

**CITY OF SEATTLE
DETERMINATION OF NON-SIGNIFICANCE BY
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Applicant Name: The Department of Planning and Development

Address of Proposal: Various sites within the North Rainier Hub Urban Village

SUMMARY OF PROPOSED ACTION

This proposal is to adopt recommended rezones for the study area located in the North Rainier Hub Urban Village and expand the Station Area Overlay District. The proposal includes changing existing SF 5000 zoning to LR3 and SM/R-55/75, changing existing LR3 zoning to SM/R 55/75, changing existing NC3-65 zoning to SM-65, changing existing NC3-65 zoning to SM-85, changing existing NC3P-65 zoning to SM-85, changing existing C1-65 zoning to SM-85, changing existing NC3-65 zoning to SM-125, and changing existing C2-65 zoning to SM-125. All of these proposed rezones are located either within or adjacent to the existing Mount Baker Station Area Overlay District.

The proposal will also adjust the Station Area Overlay District boundary to include a site outside the current Station Area Overlay District that is now designated as Multifamily on the Comprehensive Plan's Future Land Use Map.

The following approval is required:

SEPA - Environmental Conditions - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: Exempt DNS MDNS EIS

 DNS with conditions

 DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

BACKGROUND DATA

Background

The proposed rezones are located within the North Rainier Hub Urban Village. The Department of Planning and Development has worked with members of the North Rainier community to identify a preferred development direction for this area. The proposal and code amendments are based on the general guidance provided in the 2010 North Rainier Neighborhood Plan Update, the 2011 Mount Baker Town Center Urban Design Framework and dialogue with North Rainier community members.

Proposal Description

This proposal is to adopt recommended rezones for the study area located in the North Rainier Urban Village and expand the Station Area Overlay District. The rezone area is approximately 43 acres in size and the area of the Station Area Overlay District expansion is approximately 3 acres in size.

A capacity analysis undertaken by the Department of Planning and Development estimates the proposed rezone would increase residential development capacity by approximately 406 units and commercial development capacity of 787,000 sq ft. as well as 221 jobs.

Proposed rezones are as follows:

Area A: Rezone the existing Neighborhood Commercial 3 zone with a sixty-five foot height limit (NC3-65) to Seattle Mixed with an eighty-five foot height limit (SM-85).

Area B: Rezone the existing Commercial 2 (C2-65) and Neighborhood Commercial 3 (NC3-65) zones to Seattle Mixed (SM-125).

Area C: Rezone the existing Single-family (SF 5000) zone to Seattle Mixed Residential (SM/R-55/75).

Area D: Rezone the existing Neighborhood Commercial 3 (NC3P-65) zone to Seattle Mixed (SM-85).

Area E: Rezone the existing Commercial 1 (C1-65) zone to Seattle Mixed (SM-85).

Area F: Rezone the existing Lowrise (LR3) zone to Seattle Mixed (SM/R-55/75).

Area G: Rezone the existing Neighborhood Commercial 3 (NC3-65) zone to Seattle Mixed (SM-85).

Area H: Rezone the existing Neighborhood Commercial 3 (NC3-65) zone to (SM-85).

Area I: Rezone the existing Neighborhood Commercial 3 (NC3-65) zone to Seattle Mixed (SM-65).

Area J: Rezone the existing Single-family (SF 5000) zone to Lowrise 3 (LR3).

The proposal will also adjust the Station Area Overlay District boundary to include Area A, currently outside the Station Area Overlay District.¹ Area A is now designated as Multifamily on the Comprehensive Plan's Future Land Use Map. This adjustment to the SAOD boundary is consistent with the proposed zoning changes as described above.

Public Comments

Proposed changes to the Land Use Code require City Council approval. Public comment will be taken on the proposed amendments during future Council public hearings.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist dated April 22, 2013. The information in the checklist, the information and analysis in the Director's Report and Recommendation, the 2011 Mount Baker Town Center Urban Design Framework, a copy of the proposed text changes, and the experience of the lead agency with review of similar legislative actions form the basis for this analysis and decision.

As noted above, all of the proposed rezones are located either within or adjacent to the existing Mount Baker Station Area Overlay District including existing SF5000-zoned property that will be up-zoned to SM/R and LR3 to be consistent with the land uses designated in the Comprehensive Plan's Future Land Use Map. Potential impacts of the rezone proposal are analyzed below.

Short-term Impacts

As a non-project action, the proposed amendment will not have any short-term impact on the environment. Future development affected by this legislation and subject to SEPA will be required to address short-term impacts on the environment.

Long-term Impacts

Most long-term impacts of this code amendment are expected to be minor. Impacts to noise, light and glare, shadows, air quality (including greenhouse gas emissions), and use of energy, natural resources, and most public services and facilities may slightly increase, due to larger structures and greater levels of activity on various sites, but are not expected to be substantial. Projects developing pursuant to these text amendments would be subject to environmental review if they meet or exceed environmental review thresholds. In addition, projects must

¹ See map included in Item A-11 of the Environmental checklist for this proposal

comply with existing codes and regulations, including the Land Use Code, Environmentally Critical Areas regulations, and the Stormwater, Grading and Drainage Control Code.

