



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
Diane M. Sugimura, Director

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

**Application Number:** 3006707  
**Applicant Name:** David Van Skike, GordonDerr for Boys and Girls Club of King County  
**Address of Proposal:** 4520 Martin Luther King Jr. Way South

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a two story, 40,265 sq. ft. community club (Rainier Vista Boys & Girls Club), ball field, and a 6,000 sq. ft. playground with surface parking for 80 vehicles. Project includes grading of 3,482 cu. yds. of material. Addendum to Environmental Impact Statement prepared by Seattle Housing Authority.<sup>1</sup>

**Administrative Conditional Use-** to allow a community club in a Lowrise 4 zone. - SMC 23.45.122

**Variance** - to allow a community club exceeding the maximum size limit in a NC1-40' zone - SMC 23.47A.010

**SEPA substantive authority** - SMC Chapter 25.05

**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS<sup>2</sup>  
 DNS with conditions  
 DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

<sup>1</sup>Project originally noticed as; Land use application to allow a two story, 40,265 sq. ft. community center (Rainier Vista Boys & Girls Club), ball field, and a 6,000 sq. ft. playground with surface parking for 80 vehicles. Project includes grading of 3,482 cu. yds. of material. Addendum to Environmental Impact Statement prepared by Seattle Housing Authority.

<sup>2</sup>The Seattle Housing Authority prepared and issued a Draft and Final EIS on May 2, 2001 and October 1, 2001 respectively. An EIS addendum was issued on October 10, 2006.

## **BACKGROUND DATA**

### Site Description

The subject site is located in the New Rainier Vista plat on blocks 29, 30 and 31 southeast of the intersection of Martin Luther King Jr. Way South (M L King) and South Oregon Street.

The 158, 914 square foot site is split zoned with Neighborhood Commercial 1 with a forty foot height limit (NC1-40) and Lowrise 4/Residential Commercial. The portion of the site near the corner of M L King and South Oregon Street is zoned NC1-40. The zone boundary between NC1-40 and L-4/RC runs in a north-south direction and is about 126 feet east of the M L King right-of-way. The site is within the Edmunds link light rail station area overlay district.

The site is owned by the Seattle Housing Authority and is part of the overall redevelopment of the Rainier Vista community. All SHA property east of M L King is currently being graded, used for staging or in a state of transition in preparation for future development. Additionally, Sound Transit construction in the right of way is continuing in the area adding to the commotion.

The site was previously developed with The Boys and Girls Club (BGC) facility, the Rainier Vista Community Center, housing, ball fields and offices. The 13,000 square foot club structure was owned and maintained by SHA in exchange for Boys and Girls Club (BGC) services provided to the Rainier Vista Community.

### Related Actions

A Street Vacation petition (Clerk File 307939) to vacate a portion of 31st Avenue South, South Snoqualmie Street, Alleys "U", "W", and "X" in the southeast quadrant has been conditionally approved by City Council. The vacation included numerous conditions which are provided, for reference only at the end of this document.

A Land Use Action for an alteration of subdivision (approved under Project No. 2000638) to blocks 27 through 54 (east side of Martin Luther King Jr. Way S.) of the New Rainier Vista plat was approved by the Hearing Examiner on July 11, 2007. The plat alteration includes revisions to lot lines, easements and plat conditions (regarding Boys and Girls Club location). The final plat is pending approval with Seattle Department of Transportation and City Council.

There are numerous building permits under review for SHA rental housing and for sale developments throughout the Rainier Vista redevelopment. A grading permit (#6114199) for major grading and drainage for the entire redevelopment is active in that work is on-going at the project site.

### Proposed Action

This project includes construction of a new 40,000 square foot building which will house two programs;

- A Boys and Girls Club (BGC) serving young children that offers before and after-school care and evening activities during the school year and all day summer programs.

- A “Youth Development Center” (AKA teen center) serving teens that offers similar programs as the Boys & Girls Club, but focuses on serving older children.

The facility will provide each program with a gymnasium, multipurpose room, classrooms, learning centers, computer room, game room, meeting room, music studio, café, associated offices, storage and bathrooms. The BGC will rent spaces in the facility to other organizations during school hours. Businesses, community groups and home school organizations have historically taken advantage of Club facilities.

