

SDCI Director's Report

Rezone Analysis - Fort Lawton

April 16, 2019

Proposal Summary

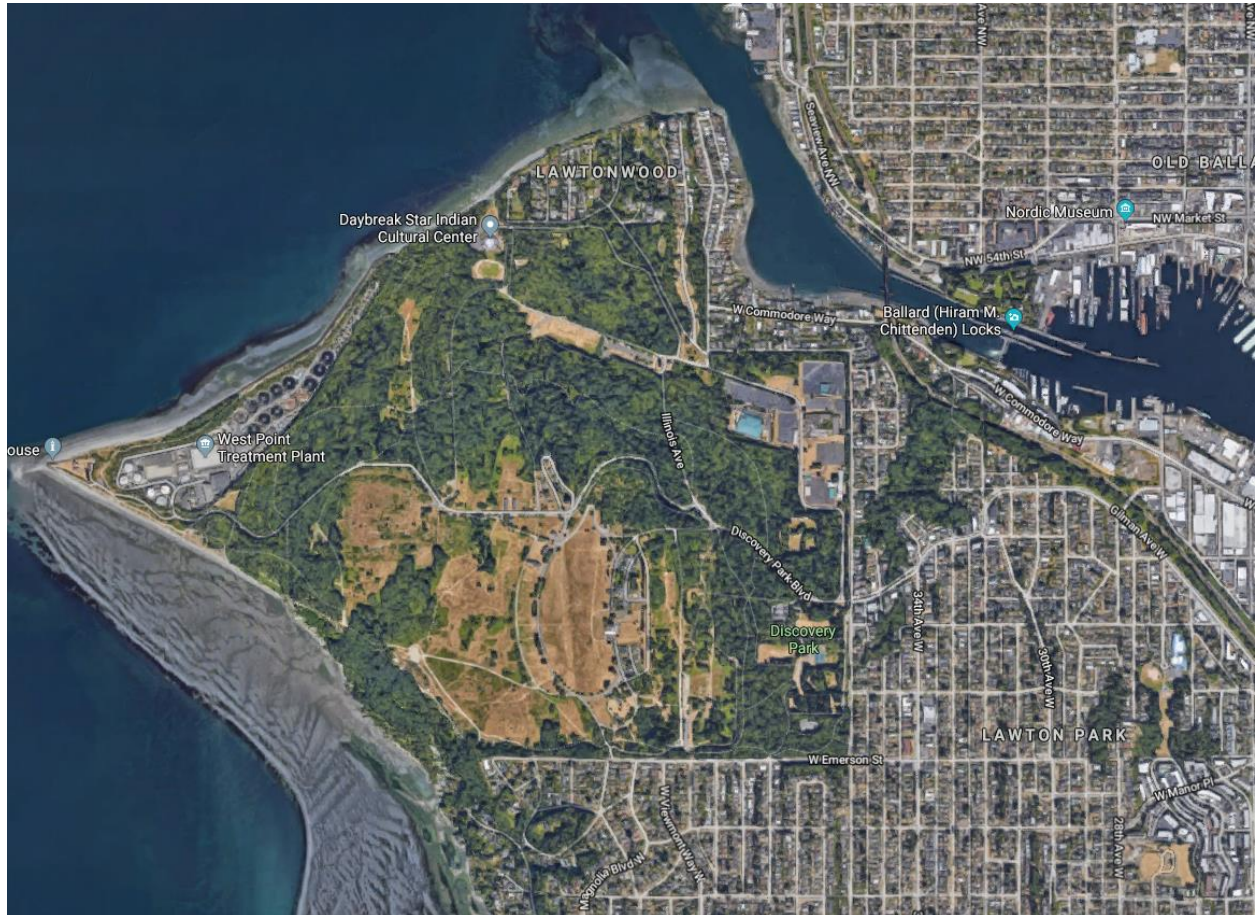
The City of Seattle proposes to rezone approximately 9-10 acres on a portion of the 34-acre Fort Lawton Army Reserve Center (Fort Lawton) from a single-family zone to a Lowrise zone to allow for the development of homeless and affordable housing. After more than 100 years in military service, in 2005 Fort Lawton was declared surplus as authorized by the United States Defense Base Closure and Realignment Act of 1990, Public Law 101-510, as amended, and the 2005 Base Closure and Realignment Commission Report, as approved. A Fort Lawton Redevelopment Plan that provides a cohesive vision for the future of the site and meets requirements of the U.S. Departments of Defense and Housing and Urban Development has been transmitted to Seattle City Council for review and adoption. This rezone proposal is consistent with that plan.

Background

In 2006, the City was officially designated as the Local Redevelopment Authority (LRA) for the 34 acres of Fort Lawton slated for disposition under the Base Realignment and Closure (BRAC) process. As the LRA, the City solicited and received proposals, including homeless assistance, for the site. The City received federal funding to prepare a redevelopment plan for the site and conduct a substantial community outreach process.

