing or for low-income housing.

b. Public services;

It is assumed that all proposal impacts including the availability of Public services will be reviewed and be determined to be available before any development proposals are approved. These would include review of water, sewer and storm water extensions that must be designed to City and County standards. Actual development proposals would also be reviewed by the Seattle Fire Department. Seattle City Light would review any development proposals and provide, where warranted, any easements needed to provide for electrical facilities and service to proposed development. There is access to the site currently available and access would likely remain from Yukon Avenue South where street improvements would be required as part of any development proposal. Street improvement plans accompanying any proposed development would need to be coordinated with and approved by SDOT. Multifamily housing development on the subject site would modestly increase the number of persons requiring public services. There would be no anticipation of a disproportionate increase in a demand for public services due to special needs of the resident population.

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

Environmental factors are expected to be commensurate with any future development of this scale and would pose no, or non-significant, negative impacts. This conclusion is based on the environmental analysis conducted in compliance with SEPA and is associated with this rezone evaluation.

d. Pedestrian safety;

Pedestrian safety would be addressed in design solutions and any development proposal would require the developer of any future development to provide sidewalks, crosswalks, site lines and signage. Any well-designed development proposed for the side should include practical, safe and attractive connections to the Chief Sealth Trail that lies just to the east of the site.

e. Manufacturing activity;

Manufacturing activity is not anticipated nor would it be allowed by either the existing or proposed zoning.

f. Employment activity;

Employment activity is not anticipated in this proposal. Future proposals for development of multifamily housing may provide for an increase in workforce housing that could support employment centers in nearby areas.

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

There are no areas recognized for architectural or historic value which would be impacted by the proposed rezone from single-family to lowrise residential uses.

h. Shoreline view, public access and recreation;

The proposal is not located in a shoreline area.

Summary: There will be impacts to the surrounding area with this proposed rezone although any adverse impacts are expected to be minor. L1 zoning will limit any future development to Code-allowable densities. There is some greenbelt parkland and a Seattle City Light transmission line easement that will buffer the surrounding area that remains in single-family zoning. The rezone proposal will provide additional housing near the link light rail station and the commercial area in the Rainier Beach Residential Urban Village. Additional housing is thought to be a good addition at this location to help support the light rail and the nearby commercial area, and only minor environmental impacts are expected. Locating higher density in and near commercial neighborhood nodes especially those augmented by regional rapid transit facilities is a goal of the Comprehensive Plan. The proposal is expected to provide the opportunity for a positive impact on the immediate area.

2. *Service Capacities. Development which can reasonable be anticipated based on the proposed development potential shall not exceed the service capacities which can reasonably be anticipated in the area, including:*

- a. Street access to the area;*
- b. Street capacity in the area;*
- c. Transit service;*
- d. Parking capacity;*
- e. Utility and sewer capacity;*
- f. Shoreline navigation.*

Service Capacities are not anticipated to be exceeded by the additional demand this proposal will create. Improvements to nearby Martin Luther King Jr. Way S. concurrent with Sound Transit light rail alignment construction have updated and increased utility capacities while generally improving roadway capacity in the area. The opening of the light rail station at S. Henderson Street and the commencement of regular light rail service between SeaTac Airport and downtown Seattle have greatly augmented transportation opportunities. Any development proposals related to the site would be subject to traffic capacity analyses. No new public roads

would be required for access to the site. When development is proposed, it is anticipated that streets bordering the proposal, S. Director Street and Yukon Avenue S., will be widened if necessary and improved to City of Seattle standards. Sidewalks will be required to be installed in the portion of each right-of-way abutting the parcel.

Any utility and sewer/drainage services anticipated in the future would have to be designed to meet the housing density of the proposal area and would be reviewed by SPU and approved as part of the simultaneous Street Improvement Process (SIP). Sanitary sewers, 8 inches in diameter, are located in both S. Director Street and Yukon Avenue S. An extension of the S. Director Street public drainage system may be required. The Preliminary Assessment Report (PAR) conducted on this parcel indicates that development on site will require the installation and maintenance of a pre-discharge stormwater treatment facility on site. A 12-inch diameter storm drainage main is located in Yukon Avenue S. SPU has determined that a water main extension will be necessary if and when development is proposed on site since the parcel has no water main fronting it, noting that the existing water service line originating from the Valdez Avenue S. main will not be adequate for substantial development on site. Parking requirements would be commensurate with development proposed and reviewed at the time actual on-site development is proposed. There are no navigable waters near the proposal. There would be no impact to shoreline navigation.