Parking will be provided in a surface parking lot abutting the building to the east with parking for 80 vehicles. The parking lot will be accessed from S. Oregon Street.

A play ground for small children will be provided south of the building partially on club property and partially on SHA property. A large ball field, 300 feet by 165 feet will be provided south of the parking lot, kitty cornered from the building. The ball field will be designed for little league play up to 12 years of age.

The project design is an integral part of a public benefits package required for the street and alley vacation. This primarily includes pedestrian plaza and paths bordering the building, parking, play ground and ball fields.

#### Public Comment

No public comments were received during the public comment period which ended on April 18, 2007.

#### **ANALYSIS- ADMINISTRATIVE CONDITIONAL USE**

The proposed facility is considered a community club use under the Land Use Code. A community club is classified as an institution and permitted outright in the Lowrise zones if it meets development standards set forth in SMC 23.45.092 to SMC 23.45.102. A community club is also allowed outright in a NC1-40 zone. In the event that the institution does not meet the development standards, an institution may be permitted with the issuance of an Administrative Conditional Use approval pursuant to SMC 23.45.122. The applicable Lowrise development standards are set forth in SMC 23.45.092 to SMC 23.45.102. This proposal meets the development standards for institutions, but is less than 600 feet from another institution; therefore, requires issuance of an administrative conditional use permit to allow the proposed use.

The applicable criteria used for evaluating and or conditioning the application are discussed below.

##### A. Bulk and Siting

*In order to accommodate the special needs of the proposed institution, and to better site the facility with respect to its surroundings, the Director may modify the applicable development standards for modulation, landscaping, provision of open space, and*

*structure width, depth and setbacks. In determining whether to allow such modifications, the Director shall balance the needs of the institution against the compatibility of the proposed institution with the residential scale and character of the surrounding area.*

The siting of the new facility does not require the modification of any applicable development standards in the Lowrise 4 zone.

The ball field will be designed to have lighting, but is designed to provide safe egress from the play surface at dusk. The light levels will not be sufficient or programmed for game play. It is anticipated that the lights will be turned off once the players have exited the field. The security lighting at the parking areas are intended to provide minimum amount of light to facilitate the unloading/loading of cars and buses. The light poles for the ball field will be in close proximity to proposed residential uses. To make the institution more compatible with the abutting residential, the project shall be conditioned to provide full cutoff fixtures for the field lighting.

**B. Dispersion Criteria**

*An institution which does not meet the dispersion criteria of Section 23.45.102 may be permitted by the Director upon determination that it would not substantially aggravate parking shortages, traffic safety hazards, and noise in the surrounding residential area.*

Seattle Municipal Code Section 23.45.102 requires that the lot line of a new or expanding institution be located a minimum of 600 feet from a lot line of any other institution in a residential zone. An existing 13,000 square foot BGC is located at Rainier Vista near the proposed site. As such, the BGC is an important institution at Rainier Vista and has been historically. The Seattle School District operates the Columbia City Learning Center which abuts the BGC ball field to the south. The school's vehicular and pedestrian entrance is from South Alaska Street just east of Martin Luther King Jr. Way S. The class hours are from 8:00 AM to 2:50 PM on weekdays. The peak usage at the BGC is in the afternoons at a time when the public school classes are not in session; therefore, no substantial traffic and parking impacts are expected by having these institutions located less than 600 feet from each other.

The BGC, the Rainier Vista Community Center, a 2.4 acre playfield and the school have been operating in the same general location for many years. The Edmunds Link Light Rail Station is located one-block to the south and is expected to make driving to these sites less appealing and transit options more prevalent.

The proposed club is not expected to substantially aggravate parking shortages, present any traffic safety hazards or generate noise in the surrounding area.

**C. Noise**

*The Director may condition the permit in order to mitigate potential noise problems. Measures to be used by the Director for this purpose include, but are not limited to the following: Landscaping, sound barriers or fences, mounding or berming, adjustments to yards or the location of refuse storage areas, or parking development standards, design modification and fixing of hours for use of areas.*

The project is expected to comply with the City Noise Control Ordinance.