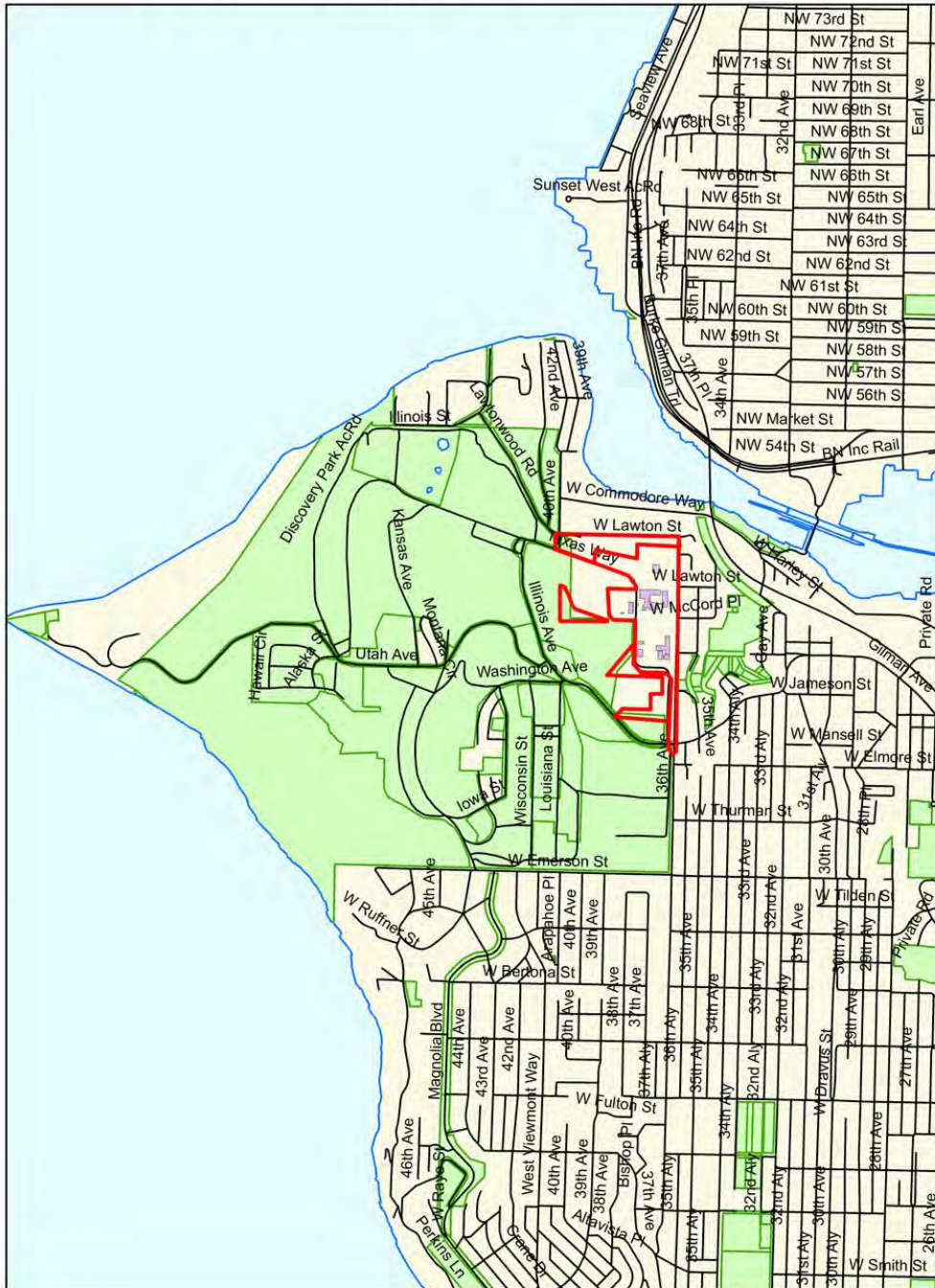
In 2008, a plan that provides for mixed-income housing and park space at Fort Lawton was approved by City Council, HUD, and the U.S. Army. In 2017, the City entered a 5-year lease of Fort Lawton. In 2018, the City completed a comprehensive environmental review including an environmental impact statement (EIS), public outreach and comment. An appeal of the adequacy of the EIS was filed and the City Hearing Examiner subsequently affirmed the adequacy of the EIS. In 2019, the City completed an update to the Redevelopment Plan that is proposed to be approved by the City Council with this rezone action.

Aerial Map of Vicinity



Source: Google

Fort Lawton Site, 1:20,000 Scale



Source: City of Seattle

The Redevelopment Plan reflects years of discussions and planning with stakeholders and holds true to the original social responsibility and environmental stewardship vision. The plan would create an affordable and livable community with housing, parks, and open space. The plan would further fair housing choices for low income people. It provides for approximately 85 supportive housing units for seniors, including veterans, who have experienced homelessness; plus up to 100 one-, two-, and three-bedroom apartments for renter households with incomes up to 60% of median income; and up to 52 three-bedroom townhomes and rowhouses for low-income homebuyers earning up to 80% of the area median income (AMI). In addition, over 60% (21-22 acres) of the 34-acre Fort Lawton site would be acquired from the U.S. Army for parks and park-related uses. This would include: approximately 13 acres for passive recreation; up to 6 acres for developing two multi-purpose fields; 4-5 acres of forest land for addition to Discovery Park; and reusing an existing structure as a park maintenance facility. A future public engagement process would occur before parks design and development.