The most likely adverse impacts of the proposed amendment would be to drainage; land use; height, bulk, and scale; and traffic and transportation. These topics are discussed further below:

Drainage

A review by Seattle Public Utilities staff indicates that the water, sewer and drainage utility systems are likely to be adequate to serve future demand levels. While some site-specific improvements may be needed, these improvements will be identified at the time of the future development. New development projects in this area could be required to perform analysis of development-related impacts on utility system infrastructure and, where necessary, to construct improvements that increase capacity and avoid service degradation. New development will also be required to provide storm water control as required under the Drainage Code. Given that most of the rezone study area is already in impervious surfaces, runoff levels would not necessarily increase. Increased development in this area would not automatically necessitate more grading for subsurface garaged parking spaces. Increased development capacity might in practice occur by the addition of additional floors to building footprints. Overall, no net changes in drainage conditions are likely and thus no probable significant adverse impacts are identified in relation to future potential development.

Land Use

The Land Use SEPA policy states, in part, that “it is the City’s policy to ensure that proposed uses in development projects are reasonably compatible with surrounding uses and are consistent with any applicable, adopted City land use regulations, the goals and policies set forth in Section B of the land use element of the Seattle Comprehensive Plan regarding Land Use Categories, and the shoreline goals and policies set forth in section C-4 of the land use element of the Seattle Comprehensive Plan for the area in which the project is located”. In general, rezoning from Single Family to Lowrise and Seattle Mixed, as well as rezoning from Neighborhood Commercial 3, Commercial 1 and Commercial 2 to Seattle Mixed and increasing heights from 65’ to 85’ or 125’ as proposed will encourage further development of the mixed use neighborhood commercial core around the Mount Baker light rail station. The uses that would be allowed under the proposed rezones are expected to be reasonably compatible with uses in adjacent zones and, with the exception of the proposed rezones from Single Family, are similar to the uses allowed under the current Neighborhood Commercial and Commercial zoning. No portion of the proposed rezones is within the City’s Shoreline District.

The proposed rezone generally supports Comprehensive Plan goals and policies for Multifamily Residential Areas. Specifically, the code changes are expected to facilitate the following:

- LUG11: “Encourage the development and retention of a diversity of multifamily housing types to meet the diverse needs of Seattle’s present and future populations.”

- LUG12: “Promote a residential development pattern consistent with the urban village strategy, with increased availability of housing at densities that promote walking and transit use near employment concentrations, residential services and amenities.”
- LUG15: “Provide for the concentration of housing in areas where public transit and local services are conveniently available and accessible on foot.”

The proposed rezone also generally supports Comprehensive Plan goals and policies for Mixed-Use Commercial Areas. Specifically, the code changes are expected to facilitate the following:

- LUG-17: “Create strong and successful commercial and mixed-use areas that encourage business creation, expansion and vitality by allowing for a mix of business activities, while maintaining compatibility with the neighborhood-serving character of business districts, and the character of surrounding areas.”
- LUG19: “Include housing as part of the mix of activities accommodated in commercial areas in order to provide additional opportunities for residents to live in neighborhoods where they can walk to services and employment.”
- LU116: “Seek to focus development in transit and pedestrian-friendly urban villages while maintaining compatibility between new development and the surrounding area through standards regulating the size and density of development.”
- LU117: “Generally permit a greater intensity of development in pedestrian and transit supportive environments found in pedestrian-oriented commercial areas within urban villages than is permitted in general commercial areas or outside of urban villages.”

The increased density that could result in the study area from the proposed code changes is consistent with the goals and policies cited above. The proposed rezone area is entirely within the North Rainier Hub Urban Village. This area is well-served by transit, including Sound Transit’s Link Light Rail service.

The parcels being rezoned will be subject to design review for all projects that meet the Code thresholds for design review. Design review considers the context and character of surrounding development in applying City design guidelines, thus providing an opportunity to address any potential incompatibilities between new development proposals and development on adjacent parcels. It is not anticipated that the proposed text amendments will result in significant land use impacts, pursuant to SMC 25.05.675 J.

The incorporation of the Mount Baker Station Area Overlay Expansion Area is consistent with changes made to the City’s Comprehensive Plan Future Land Use Map officially adopted by the City Council through the 2009 Comprehensive Plan annual amendment process in Ordinance 123267. The Future Land Use Map changes re-designated this area within the North Rainier Hub Urban Village from Single-Family to Multi-Family Residential. The proposed rezone for this area is also consistent with the land use designations in the Future Land Use Map.

Height, Bulk, and Scale

In general, the height, bulk and scale of projects developing pursuant to the proposed rezones would not be substantially different than what could be built under current zoning. Areas rezoned to LR3 will be more consistent with the existing 65' height limit to the east. The greatest proposed height limits, for Areas A, D, E, G, and H) at 85', an additional 20' over the existing 65' height limit, as well as for Area B at 125', and additional 60' over the existing 65' height limit, are proposed for the neighborhood core where higher residential and commercial density is consistent with comprehensive and neighborhood plan goals. The neighborhood core is also buffered from the surrounding single family residential areas by moderate density multifamily zoning, greenbelts and steep topography.