*M. Transportation Plan*

- (1) *A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions, which are larger than four thousand (4,000) square feet of structure area and/or provide twenty (20) or more parking spaces.*
- (2) *The Director shall determine the level of detail to be disclosed based on the probable impacts and/or scale of the proposal. The transportation plan may consider the following elements, as well as other similar factors:*
  - (a) *Traffic: Number of staff during normal working hours; users; guest; and other regularly associated with the institution; level of vehicular traffic generated; traffic and parking characteristics of the institution and the immediate area; likely vehicle use patterns; extent of congestion; types and numbers of vehicles associated with the use; and mitigating measures to be taken by the applicant;*
  - (b) *Parking area: Number of parking spaces; extent of screening from public or abutting lots; direction of vehicle light and glare; location of driveways and curbs cuts; accessibility and convenience of parking area; and mitigating measures to be taken by the applicant;*
  - (c) *Parking overflow: Number of vehicles expected to be parking in alternative parking lots; opportunity available to share existing parking areas; trend to local area development and mitigating measures to be taken by the applicant such as providing shuttle services to off-site parking areas;*
  - (d) *Safety: Number of driveways, which cross pedestrian walkways; and location of passenger loading areas;*
  - (e) *Availability of Mass Transportation, Bus route location and frequency of service, private transportation programs including carpools, and vanpools, to be provided by the applicant.*

The EIS addendum includes a Traffic Analysis, entitled Rainier Vista Phase 2 EIS, Traffic Analysis Impact Study 2<sup>nd</sup> Update dated October 2006 and prepared by Parsons Brinkerhoff Quade & Douglas, Inc. The October 2006 traffic analysis updates studies that were prepared previously for the initial EIS in 2001 as well as studies that analyzed roadway re-configurations that occurred at the final platting stages for the entire Rainier Vista re-development.

The EIS addendum examined proposed changes to the overall redevelopment plan for phase 2 of Rainier Vista. This included the relocation of the Boys & Girls Club from the north side of Oregon Street to the south side and expanding the facility from roughly 20,000 square feet (as analyzed in the original EIS) to 40,000 square feet. The relocation would also require a shifting of land use to fill in the area originally slated for the Boys & Girls Club. The residential units just south of Oregon Street on block 27-33 would be moved to the north, block 43, to balance out the overall land use composition. Accordingly, the overall number of proposed units would be reduced by roughly 80-90 units compared to that analyzed for in the EIS, and the amount of commercial space would be increased slightly. Roadway network changes would include the street and alley vacations south of Oregon Street to create a driveway, parking lot and ball field for the Boys & Girls Club, in comparison to the streets and alleys included in the previously approved plat.

The analysis concluded that the overall changes to the development at Rainier Vista phase 2 would increase traffic volumes. The expanded BGC would add approximately 125 trips to the total phase 2 trip generation while the proposed housing unit changes would result in a reduction of 70 trips for a net increase of 50-60 PM peak hour trips when examining the re-development of Rainier Vista phase 2.

The BGC provided another Traffic Impact Analysis (TIA) prepared by Transportation Solutions, Inc. entitled, Rainier Vista BGC and Rainier Valley Teen Center, dated July 2006. The TIA examined the proposed BGC project only and did not examine the entire Rainier Vista phase 2 development like the previous studies discussed above.

The July 2006 TIA found that the proposed project is estimated to generate 234 vehicle trips during the PM peak hour and 1,413 vehicle trips during a typical weekday. This represents a net increase of 127 trips when comparing the 20,000 square foot club with a 40,000 square foot club.

The TIA examined existing traffic conditions and volumes, estimated the trip generation and distributed the trips onto the road network to determine impacts the project would have on the traffic operations in the vicinity. The facility will generate the most traffic between 4 and 6 pm because the after school programs generate the most users of the facilities. The method used to determine PM peak hour trips is based on facility capacity. The estimate was prepared based on the number of anticipated children and staff expected based on a particular program or activity. A mode split was then assigned to the quantity of people to predict the number of vehicle trips. This method resulted in estimates of trips which exceeded estimates prepared using the Institute of Transportation Engineers rates for day care and community center. Based on ITE, the PM peak hour estimates would be 172 trips for daycare and 72 for community center. Based on facility capacity it was found that the project is estimated to generate 234 trips. The following table as excerpted from the TIA shows how intersections in the vicinity would be impacted by the project based on facility capacity;