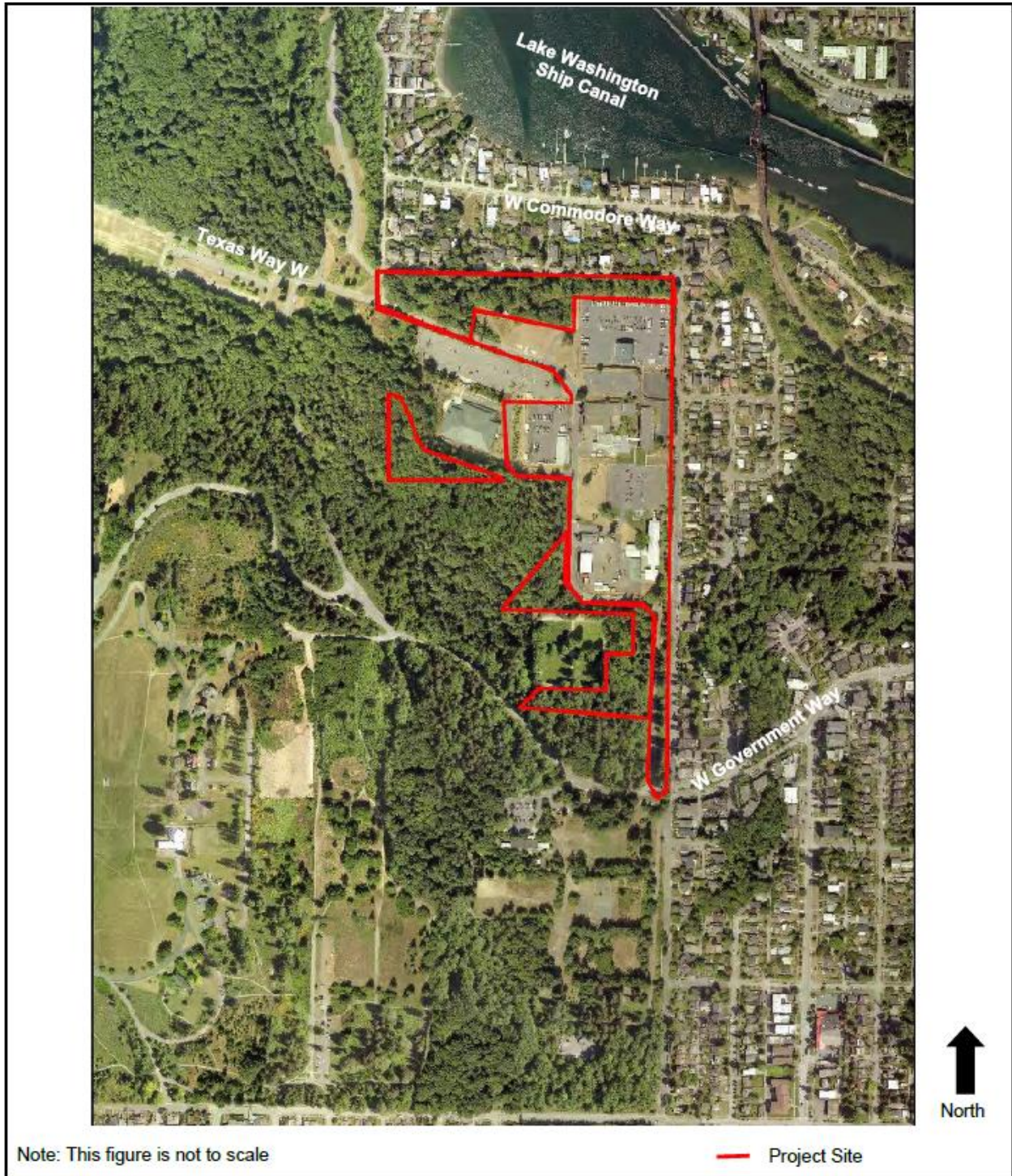
The Federal Government is retaining the portion of the Fort Lawton Army Reserve Center site that contains the existing 2-story, 82,000 square foot Veteran's Administration office building and its associated surface parking lot, and the Fort Lawton Cemetery.

The recommended rezone would occur in the central portion of the Fort Lawton site, on approximately 9-10 acres. In addition to approving a rezone of portions of the Fort Lawton site, the Fort Lawton redevelopment project requires City Council approval and authorization of:

- A final Redevelopment Plan;
- Conveyances of parcels from the Army to the City (see the map below) and execution of easements; and
- Preliminary and final platting.

The Fort Lawton site and proposed rezone are illustrated on maps on the following pages.

Fort Lawton Site



Parcels to be conveyed by the U.S. Army are highlighted in red.

Existing Conditions

The Fort Lawton Army Reserve Center was formally decommissioned by the U.S. Army in February 2012 and is vacant and in caretaker status. As shown in the following table, approximately 55% of the Fort Lawton site is currently developed in building footprints, driveways, parking lots, sidewalks, and other built areas. The remaining 45% of the site is in open space areas consisting of lawns, landscaping, and unmaintained natural areas.

Impervious Area (Existing)	Estimated Acres
Buildings/Structure Footprints	2.3
Roadways/Sidewalks ¹	5.0
Surface Parking	11.2
SUBTOTAL	18.5
Pervious Area (Existing)	Estimated Acres
Landscaped Area	5.9
Passive Open Space ²	9.6
SUBTOTAL	15.5
TOTAL	33.9

Existing development at the Fort Lawton Army Reserve Center reflects its past military uses. The 34-acre site currently contains six buildings, roadways, approximately 11.2 acres of surface parking, and sidewalks. An incinerator stack is present on-site. None of the structures are currently in use.

Most of the on-site buildings were built for administrative and training, storage, and maintenance and vehicle repair purposes. The following Fort Lawton structures included the following uses before being decommissioned in 2015:

- Building 214 (built 1999) – storage and offices;
- Harvey USARC Building 216 (built 1952, addition 2003) – offices and training facilities;
- Leisy USARC Building 220 (built 1970, addition 1976) – offices and training facilities; and
- AMSA Building 222 (built 1970) – maintenance shop.