G. *Changed Circumstances. Evidence of changed circumstances shall be taken into consideration in reviewing proposed rezones, but is not required to demonstrate the appropriateness of a proposed rezone. Consideration of changed circumstance shall be limited to elements or conditions included in the criteria for the relevant zone and/or overlay designations in this chapter.*

There are evolving circumstances in the area which when considered with the elements of the Lowrise 1 (L1) zoning criteria appear to be favorable for the rezone proposal. The extension of the Rainier Beach Residential Urban Village boundaries to incorporate this area means that this area is envisioned by the City to receive more density. The Link Light Rail station is located nearby. It is up and functioning, and denser nodes of housing and activity nearby are anticipated and are in keeping with the Growth Management Act's general policy of directing growth to Urban Villages and Residential Urban Villages.

The current Neighborhood Planning Element of Seattle Comprehensive Plan for the Rainier Beach Residential Urban Village neighborhood was adopted in 1999 by Ordinance 119614. Seattle Municipal Code Ordinance number 123267 and Council Bill number 116776 was signed by the Mayor of Seattle on April 8, 2010. In that ordinance, Section 1 A amends the Seattle Comprehensive Plan as follows: "Amend the Future Land Use Map to adjust the Rainier Beach residential urban village boundary and designate the land shown on Attachment A as a Multi-Family Residential Area."

The subject rezone area in its entirety is located within the Rainier Beach Residential Urban Village as amended and within the area in Attachment A of Ordinance Number 123267 designated as "change from Single Family Residential to Multifamily Residential."

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

The parcel is not located within an overlay district.

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

Mapped steep slope environmental critical areas and their buffers are generally located off site to the west and should not be adversely affected by the rezone or future development of the site. Some portions of the on-site slopes may exceed 40 percent but are not mapped as such. Development within or near the steep slope areas would come under the provisions of SMC 25.09.180 (“Development standards for steep slope areas”). Much of the site lies within a mapped landslide prone area and any development proposal would be subject to SMC 25.09.040 (“Permits and approval requirements”), 25.09.060 (“General development standards”), and 25.09.080 (“Landslide prone critical areas”). The site is also appears to lie within the buffer of a mapped wetland that lies within the Yukon Avenue S. right-of-way as well as within the Seattle City Light Transmission easement. Determination of the wetland buffer, as well as restrictions and possible mitigation at the time any development is proposed would be subject to the restrictions and standards set forth in SMC 25.09.160 (“Development standards for wetlands”).

Designation of single-family zones (23.34.010)

- A. Except as provided in subsection B or C of this section, single-family zoned areas may be rezoned to zones more intense than single-family 5000 only if the City Council determines that the area does not meet the criteria for single-family designation.*
- B. Area zoned single-family or RSL that meet the criteria for single-family zoning contained in subsection B of Section 23.34.011 and 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:
 - 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 when applicable;**

The Rainier Beach Residential Urban Village neighborhood plan is found in *Seattle’s Comprehensive Plan*. The land use policies noted here anticipate future rezones to higher densities.

RB-P1 Encourage the revitalization of the Henderson Street corridor as a conduit between the future light rail station at Martin Luther King, Jr. Way and the commercial center along Rainier Avenue South.

RB-P2 Seek to promote transit-oriented development around Rainier Beach’s proposed light rail station at Martin Luther King, Jr. Way and South Henderson Street.

RB-P5 Encourage the City to support rezones within the Rainier Beach Residential Urban Village for projects that: A. meet the overall community vision, B. promote redevelopment of underutilized and derelict sites, and C. result in pedestrian-friendly, well-designed new buildings.

The current Neighborhood Planning Element of Seattle Comprehensive Plan for the Rainier Beach Residential Urban Village neighborhood was adopted in 1999 by Ordinance 119614. Seattle Municipal Code Ordinance Number 123267 and Council Bill Number 116776 were signed by the Mayor of Seattle on April 8, 2010. In that ordinance, Section 1 A amends the Seattle Comprehensive Plan as follows: “Amend the Future Land Use Map to adjust the Rainier Beach residential urban village boundary and designate the land shown on Attachment A as a Multi-Family Residential Area.”