Table 6. Year 2020 Delay and Level of Service

INTERSECTION	Without Project		With Project	
	Delay	LOS	Delay	LOS
<b>Signalized</b>				
MLK & Rainier Ave S	50.0	D	52.7	D
MLK & S Andover St	0.6	A	0.7	A
MLK & S Dakota St	2.6	A	2.7	A
MLK & S Columbian Way	9.1	A	9.9	A
MLK & S Alaska St	42.8	D	42.7	D
Rainier Ave S & S Alaska St	28.2	C	28.4	C
S Columbian Way & Beacon Ave S	31.4	C	33.3	C
<b>Unsignalized</b>				
S Oregon Street & 31 <sup>st</sup> Avenue S	9.3	A	10.7	B
S Columbian Way & S Alaska St	11.5	B	11.6	B

As indicated on the table, project generated trips would increase delays at intersections, but not change the level of service at any of the studied intersections; therefore adverse impact to the traffic network and operations is not anticipated from the BGC.

The proposed surface parking lot will provide parking for 80 vehicles and this is expected to meet typical parking demand for the project. About 8 times a year, the club will have large events which are expected to exceed the on-site parking supply. The spillover parking for these intermittent events is expected to be accommodated with street parking; however, the BGC has recognized that coordination with SHA and the School district might be necessary to ensure ample parking during these events in that both agencies have parking that could be utilized. Also, if warranted BGC will shuttle people from other off-site locations to these events. Typical parking demand is expected to be met with the on-site parking supply.

As indicted in the TIA, the facility will be busiest in the afternoons when buses as well as cars will be picking up and dropping off children. The level of service at the driveway is expected to operate without congestion based on the TIA; however, it is not clear how buses and cars will circulate in the parking lot. SDOT plans to locate curb setbacks along M L King and on South Oregon adjacent to the club building which will be able to accommodate loading and unloading. It has not been determined whether SDOT will approve loading space or short term parking at these locations; however, they would seem to be ideal for use during the peak drop off/pick up time and potentially alleviate congestion in the parking lot. The project shall be conditioned to provide a circulation plan to DPD for approval prior to occupancy. The circulation plan shall address the peak drop off/pick up times and include an estimate of quantity of vehicles, where they will access the site (curb setback or driveway), how the parking lot will function during these times, and proposed mitigations, if necessary, to alleviate congestion and traffic impacts on the adjacent streets. Mitigation could include providing staff to control traffic in the parking lot.

**ANALYSIS - ADMINISTRATIVE CONDITIONAL USE GENERAL PROVISIONS**  
**(SMC 23.45.122)**

- A. *Only those conditional uses identified in this subchapter as conditional uses may be authorized as conditional uses in multifamily zones. The Master Use Permit process shall be used to authorize these uses.*

The Land Use Code allows this use in multifamily zones outright, but requires an Administrative Conditional Use approval when institutions do not meet development standards. In this case, the proposal does meet the dispersion criterion in SMC 23.45.102.

- B. *Unless otherwise specified in this subchapter, conditional uses shall meet the development standards for uses permitted outright in Subchapter I.*

This proposal is subject to SMC 23.45.122, Institutions other than public schools not meeting development standards.

C. *The Director may approve, condition or deny a conditional use. The Director's decision shall be based on a determination of whether the proposed use meets the criteria for establishing a specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

This decision shall be based on whether the proposed use meets the criteria for establishing a specific conditional use as described in SMC 23.45.122 A through D. The City recognizes the public benefit that institutions, such as these have made by providing educational and cultural opportunities to their communities. The criteria for establishing this use shall be examined, and the project will be conditioned to prevent any detriment or injury to property in the vicinity.

D. *In authorizing a conditional use, the Director may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary for the protection of other properties in the zone or vicinity and the public interest.*

The criteria described in SMC 23.45.122 A through D is used to evaluate the proposal and condition, if necessary, to protect other properties and the public interest.

E. *The Director shall issue written findings of fact and conclusions to support the Director's decision.*

This report satisfies the above criterion.

F. *Any authorized conditional use which has been discontinued shall not be re-established or recommenced except pursuant to a new conditional use permit.*

This criterion is not applicable.

### **DECISION - ADMINISTRATIVE CONDITIONAL USE**

The conditional use is **CONDITIONALLY APPROVED.**

### **CONDITIONS- ADMINISTRATIVE CONDITIONAL USE**

See conditions at the end of document.