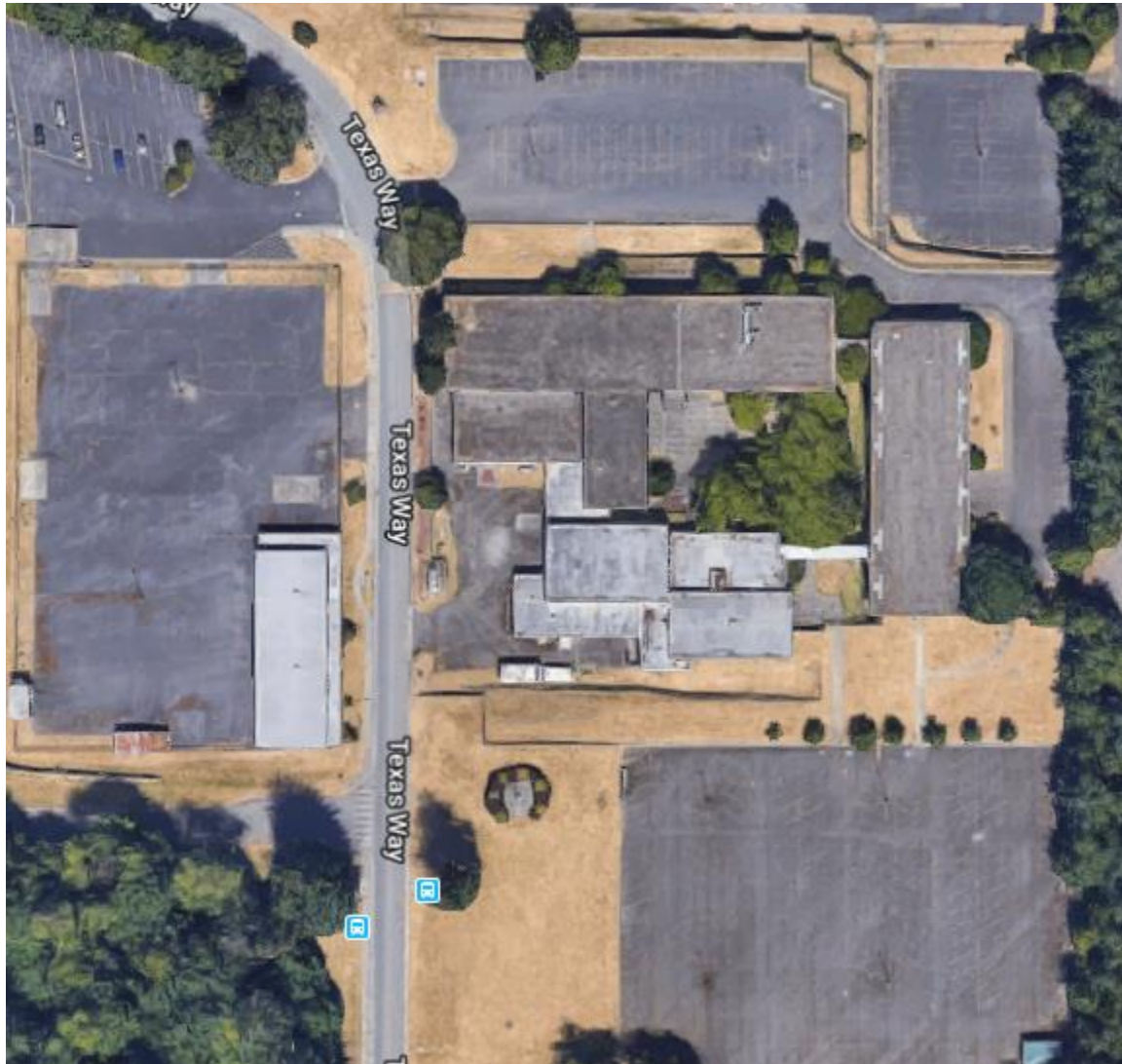
The on-site buildings range from approximately 2,000 to over 50,000 square feet. There is a total of approximately 100,000 square feet of building area on the site. Existing buildings are one- to two-stories high.

¹ Includes paved area along the Texas Way and 36th Avenue W rights-of-way.

² Passive open space area under existing conditions includes natural wooded areas.

The following Google image provides an aerial view of the buildings and parking lots in the proposed rezone area. This photo also shows certain areas that would be retained by the federal government: a small portion of the Veteran's Administration surface parking in the upper left corner, and a small portion of forested park area in the lower left corner.