The subject rezone area in its entirety is located within the Rainier Beach Residential Urban Village as amended and within the area in Attachment A of Ordinance Number 123267 designated as “change from Single Family Residential to Multifamily Residential.”

2. *The rezone is:*
 - a. *To a Residential Small Lot (RSL), Residential Small Lot-Tandem (RSL/T), Residential Small Lot-Cottage (RSL/C), Residential Small Lot-Tandem/Cottage (RSL/TC), Lowrise Duplex/Triplex (LDT), Lowrise 1 (L1), or Lowrise 1/Residential-Commercial (L1/RC), or*

The proposed rezone is to Lowrise 1 (L1).

- b. *Within the areas identified on Map P-1 of the adopted North Beacon Hill Neighborhood Plan, and the rezone is to any Lowrise zone, or to an NCI zone or NC2 zone with a 30’ or 40’ height limit.*

This section is not applicable.

- c. *Within the residential urban village west of Martin Luther King Junior Way South in the adopted Rainier Beach Neighborhood Plan, and the rezone is to a Lowrise Duplex/Triplex (LDT), Lowrise 1 (L1) or Lowrise 2 (L2) zone.*

Section c (above) does not apply since this project location is not within the described area of the Rainier Beach residential urban village *west* of Martin Luther King Jr. Way S., although the rezone is to a Lowrise 1 zone. Nonetheless, given the expansion of the Rainier Beach Residential Urban Village boundaries to include the subject site under Ordinance 123267, it would appear that the proposal meets the overall community vision, promotes redevelopment of underutilized and derelict sites that would result in pedestrian-friendly, well-designed new buildings.

- C. *Areas zoned single-family within the Northgate Overlay District, established pursuant to Chapter 23.71, that consist of one or more lots and meet the criteria for single-family zoning contained in subsection B of Section 23.34.011 may be rezoned through a*

contract rezone to a neighborhood commercial zone if the rezone is limited to blocks (defined for the purpose of this subsection C as areas bounded by street lot lines) in which more than 80% of that block is already designated as a neighborhood commercial zone.

This section does not apply as the proposal is not within the Northgate Overlay district.

Single-family zones, function and locational criteria (23.34.011)

Single-family zones function as areas that provide predominantly detached single-family structures on lot sizes compatible with the existing pattern of development and the character of single-family neighborhoods. As stated above, a single family zoned parcel may be rezoned to another classification only if the applicant can demonstrate that the area does not meet the criteria for single family designation (SMC 23.34.010). There are two criteria that must be analyzed, and these include function, locational criteria and size criteria (SMC 23.34.011)

A. *Function. An area that provides predominately detached single-family structures on lot sizes compatible with the existing pattern of development and the character of single-family neighborhoods.*

The subject parcel is comprised of 5 underlying lots. It is a mix of lot sizes that meet and exceed the single-family 5,000 lot size. One lot exceeds 30,000 square feet, with each of the other four platted lots calculate at slightly under 11,000 square feet. This site is thus partially suited for the single-family 5,000 lot sizes. Platted and developed single-family lots in the general vicinity to the south and east of the subject site generally range from 4000 to 7000 square feet in size. The underlying parcels of the subject site would need to be subdivided to meet the pattern of single-family platting in the general area. The subject parcels do not appear to fully meet the intended function of a single-family zone.

B. *Locational Criteria. A single-family zone designation is most appropriate in areas meeting the following criteria:*

1. *Areas that consist of blocks with at least seventy percent (70%) of the existing structures in single-family residential use; or*
2. *Areas that are designated by an adopted neighborhood plan as appropriate for single-family residential use; or*
3. *Areas that consist of blocks with less than seventy percent (70%) of the existing structures in single-family residential use but in which an increasing trend toward single-family residential use can be demonstrated; for example:*
 - a. *The construction of single-family structures in the last five (5) years has been increasing proportionately to the total number of construction for new uses in the area, or*
 - b. *The area shows an increasing number of improvements and rehabilitation efforts to single-family structures, or*