### **ANALYSIS - VARIANCE**

The site is located in a Neighborhood Commercial 1 zone with a 40 foot height limit and within a Lowrise 4 zone. The code limits the size of nonresidential uses in the NC1-40 zone to a maximum size of 10,000 square feet per SMC 23.47A.010, but does not limit the size of this use in the L-4 zone. The proposed community club use within the NC1-40 zone is 35,327 square feet; therefore a variance is sought from this development standard. Variances from the provisions or requirements of this Land Use Code shall be authorized only when all of the following facts and conditions are found to exist:

*1. Because of unusual conditions applicable to the subject property, including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of this Land Use Code would deprive the property of rights and privileges enjoyed by other properties in the same zone or vicinity; and*

The subject property is located in a unique location in that it is located in Rainier Vista housing redevelopment which is a 65 acre Hope VI project. HOPE VI is a funding program sponsored by the U. S. Department of Housing and Urban Development. The Seattle Housing Authority has been successful in obtaining over \$135 million through this program in order to redevelop four housing communities in Seattle; High Point, New Holly, Rainier Vista and Westwood Heights.

Through HOPE VI, the U.S. Department of Housing and Urban Development (HUD) called for the rebuilding of severely distressed public housing with some specific goals:

- Lessen isolation and reduce the concentration of very low-income families. Build mixed-income communities.
- Revitalize the sites of severely distressed public housing and, as a result, improve the surrounding neighborhood.
- Provide coordinated, comprehensive community and supportive services that help residents to achieve self-sufficiency, young people to attain educational excellence, and the community to secure a desirable quality of life.

The mission statement as found on the BGC of King County website (<http://www.positiveplace.org/about.htm>) is, *“To inspire and enable all young people, especially those who need us most, to realize their full potential as productive, responsible, and caring citizens. With 12 full-service Clubs, and 28 before- and after-school program sites, the organization is one of the largest of its kind in the nation, serving 18,000+ members annually. Program areas offered to youth include character & leadership development, education & career development, health & life skills, the arts, and sports/recreation.”*

The integral goals of Hope VI and the BGC of King County mission are complementary. The Seattle Housing Authority has sought out organizations for the redevelopment which meet the goals of HUD in providing resources to the community. Other housing communities redeveloped by SHA include facilities that meet this goal as well.

The siting of the clubs structure within the L-4 zone would eliminate the need for a variance; however it would result in a project that does not fit well within the neighborhood. The parking for the club and the building could switch places and conformance to the code would be feasible. Martin Luther King Jr. Way, a major arterial and commercial corridor could have parking and landscaping abutting the sidewalk; however, this urban design approach conflicts the goals of the land use code and comprehensive plan and is not good urban design. Instead the proposal includes a well designed facility that is more in keeping with what is envisioned in the NC1 zone- a building that provides an interesting streetscape. The mass of the building is appropriately shifted to the west away from the residential uses to the east.

The location and surroundings of this site are unique.

*2. The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located; and*

Similar uses such as, religious institutions and schools have no maximum size limits in this zone. The BGC is a unique facility that is categorized as a community club under the land use code; however, the club offers a wide array of educational services to youths. The club offers before and after school care, and community and alternative school drop in. The 2<sup>nd</sup> floor of the building is devoted to classrooms, computer room and learning center space which consists of 12,515 square feet roughly 45% of the floor area of the club. The sports and recreation component of the structure, the gymnasiums consist of about 14,000 square feet. In light of that, the variance request does not go beyond the minimum necessary.

*3. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located; and*

The proposal will not be materially detrimental to the public welfare or injurious to property or improvements in the zone or vicinity. Environmental impacts will be reviewed and mitigated if necessary through SEPA which is a required component of this application. In contrast, the use is expected to be beneficial to the public welfare.

*4. The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would cause undue hardship or practical difficulties; and*

The strict application of the code would cause practical difficulties in that the design and siting of the building, parking lot and ball field have particular program requirements and relationships that would be difficult to manipulate in a conforming way and respect the adjacent residential uses.

*5. The requested variance would be consistent with the spirit and purpose of the Land Use Code regulations in the area.*

The purpose of maximum size limits in the NC1 zone is to prevent certain uses that would be out of scale with the neighborhood, creating significant traffic and circulation impacts and to protect opportunity for commercial development. The proposed is consistent with the spirit and purpose of the code regulations in that the building is designed to be compatible with the neighborhood and will create an attractive streetscape. The club is part of SHA's strategic plan for the entire Rainier Vista community which includes a balanced mix of commercial, institutional and residential uses. The Code recognizes that small institutions such as the BGC positively contribute to communities and are essential in creating good communities.