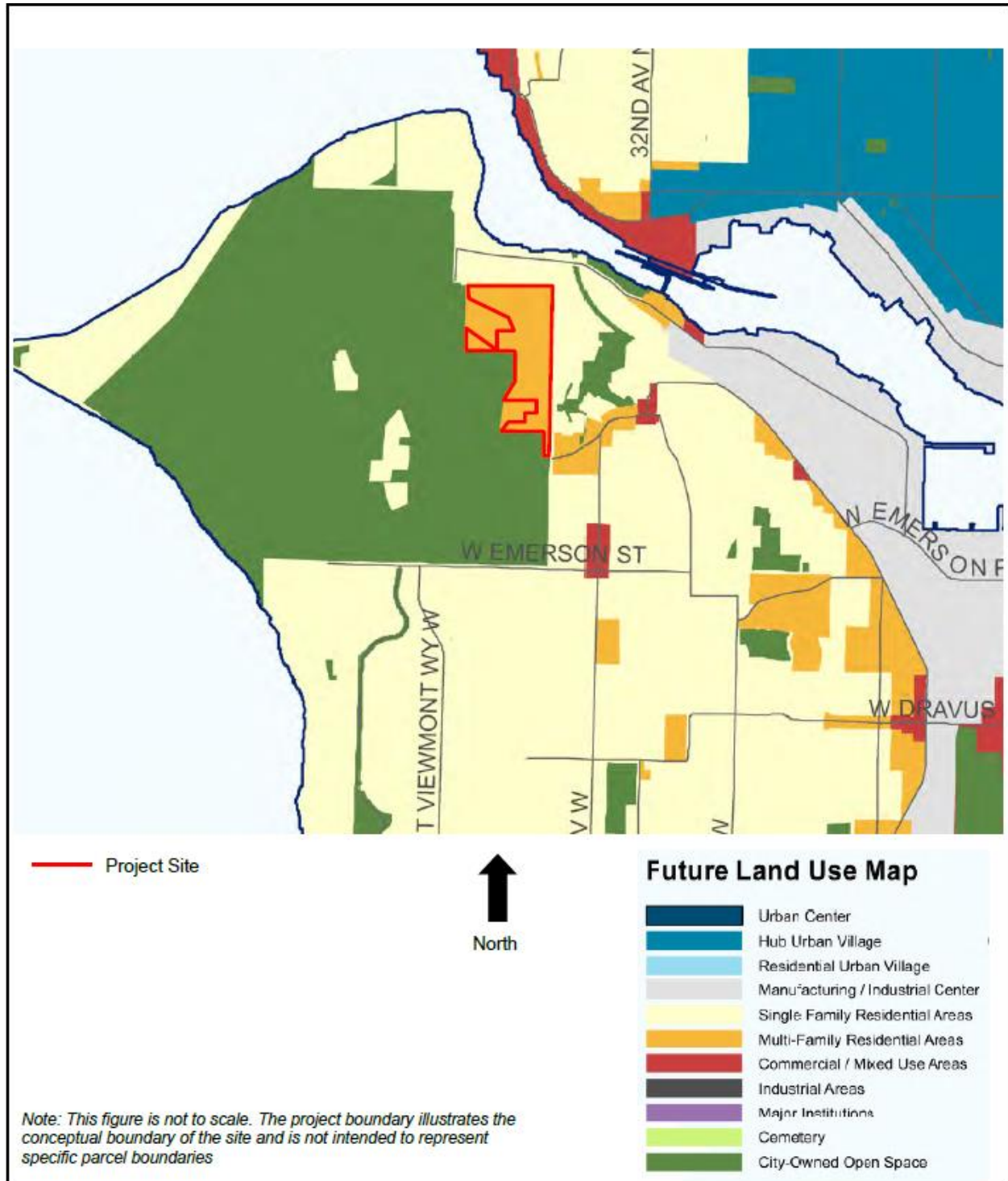
Aerial photo of the approximate proposed rezone area



Existing Zoning and Comprehensive Plan Framework

Seattle's Comprehensive Plan designates all of the Fort Lawton Army Reserve Center as a Multifamily Residential Area.

Comprehensive Plan Future Land Use Map



Although Fort Lawton's Comprehensive Plan Multifamily Residential designation dates back to 2007, the site is currently zoned Single Family 7200. This zoning is not consistent with the Comprehensive Plan designation and would preclude implementing the Fort Lawton Redevelopment Plan. The Future Land Use Map is intended to illustrate the general location and distribution of the various land use categories anticipated by the Comprehensive Plan policies over the life of that plan.

The current zoning classifications of the areas surrounding Fort Lawton are:

- **North** – SF 7200 (north of W Lawton Street) and SF 5000 (north of W Commodore Way);
- **East** – SF 5000 (east of 36th Avenue W);
- **Southeast** – SF 5000 plus Lowrise 3 (LR3), Neighborhood Commercial 1 (NC1) and Neighborhood Commercial 2 (NC2) along W Government Way;
- **South** – SF 7200 (Discovery Park) and SF 5000; and
- **West** – SF 7200 (Discovery Park).

Existing Zoning Map



— Project Site



Note: This figure is not to scale. The project boundary illustrates the conceptual boundary of the site and is not intended to represent specific parcel boundaries

The following Seattle 2035 Comprehensive Plan goals and policies inform the analysis of the proposed rezone, recognizing that in accordance with Land Use Code Section 23.34.007, a rezone is consistent with the Comprehensive Plan if it is consistent with applicable provisions of the rezone criteria in Chapter 23.34 (*Seattle 2035 Comprehensive Plan, Growth Strategy, Land Use, and Housing Elements*).

GS 1.22 *Support healthy neighborhoods throughout the city so that all residents have access to a range of housing choices, as well as access to parks, open space, and services. (under the heading "Areas Outside Centers and Villages")*

LU G1 *Achieve a development pattern consistent with the urban village strategy, concentrating most new housing and employment in urban centers and villages, while also allowing some infill development compatible with the established context in areas outside centers and villages.*

LU 1.1 *Use the Future Land Use Map to identify where different types of development may occur in support of the urban village strategy.*

LU 1.2 *Promote this plan's overall desired land use pattern through appropriate zoning that regulates the mix of uses as well as the size and density of development to focus new residential and commercial development in urban centers and urban villages, and integrate new projects outside of centers and villages into the established development context.*

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

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

LU 8.7 *Encourage multifamily developments with units that have direct access to residential amenities, such as ground-level open space, to increase their appeal for families with children.*

LU 8.8 *Allow a variety of attached housing types to accommodate a wide diversity of households in multifamily zones.*

LU 8.9 *Establish lowrise multifamily zones to accommodate various housing choices in the low- to moderate-density range suitable for a broad array of households and incomes, including walk-up apartments, town houses, row houses, duplexes, triplexes, and cottage housing.*

Relationship to land use-related goals and policies:

These growth strategy and land use goals and policies support infill housing development in neighborhoods throughout the city, including areas outside urban centers and urban villages, when development is compatible with its surrounding context (Policy GS 1.22, Goal LU G1,

Policy LU 1.2). The City therefore supports actions that enable new growth and development outside urban centers and urban villages. Recommended zoning and development standards will accomplish compatible development outcomes.