Bulk and scale impacts of projects proposed pursuant to this code amendment will be addressed by the City's design review process, which, as noted above, would apply throughout the areas proposed for rezone. Specific height, bulk and scale impacts of particular projects will be determined at the time of project review. The text amendments are not expected to have a significant impact on height, bulk, and scale, pursuant to SMC 25.05.675 G.

Transportation

The proposed text amendments will increase development capacity on various parcels in the affected area; projects developing pursuant to these rezones may generate higher volumes of traffic and have greater transportation impacts than projects proposed under the current zoning. The Department of Planning and Development has estimated the development capacity of the areas proposed for rezoning under existing zoning and development capacity under the proposed rezones. The proposed zoning change could increase the amount of growth that could occur in the North Rainier Hub Urban Village over the next 20 years by about 120 housing units and 110 jobs.

A traffic analysis was conducted by Fehr and Peers (*City of Seattle Station Area Analysis North Beacon Hill-Othello-Mount Baker, May, 2011*) of the 2030 "No Action" conditions, representing future traffic and land use conditions under expected growth levels (without any changes to heights or densities) and 2030 "With Action" conditions, representing future traffic and land use conditions with increased employment and population resulting from increased building heights and densities, using their proprietary Mixed Use Development (MXD) trip generation tool. The MXD tool was used in conjunction with the Seattle travel model to estimate future traffic flows and level of service (LOS) at key study intersections in each of the study areas. This analysis determined there would be no significant adverse impacts to traffic operations as a result of the increased building heights and densities. Background growth in the corridor is expected to increase traffic by as much as 40 percent. Such growth constitutes the bulk of the increase in delay when compared to existing conditions. However, even with this large increase in background traffic, the proposed increase in heights and densities will only

slightly increase delay at the study intersections along the Rainier Avenue and MLK Way corridors. Congestion is expected to increase at the Rainier Avenue/MLK Way intersection under 2030 conditions; however, overall operations are still expected to be within the City's LOS standard.

Transit service is not anticipated to be significantly impacted in the Mount Baker area since the modest increase in transit trips (53 PM peak hour trips) will be accommodated by the neighborhood's extensive transit system.

Based on these studies, the availability of alternate modes, and the available arterial capacity, it is not expected that increased heights and densities within the North Rainier neighborhood core will result in a significant impact to traffic operations and on-street parking, pursuant to SMC 25.05.675 R. The transportation impacts of individual projects developing pursuant to these proposed text changes will be evaluated through SEPA review at the time of permit applications; if appropriate, mitigation will be required at that time.

On-street Parking

The proposed rezone could also result in additional demand for on-street parking spaces due to increased residential and commercial use. In March of 2011, Heffron Transportation prepared a parking monitoring program report surrounding five light rail stations including the Mount Baker Station. Heffron surveyed the parking utilization rates within a quarter-mile and half-mile area of the light rail station during 9-11 am and 1-3 pm times on weekdays and within a quarter-mile area of the light rail station on Sundays on days with Seahawk games and days without Seahawk games. Parking utilization is defined by the number of vehicles parked as a percentage of the number of legal parking spaces. The mid-week surveys were conducted on Tuesdays, Wednesdays and Thursdays in late October and early November and the Sunday surveys were conducted in October, November, and January.

There are no minimum parking requirements in Station Area Overlay Districts, which include or are proposed to include all of the rezone area, so the number of parking spaces contained in any future development would be determined by market demand. Recent development in other areas of the City suggests that developers will still provide off-street parking. Additionally, the close proximity of this project to light rail may reduce car ownership rates in new development. Potential impacts would also tend to be minimized due to the Residential Parking Zone parking rules, which limit non-resident parking, and time restrictions, which minimize long-term on-street parking. Given existing utilization rates and area conditions, it is not anticipated that this proposal will have significant impacts on on-street parking.

Given the availability of alternate modes of transportation, market demand for off-street parking, and the presence of a residential parking zone, the proposed rezones are not anticipated to have significant impact on on-street parking.

Conclusion

The proposed code amendments to modify zoning in a portion of the North Rainier Hub Urban Village are not expected to have significant adverse impacts. With the exception of Area B, the allowed height, bulk, and scale of development on the affected parcels are not expected to substantially increase over what is allowed by current zoning. In the case of Area B, the natural topography combined with proposed bulk controls and open space requirements serve as mitigation. Furthermore, design review will be required of projects over the size threshold, further reducing potential height, bulk, and scale impacts. Increased trips will be accommodated by the existing arterial capacity and transit service. Furthermore the mixed-use nature of the area is likely to reduce levels of auto traffic from development projects in the rezoned areas. Developments over the SEPA threshold will be subject to project-level SEPA review; mitigation based on that review would further reduce impacts from projects developing pursuant to these code amendments.

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 requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public 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 2c.

- 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 2c.

RECOMMENDED CONDITIONS – SEPA

None.

Signature: (signature on file) Date: _____
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