## **DECISION - VARIANCE**

The variance is **APPROVED** to allow a community club that exceeds the maximum size allowed in the NC1-40 zone.

## **ANALYSIS – SEPA**

Environmental impacts of the proposal have been analyzed in environmental documents prepared by Seattle Housing Authority. These include a Draft Environmental Impact Statement (DEIS) dated May 2, 2001 and a Final Environmental Impact Statement (FEIS) dated October 1, 2001. An EIS addendum was issued on October 10, 2006.

Seattle Municipal Code (SMC) section 25.05.660 provides that proposals can be conditioned or denied in order to mitigate environmental impacts. All conditions must be related to impacts identified in the environmental documents, based on adopted policies, be reasonable and capable of being accomplished. This proposal is reviewed under that substantive SEPA authority.

Disclosure of the potential impacts from this project was made in the environmental documents listed above. This information, supplemental information provided by the applicant (plans, written descriptions of the project and traffic analysis) and the experience of this agency with review of similar projects form the basis for this analysis and conditioning.

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 the limitations set forth in subparagraphs D1 through D7 below. Unless otherwise specified in the Policies for Specific Elements of the Environment (SMC Section 25.05.675), denial or mitigation of a project based on adverse environmental impacts shall be permitted only under the following circumstances:...". The SEPA Overview Policy (SMC 25.05.665) D1 through D7 and Specific Elements of the Environment (SMC Section 25.05.675) provide the circumstances in which denial or mitigation of a project can take place.

The Draft EIS evaluated three alternatives: a No Action; Alternative 2 (1,010 units); and Alternative 3 (1,879 units). Following publication of the DEIS, and in response to comments received, SHA selected Alternative 2 as the Preferred Alternative. A detailed description of alternative 2 can be found on page 2-3 of the FEIS. In general, the level of proposed development under the proposal would be similar to or less than that analyzed in the EIS for the Phase 2 portion of the site under the Preferred Alternative (Alternative 2). As exhibited in table below, the level of development under the proposal for the Phase 2 portion of the site would be similar to that analyzed in the EIS.

**COMPARISON OF PROPOSAL AND PREFERRED EIS ALTERNATIVE  
(Source: Rainier Vista Redevelopment EIS Addendum page 2-3)**

<b>Rainier Vista Phase 2</b>	<b>Preferred Alt. (Alt. 2)</b>	<b>Proposal</b>
<b>Site Area (acres)</b>	30	30
<b>Total Residential Units</b>	482	401
<b>Low-Income Replacement Rental Housing Units with Preference for 0 – 30% AMI</b>	185	168
<b>Affordable Rental</b>	59	58
<b>Affordable &amp; Market Rate For-Sale</b>	238	175
<b>Boys and Girls Club (sq. ft.)</b>	19,000	40,000
<b>Park Area (acres)</b>	3.7	3.7
<b>Commercial Space (sq. ft.)</b>	24,000	30,000
<b>31<sup>st</sup> Ave. South of Oregon St.</b>	Cul-de-sac	Driveway, Parking Lot & Recreational Field

Short - Term Impacts

Construction related impacts were identified and mitigated under Project No. 2000638 which enabled the redevelopment, and grading permits subsequently issued.

Construction activity and grading is occurring on an on-going basis pursuant to a Construction Mitigation Plan (CMP) administered by SHA. The subject site will be constructed by the BGC and not SHA. The contractor for the BGC will be required to coordinate construction of this project with the overall development by SHA. There is opportunity to share resources such as, parking locations for workers, wheel washes and security personnel in that the entire phase 2 construction site will be fenced and administered, to some extent, by SHA. The project will be conditioned to provide a CMP pursuant to SEPA authority that provides information and discusses; transportation, construction worker parking and noise.

The project is expected to generate loud noise during grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends. The surrounding properties are developed with housing and will be impacted by construction noise. The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM and Saturdays from 9:00 AM to 6:00 PM. Noise impacts will be mitigated by a construction noise mitigation plan pursuant to SEPA authority.