Policy LU 1.2 means that zoning patterns, and development standards for those zones, promote the overall land use pattern desired by the Comprehensive Plan. Policy LU 1.1 establishes the role of the Future Land Use Map in expressing the Comprehensive Plan's preferred land use pattern. Policy LU 8.6 establishes that multifamily residential uses are the preferred predominant use in areas designated by the Future Land Use Map as Multifamily Residential Areas. The rezone site is designated as a Multifamily Residential Area and the recommended multifamily zone is consistent with these policies.

The recommended multifamily zone, and the development standards pertaining to it, is consistent with objectives of Policies LU 8.7, 8.8, and 8.9, by enabling future multifamily development with a variety of housing types aimed at serving a variety of household types.

***H 1.3** Work to overcome historical patterns of segregation, promote fair housing choices, and foster inclusive communities that are free from discrimination through actions, such as affirmative marketing and fair housing education and enforcement.*

***H 2.2** Identify publicly owned sites suitable for housing and prioritize use of sites, where appropriate, for rent/income-restricted housing for lower-income households.*

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

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

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

***H 5.12** Require culturally sensitive communication with the neighbors of proposed rent/income-restricted housing for extremely low- and very low-income households, with the goal of furthering fair housing.*

Relationship to housing-related goals and policies:

These housing-related goals and policies encourage City actions toward improving the diversity of housing opportunity and choice for all households. They also support overcoming historical patterns of segregation and discrimination in housing opportunity that relate to age, race, ethnicity, cultural background, household size and type, and income. Housing policies 2.2 and 2.4 encourage the City of Seattle to identify publicly owned sites suitable for housing, prioritize use of sites for rent/income restricted housing, and, more broadly, to encourage vacant or

underdeveloped land to be used for housing and mixed-use development. The rezone site is a public property where the City is taking those actions, consistent with City policy. The rezone will enable progress to be made toward the policy objectives expressed in all of these housing-related goals and policies by leading to a more diverse range of housing than currently exists in Magnolia that will promote expanded opportunities for a diverse range of households to live in that neighborhood.