- c. The number of existing single-family structures has been very stable or increasing in the last five (5) years, or*
- d. The area's location is topographically and environmentally suitable for single-family residential developments.*

The Land Use Code defines a block as consisting of two facing block fronts bounded on two sides by alleys or rear property lines and on two sides by the centerline of platted streets, with no other intersecting streets intervening (Section 23.84.004). The subject parcel is located on two block fronts, one facing onto undeveloped S. Director Street and the other onto Yukon Avenue S. There are five lots on the opposite side of S. Director Street, one vacant and four developed with single family residences. Other than the derelict single family structure on the subject site, there are no structures on the Yukon Avenue S. block face. While sparsely developed, the area technically meets the criterion of having more than 70% of existing structures are in single family residential use. The site meets the first criterion, B-1.

With the expansion of the Rainier Beach Residential Urban Village to include this area, and the designation of the area as appropriate for rezone to Lowrise 1, the site would not appear to meet the B2 locational criterion.

There has been substantial development within the past 5-10 years of single family structures on platted lots in the SF 5000 zone two blocks to the south of the subject site. That area, however, is outside the boundary of the Rainier Beach Residential Urban Village. There is no discernible trend in the immediate area of the proposed rezone. Technically, however, the subject area consists of more than 70% structures in residential use and the criteria under B-3 are not applicable.

- C. An area that meets at least one (1) of the locational criteria in subsection A above should also satisfy the following size criteria in order to be designated as a single-family zone:*
 - 1. The area proposed for rezone should comprise fifteen (15) contiguous acres or more, or should abut an existing single-family zone.*
 - 2. If the area proposed for rezone contains less than fifteen (15) contiguous acres, and does not abut an existing single-family zone, then it should demonstrate strong or stable single-family residential use trends or potentials such as:*
 - a. That the construction of single-family structures in the last five (5) years has been increasing proportionately to the total number of construction for new uses in the area, or*
 - b. That the number of existing single-family structures has been very stable or increasing in the last five (5) years, or*
 - c. That the area's location is topographically and environmentally suitable for single family structures, or*
 - d. That the area shows an increasing number of improvements or rehabilitation efforts to single-family structures.*

The subject parcel meets one of the locational criteria in Subsection A above; therefore an analysis of the size criteria is required. Regarding locational criterion C1, the area of the

proposed rezone does abut an existing single-family zone to the north, south, east and west but does not comprise 15 contiguous acres or more in extent. Regarding locational criterion C2, the subject site *does* abut a single family zone to the north, south, east and west and the considerations are not applicable.

D. Half-blocks at the edges of single-family zones which have more than fifty percent (50%) single-family structures, or portions of blocks on an arterial which have a majority of single-family structures, shall generally be included. This shall be decided on a case-by-case basis, but the policy is to favor including them.

The subject parcel is not part of a half-block that meets this description and this section is not applicable.

Lowrise 1 zone function and locational criteria. (SMC 23.34.016).

The proposed rezone must meet the criteria for designation of a Lowrise 1 zone (SMC 23.34.016).

A. Function. An area that provides low density, primarily ground related multifamily housing opportunities.

The rezone would encourage higher density ground-related housing units in an area where higher density multifamily units are encouraged by the Comprehensive Plan because of the site's location and accessibility to a major arterial with mass transit light rail service connecting to downtown and to SeaTac Airport. The intent of the L-1 zone is to allow for additional units, but remain at a scale compatible with single-family structures which would be appropriate in this instance with single-family zoning abutting the north, south, east and west property lines. The proposed rezone thus meets the intended function of the Lowrise 1 zone.

B. Locational Criteria. Lowrise 1 zone designation is most appropriate in areas generally characterized by the following:

1. Development Characteristics of the Area.

a. Areas where structures of low heights, generally less than thirty (30) feet, and small bulk establish the pattern of development;

b. Areas with:

(1) A mix of single family structures, small multifamily structures and single-family structures legally converted into multiple units where, because of the type and quality of the existing housing stock, it is desirable to encourage new development opportunities, or

(2) Numerous of large vacant parcels suitable for family housing where densities greater than single family are desired; and

- c. *Areas where internal vehicular circulation is conducive to residential units that are oriented to the ground level and the street. Preferred locations are generally separated from principal arterials, as defined by the Seattle Comprehensive Transportation Program, which conflict with the desired character of L1 areas*