The project is expected to generate a need for construction worker parking. Coordination with SHA and other contractors is necessary to ensure that workers park on the SHA site and not

throughout the neighborhood. The project will be conditioned to require that the CMP address construction worker parking.

The project is expected to require grading in connection with the building foundation and to receive deliveries of building materials and supplies, thus numerous truck trips are expected. The project will be conditioned to require that the CMP address traffic circulation, haul routes and staging areas so that trucks do not adversely affect the street network in the area.

### Long - Term Impacts

The proposal does not substantially change the impacts disclosed in the EIS and addendum for the Rainier Vista Redevelopment with respect to long term impacts.

A detailed discussion of traffic can be found under the Administrative Conditional Use analysis. Project generated trips would increase delays at intersections, but not change the level of service at any of the studied intersections; therefore adverse impact to the traffic network and operations is not anticipated from the BGC, thus no SEPA conditions for traffic impacts is necessary.

The proposed surface parking lot will provide parking for 80 vehicles and this is expected to meet typical parking demand for the project. About 8 times a year, the club will have large events which are expected to exceed the on-site parking supply. The spillover parking for these intermittent events is expected to be accommodated with street parking; however, the BGC and Girls Club has recognized that coordination with SHA and the School district might be necessary to ensure ample parking during these events in that both agencies have parking that could be utilized. Also, if warranted BGC will shuttle people from other off-site locations to these events. Typical parking demand is expected to be met with the on-site parking supply, and larger events are not expected to occur often; therefore, no mitigation for parking is necessary.

### CONDITIONS

#### Prior to issuance of any construction permit

The owner(s) and/or responsible party(s) shall:

1. Provide a Construction Mitigation Plan (CMP) to DPD. The plan will consist of the items listed in conditions 2 through 5. The CMP must be approved by DPD in consultation with Seattle Transportation prior to any construction activity commencing. The CMP shall be one comprehensive document that can be easily referenced and maintained throughout the construction process by contractors and subcontractors, and be available at the project site.
2. Description of the anticipated construction phasing/schedule.
3. Site Security: a description of how BGC will coordinate with SHA with respect to construction-site security, or describe how BGC will secure their own site.

4. Noise mitigation plan to mitigate impacts from noise must contain the following:
  - a. A statement acknowledging the hours of construction.
  - b. A statement indicating that efforts will be made to limit construction on Saturday, and that construction activity which generate the loudest noise should be performed during the weekday hours. Identification of the type of construction activity that may occur between the hours of 9:00 AM to 6:00 PM on Saturday need to be disclosed. No loud noise work, deliveries or otherwise will be allowed outside of the designated construction hours unless approval from the Land Use Planner is obtained prior to the activity.
  - c. A statement indicating that efforts will be made to prohibit back-up alarms on vehicles and equipment, use sound buffering or barrier devices, use construction equipment that generate lower noise decibels or use other means to mitigate noise.
  - d. The applicant shall coordinate with SHA to provide construction information that will be included in a periodic construction newsletter (at least quarterly) showing expected dates for specific operations, especially those which would interrupt or slow traffic movement, be especially noisy or disrupt any utility service.
  - e. The owner and/or responsible party(s) shall participate in the SHA quarterly public meetings in the project vicinity to explain the project schedule and listen to neighborhood concerns about ongoing construction operations.
  
5. Transportation Construction Mitigation Plan to mitigate traffic and parking impacts consisting of the following:
  - a. Identification of staging areas and haul routes. Hauling between 4:00 p.m. and 6:00 p.m. shall be minimized.
  - b. Identification of parking locations for construction workers. Construction workers shall park on-site or off-site in designated remote parking lots. Provide shuttles bus for construction workers between the job site and any remote parking sites.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

1. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays<sup>1</sup> from 7:00AM to 6:00 PM and 9:00 AM to 6:00 PM on Saturday. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen construction activities, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request

<sup>1</sup> New Year's Day, Martin Luther King Junior's Birthday, President's Day, Memorial Day, July 4, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day.

### **CONDITIONS- ADMINISTRATIVE CONDITIONAL USE**

#### **Prior to granting certificate of occupancy**

1. Submit a circulation plan which shall address the peak drop off/pick up times and include an estimate of quantity of vehicles, where they will access the site (curb setback or driveway), how the parking lot will function during these times, and proposed mitigations, if necessary, to alleviate congestion and traffic impacts on the adjacent streets.
2. Verification by the Land Use Planner that the lights mounted on the light poles for the ball field includes full cut-off fixtures.