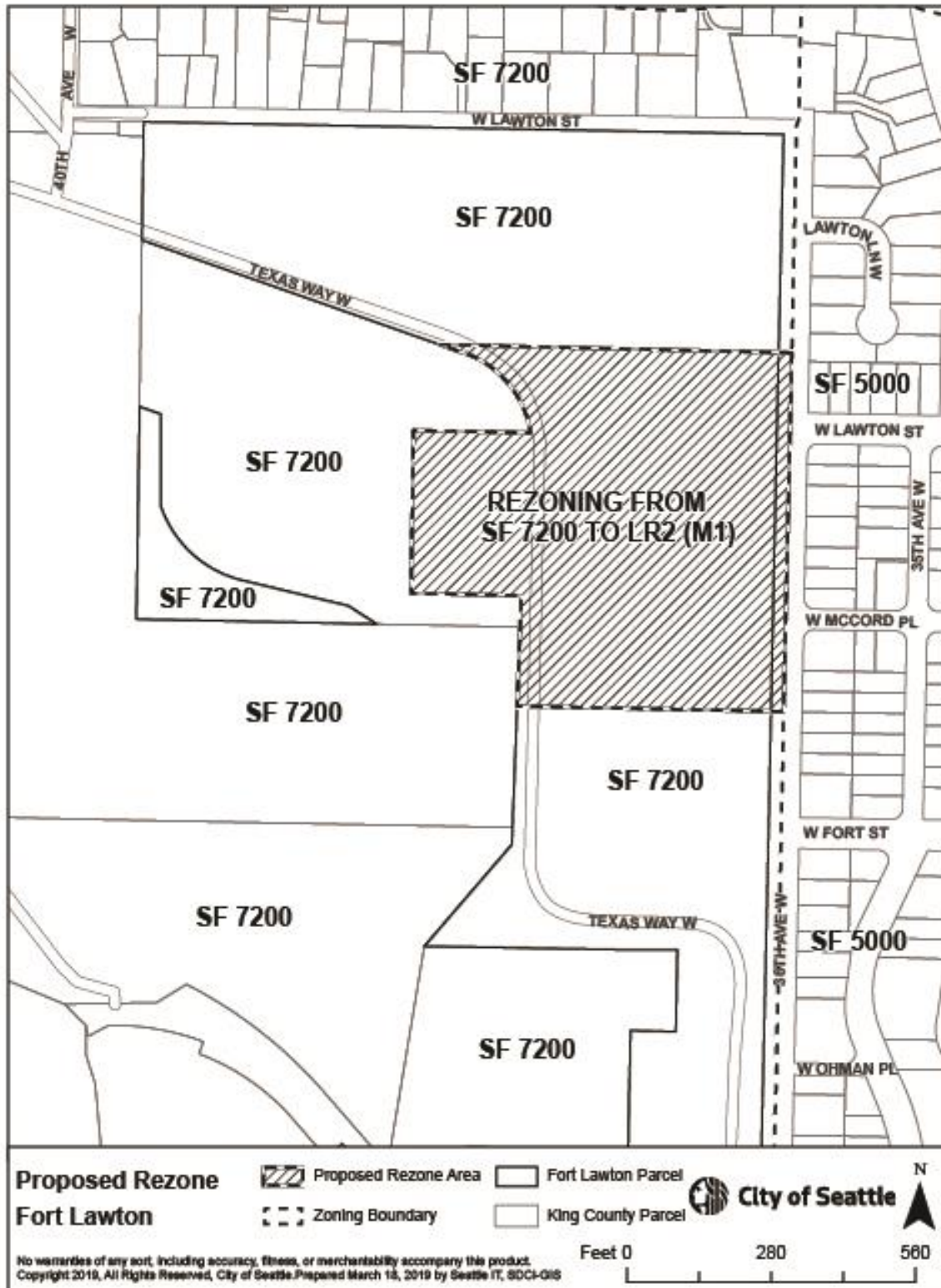
REZONE ANALYSIS

The following provides analysis of the proposal's relationship to the rezone criteria from Land Use Code Chapter 23.34, Amendments to Official Land Use Map (Rezoning). The analysis addresses Land Use Code provisions as amended by Ordinance 125791 (Council Bill 119444), the Mandatory Housing Affordability (MHA) legislation adopted by City Council on March 18, 2019.

23.34.007 - Rezone evaluation

- A. The provisions of this chapter apply to all rezones except correction of mapping errors. In evaluating proposed rezones, the provisions of this chapter shall be weighed and balanced together to determine which zone or height designation best meets those provisions. In addition, the zone function statements, which describe the intended function of each zone designation, shall be used to assess the likelihood that the area proposed to be rezoned would function as intended.**
- B. No single criterion or group of criteria shall be applied as an absolute requirement or test of the appropriateness of a zone designation, nor is there a hierarchy or priority of rezone considerations, unless a provision indicates the intent to constitute a requirement or sole criterion.**
- C. Compliance with the provisions of this Chapter 23.34 shall constitute consistency with the Comprehensive Plan for the purpose of reviewing proposed rezones, except that Comprehensive Plan Shoreline Environment Policies shall be used in shoreline environment redesignations as provided in subsection 23.60A.042.C.**
- D. Provisions of this chapter that pertain to areas inside of urban centers or villages shall be effective only when a boundary for the subject center or village has been established in the Comprehensive Plan. Provisions of this chapter that pertain to areas outside of urban villages or outside of urban centers shall apply to all areas that are not within an adopted urban village or urban center boundary.**

Proposed rezone (draft map)



Source: City of Seattle

E. The procedures and criteria for shoreline environment redesignations are located in Sections 23.60A.042, 23.60A.060 and 23.60A.220.

F. Mapping errors due to cartographic or clerical mistakes may be corrected through process required for Type V Council land use decisions in SMC Chapter 23.76 and do not require the evaluation contemplated by the provisions of this chapter.

The proposal is a rezone of an approximately 9 to 10 acres of the 34-acre Fort Lawton site from Single Family SF 7200 to a Lowrise zone. The rezone analysis weighs and balances the proposal based on the Land Use Code rezone criteria, evaluates the merits of the proposal and discusses the likelihood that the site would function as intended with the proposed zoning.

No single criterion or group of criteria may be applied as an absolute requirement or test of the zone appropriateness and, unless a provision indicates the intent to constitute a requirement or sole criterion, the analysis requires no hierarchy or priority of considerations. Rezones of sites not located in shoreline environments, such as Fort Lawton, are consistent with the Comprehensive Plan if they are consistent with the rezone criteria.

Notable characteristics of the Fort Lawton proposal in relation to SMC 23.34.007 include:

- The site is not located within any urban village or urban center boundary;
- The site is not located in a shoreline environment nor is a shoreline environment redesignation proposed; and
- The proposed rezone does not involve correcting a mapping or clerical error.

23.34.008 - General Rezone Criteria

A. [Relationship to urban centers, urban villages, and zoned capacity]*

****paraphrased***

Not applicable.

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

The 34-acre Fort Lawton Army Reserve Center's adopted Comprehensive Plan designation is Multifamily Residential Area on the Future Land Use Map. This is a key factor supporting a rezone from SF 7200 to a Lowrise zone. In recognition of broader policy objectives, the Comprehensive Plan points to the Future Land Use Map to guide appropriate zoning. Policy LU 1.1 indicates, "*Use the Future Land Use Map to identify where different types of development may occur in support of the urban village strategy.*" The multifamily zoning anticipated for a

portion of the Multifamily Residential Area-designated Fort Lawton Army Reserve Center site is supported by the Comprehensive Plan.

The area characteristics of the former Fort Lawton Army Reserve Center do not match with the zoning criteria for single-family zones, given its configuration and past history of extensive use for non-residential military purposes. Remnant vacant buildings and extensive unmaintained paved areas on the site illustrate its lack of consistency with common single-family block patterns and development patterns.

This analysis focuses on consistency of area characteristics with the applicable rezone criteria for the Lowrise 2 and Lowrise 1 zones (with an M1 designation), both of which emphasize small-scale multifamily residential uses.