The larger Rainier Beach Residential Urban Village does have an established pattern of multifamily development with heights less than 30 feet and small bulk. There is also in the area of the S. Henderson Street light rail station a substantial amount of undeveloped land zoned single family. The L1 zoning proposed would create an intermediate intensity of development appropriate in an area near the S. Henderson Street light rail station identified in the Seattle Comprehensive Plan as desirable for higher density development. The subject site at 73,000 square feet is one of several larger undeveloped parcels in the vicinity zoned single family. The site is separated by intervening blocks and properties from principal arterials but connected via residential streets, north to S. Henderson Street and circuitously to the west, via Yukon Avenue South and Valdez Avenue South, to Martin Luther King Jr. Way S. The proposed rezone meets the criterion of 1a and b.

2. *Relationship to the Surrounding Areas.*

- a. *Properties that are definable pockets within a larger, higher density multifamily area, where it is desirable to preserve a small-scale character;*
- b. *Properties generally surrounded by a larger single-family area where variation and replacement in housing type could be accommodated without significant disruption of the pattern, character or livability of the surrounding development;*
- c. *Properties where a gradual transition is appropriate between single-family areas and more intensive multifamily or neighborhood commercial zones;*
- d. *Properties in areas where narrow streets, on-street parking congestion, local traffic congestion, or irregular street patterns restrict local access and circulation;*
- e. *Properties in areas close to facilities and services used by households with children, including parks and community centers.*

Once developed, the proposal site would present an identifiable pocket of higher density within an immediate area characterized by single-family development and therefore does not meet the locational criterion of B2a. Viewed within the broader area, identified by the commercial zoning along S. Henderson Street and Martin Luther King Jr. Way South, where mixed-use and higher density multifamily development is allowed, the site when developed could be viewed as a pocket of lower density multifamily development in that broader area.

Criterion B2b would be met by development of a variation of ground-level housing that could be accommodated without significant disruption of the pattern and character of single-family housing in the area.

Criterion B2c would not be met since Lowrise 1 development would occur within a context where single family development potential provides the predominant buffer to the Commercial and Neighborhood Commercial zoning aligned with the arterials to the north and west.

Criterion B2d would be met since the site is generally surrounded by narrow streets, unopened right-of-ways and irregular street patterns.

Recreational and support activities in the vicinity are provided by the Rainier Beach Community Center, Rainier Beach Library and Rainier Beach High School, all within ¼ mile of the site. Pritchard Beach Park with access the Lake Washington is within a ten minute walk of the site. There is immediate access from the site to the Chief Sealth Trail which provides walking and biking opportunities. Thus the characteristics of Criterion B2e are met.

C. Areas zoned single family meeting the locational criteria for single-family designation may be rezoned to L1 only when the provisions of Section 23.34.010, B are met.

The subject property at least partially meets the locational criteria for single-family designation. However, it also meets the provisions of SMC 23.34.010 B, namely the rezone is to Lowrise 1 and the site is within the boundaries of the Rainier Beach Residential Urban Village as amended by Ordinance 12367 and located on land designated on the Future Land Use Map of the Seattle Comprehensive Plan (see Attachment A of the Ordinance) to “change from Single-Family Residential to Multifamily Residential.”

Summary

The proposed property is well-suited for a rezone in its relationship to the surrounding area. Streets separate the property from the single-family zone to the east and to the north. There is open space to the east, the transmission line property and, to the west, a sizeable parcel of wooded property controlled by the Parks Department. The south property line does border on a single-family zone still. Single Family to Lowrise 1 is in itself an appropriate transition. There appears to be three well defined edges to this property. Multifamily development resulting from the proposed rezone would not alter the prevailing transition between single-family and commercially zoned properties.

The subject parcel does partially meet the functional and locational criteria of a single-family zone, but the subject parcel also generally meets the functional and locational criteria of a Lowrise zone.

Based upon the General rezone criteria, the most appropriate designation for this site is L1 because it would allow for residential development to better meet the comprehensive Plan growth targets, is a good match between zone criteria and area characteristics, supports designations of the Neighborhood Plan and meets zoning principles. The impacts of this rezone to the neighborhood are expected to be minimal. New development in the Urban Village anticipates increased density.