#### **For Reference Only - Street Vacation Conditions (Clerk File 307939)**

The City Council hereby grant approval of the petition of the Seattle Housing Authority (SHA) for the vacation of the following streets and alleys:

- **31<sup>st</sup> Avenue South**, from the south margin of South Oregon Street southwesterly to its terminus;
- **South Snoqualmie Street**, between 31<sup>st</sup> Avenue South and Martin Luther King Jr. Way South;
- **Alley U**, between 31<sup>st</sup> Avenue South and Martin Luther King Jr. Way South;
- **Alley W**, from Alley U to South Snoqualmie Street, and;
- **Alley X** between South Snoqualmie Street and 31<sup>st</sup> Avenue South.

These streets and alleys lie within the New Rainier Vista Plat, located between South Oregon Street and South Alaska Street, Martin Luther King Jr. Way South and Renton Avenue S. in Southeast Seattle.

The vacation is granted contingent upon the Petitioner meeting the following conditions. The Petitioner shall demonstrate, to the satisfaction of the City, that all conditions imposed by the City Council have been satisfied, the vacation fee and any other fees have been paid, and all documentation completed, prior to the passage of the street vacation ordinance.

Conditions:

1. The vacation is granted to allow the petitioner to build a project substantially in conformity with the project presented to the City Council and for no other purpose. The project must be substantially in conformity with the proposal reviewed by the Transportation Committee in July and August of 2007. The project shall be developed following the Design Guidelines and shall include the required public benefit elements.
2. All street improvements shall be designed to City standards and be reviewed and approved by Seattle Department of Transportation (SDOT); including ingress and egress, turning movements to access the building, service, loading and drop-off areas, signage, street trees, landscaping and other elements of the street improvement plan. Specific issues to be addressed include:
  - The sidewalk, street trees, and street lighting design along Martin Luther King Jr. Way S. shall conform to the approved plans for Central Link Light Rail Contract 753 construction. The Petitioner must obtain SDOT approval prior to implementing any revisions or deviations to the approved plans.
  - SHA shall continue with the Tree Preservation and Landscaping plan, as previously approved.
3. The utility issues shall be resolved to the full satisfaction of the affected utility prior to the approval of the final vacation ordinance. Prior to the commencement of any development activity on the site, the Petitioner shall work with the affected utilities and provide for the protection of the utility facilities. This may include easements, restrictive covenants, relocation agreements, or acquisition of the utilities, which shall be at the sole expense of the petitioner. Utilities impacted include:
  - Seattle City Light; and
  - Seattle Public Utilities; including resolution with the Seattle School District or an alternative acceptable to Seattle Public Utilities.
4. It is expected that development activity will commence within 18 months of this approval and the development activity will be completed within five years. If the vacation cannot be completed within five years, the Petitioner must request an extension of time from the Transportation Committee. In order to insure timely compliance with the conditions imposed by the City Council, the petitioner shall provide Seattle Department of Transportation with Quarterly Reports, commencing following Council approval of the vacation, providing an update on the development activity and schedule and the progress on meeting the conditions.

5. In addition to the conditions imposed through the vacation process, the project, as it proceeds through the permitting process, is subject to SEPA and to conditioning pursuant to various City codes and through regulatory review processes including SEPA.
6. The Petitioner shall provide the public benefit features as determined by the City Council based on the public benefits as proposed. SDOT must determine that the final design of the public benefit features, is adequate, designed to meet the stated goals of the City Council's preliminary approval, and serves the general public as required by the Street Vacation Policies. A Property Use and Development Agreement (PUDA) or other binding mechanism may be required to insure the continuity and maintenance of the public spaces.

The public benefit includes:

- The public plaza along Martin Luther King Jr. Way South including; decorative pavers, lighting, street furniture, and possibly art or way finding signage.
- The system of pedestrian paths around the site with lighting, art elements, and way finding signage.
- Widened sidewalks along Martin Luther King Jr. Way South.
- Continuation of the Tree Preservation Program.
- Enhancing the pedestrian environment around the entire site.

Signature: \_\_\_\_\_ (signature on file) Date: August 30, 2007

Jess Harris  
Department of Planning and Development

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