After review, it would appear that the proposed rezone from Single-family 5000 (SF5000) zoning to Lowrise 1 (L1) zoning meets both function and locational criteria.

RECOMMENDATION - REZONE

The Director recommends that the rezone from Single family 5000 (SF5000) to Lowrise 1 (L1) be approved.

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist prepared on June 1, 2010 and supplemental information in the project file submitted by the applicant. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects forms the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *“Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”* subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

As a non-project action, the proposal will not have any short term impact on the environment in that construction is not a direct result of this action. Specific project action will require environmental review insofar as the proposal site is characterized by environmentally critical areas as defined in SMC 25.09. Additionally, proposed development consisting of more than four residential units will require environmental review regardless of environmentally critical areas (Director’s Rule 17-2008).

Long-term Impacts

The proposal would modify development standards and density allowances on the subject property. Ultimate impacts would only be realized through specific project action. SEPA regulations will be applied on a project basis, and appropriate mitigation required where SEPA analysis warrants it. Land use impacts and density-related impacts resulting from the proposed rezone, such as height, bulk, and scale, traffic, and parking are further discussed below.

Any long term impacts will be mitigated by the City's adopted codes and/or ordinances applicable to the new zoning designation. Additionally, specific project impacts subject to environmental review could be mitigated through SEPA if the Code does not sufficiently mitigate identified adverse impacts.

Operational activities, primarily vehicular trips associated with the project-level impacts and the projects’ energy consumption, would be expected to result in increases in carbon dioxide and

other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from anticipated specific project action.

Height, Bulk and Scale

The SEPA Height, Bulk and Scale Policy (SMC 25.06.675G) states that “the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section B of the land use element of the Seattle Comprehensive Plan regarding Land Use Categories, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.”

The building height limit of the single family zone is 30 feet with a 5 foot pitched roof allowance. The height limit of structures in the L1 zone is 25 feet with allowances for pitched roofs to extend up to 5 and 10 feet above the 25-foot limit. Thus the height limits for Lowrise 1 are comparable to the height limits for Single Family 5000 in that both zones allow for structures with the crest of pitched roofs reaching 35 feet above grade. Likewise the dimensional and bulk standards for L1 development are reasonably comparable to single family.

Rear and side setback requirements of the L1 zone would produce separations between future structures roughly comparable to the yard requirements in single family zones. Potential density limits would be theoretically trebled by a rezone from Single Family 5000 to Lowrise 1, although actual topographical conditions at the subject site could dictate lower density development.

The rezone proposal would have the most height, bulk, and density impact along the south property line where the zoning would change to single-family zoning without an intervening buffer. The hillside to the west, characterized by designated steep slope and potential landslide environmental critical areas, might well limit actual single family residences being constructed in that area. The 40-foot right-of-way for S. Director Street at the northern edge of the site would provide a buffer between the Lowrise 1 zoning and the Single Family 5000 zone north of the street right-of-way. The 40-foot Yukon Avenue S. right-of-way abutting the southern half of the eastern portion of the site provides a similar buffer, augmented by the 200-foot Transmission Line easement which crosses Yukon Avenue S. and immediately abuts the eastern edge of the northern half of the site. These factors serve to minimize the impact of the L-1 zone on the surrounding SF5000 zone and provide some measure of what the Land Use Code characterizes as a “preferred” gradual transition between zones (SMC 23.34.008 E1).

Traffic and Parking

The Lowrise 1 density could allow for up to 45 residential units on this site, although development standards for environmental critical areas both on and off site might further reduce the number of allowable units. Even at 45 units the traffic and parking impacts are expected to be minor. Vehicular trips generated from residential development typically are not concentrated during peak hours. Major arterials with capacity are located to the north and west of the site. Street improvements required by the Land Use Code, possibly augmented through SEPA

analysis, would facilitate traffic movement to and from the surrounding arterials. The quantity of parking spaces required and expected demand can only be ascertained through project-specific review.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 (2)(C).

- Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2) (C).

RECOMMENDED CONDITIONS - REZONE

None.

RECOMMENDED CONDITIONS - SEPA

None.

Signature: _____ (signature on file) Date: September 23, 2010
Michael Dorcy, Land Use Planner
Department of Planning and Development

MD:bg

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