The descriptions of building scale to surrounding development patterns in the Land Use Code are similar for the LR2 (M1) and the LR1 (M1) zones. For both, the criteria in Chapter 23.34 of the Land Use Code describe the areas suitable for this zone and future development in terms of "low density" development (LR1, see code subsections 23.34.014.A.1 and A.4), "small [or low] scale and density" (LR2, see code subsections 23.34.018.A.2, B.1, and B.2), and with existing conditions including "small-scale structures generally no more than 35 feet in height that are compatible in scale with SF and LR1 zones" (LR2, see code subsection 23.34.018.B.1.b). Ordinance 125791 increased the permissible height limit for rowhouses, townhouses, and apartments in LR2 zones from 30 feet to 40 feet but did not change the rezone criteria language in Chapter 23.34. for the LR1 and LR2 zones. Further, the single-family and Lowrise multifamily zones accommodate an additional 5 feet above the allowed height limit for pitched roofs.

The City's height-related zone criteria for these two multifamily zones set maximum building heights within a range of 30 to 45 feet are in a similar 'small scale' category that accomplishes compatible height and scale relationships between structures located near each other. Similarly, these two multifamily zones' height limit characteristics result in gradual transitions among zones, including single-family, when located next to each other. Within the entire range of building heights and scales allowed by the City's land use and zoning regulations, height differences in buildings of 10, 15, or 20 feet are not evaluated as large differences. Further, the City's regulations recognize that height and scale relationships among buildings are also moderated by distance separations provided by streets, yards, and vegetative buffers (see Land Use Code Section 23.34.008.E).

Under the LR2 (M1) zone, the probable future development outcomes would be small-scale multifamily residential uses compatible in intensity and use with nearby uses, including single-family residential uses to the east and north and an adjacent node of multifamily uses in Lowrise 3/Residential Commercial zones, across the street from the southeast corner of the Fort Lawton site, along W Government Way. A 40-foot height limit would apply to the rezone area's residential uses (see Code section 23.45.514), and a variety of multifamily housing types would be possible including apartments, townhouses, rowhouses, and congregate residences. This allows affordable housing opportunities for households with low incomes, including older

adults and veterans who have experienced homelessness. Elements of distance and sense of separation provided by 36th Ave. W and the vegetated buffer adjacent to it, and the lack of proximate residential uses on other sides of the rezone area, would allow the LR2 (M1) zone to compatibly locate in the proposed rezone area. Future residential development under the LR2 (M1) zone and on-site recreational use features would be publicly accessible by future residents and site users, can be served with necessary utilities, and would not generate significant adverse environmental impacts. An Environmental Impact Statement (March 2018) provides a thorough analysis of the impacts of the rezone and potential future development.

Under the LR1 (M1) zone, the probable future development outcomes would be relatively similar to those under the LR2 (M1) zone except height limits would be limited to 30 feet (see Code section 23.45.514). The range of possible future housing types could be the same under either zone, although apartments in the LR1 (M1) zone would have a smaller limit on floor area (1.3 floor-area-ratio [FAR]) than under the LR2 (M1) zone (1.4, or 1.6 FAR if the building provides certain features); see Land Use Code section 23.45.510. With the slightly lower amount of floor-area development capacity under the LR1 (M1) zone, the potential scale of future buildings developed under the LR1 (M1) zone would be slightly less than under the LR2 (M1) zone.

Based on the analysis above addressing the relative comparability of 30- to 45-foot building heights and the moderations in building scale relationships provided by distances and buffers, and other physical factors described above, the LR1 (M1) zone would be able to compatibly locate in this vicinity in a manner similar to the LR2 (M1) zone. The differences among the LR2 (M1) and LR1 (M1) zones in terms of relationship to area characteristics would be slight.

Which zone best matches the characteristics of the area better than any other?

The analysis above points out the relative similarities among the LR2 (M1) and LR1 (M1) zones with modest differences in the height and floor area potential of future buildings. The additional factors influencing a choice of zone relate to the nature of the property itself, and how it fits into its vicinity. The property's large size, its visually open quality and positioning on a topographic high point, its past use for non-residential purposes, and the adjacency of existing non-residential buildings including the VA Building, all inform its suitability for future development with a variety of building types and sizes. The property largely creates its own campus-like character and contextual setting, in contrast to many rezone situations where much smaller properties are located within a finer-grain context of urban block patterns.

The rezone would accommodate future development within the central portion of this setting, with a mix of recreational uses, retained buildings, and open expanses to remain present at the Fort Lawton property. In this context, the differences in height limits among the LR2 (M1) and LR1 (M1) zones are less important, because they would not result in substantial differences in impacts upon neighboring properties, and residential buildings of varying scales and types can be accommodated within the physical setting without concerns about impacts caused by buildings' proximity with off-site buildings.

While differences between development capabilities between the LR2 (M1) and LR1 (M1) zones are modest, the LR2 (M1) zone affords a greater potential for a more diverse range of future building outcomes than the LR1 (M1) zone. This derives from the LR2 (M1) zone's slightly more flexible development standards such as a 10-foot higher height limit and other density provisions that would afford the ability for future development to occur in a variety of forms. This variety is suitable for the specific context of the large Fort Lawton property, and would be preferable to the LR1 zone, which has a primary orientation toward rowhouse and townhouse development as infill development and conversion of formerly single-family residential properties that are set in a larger single-family context (see Land Use Code Section 23.34.014 and the evaluation of relationship to zone-specific criteria later in this analysis).

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

The Fort Lawton site, including the proposed rezone area, is currently zoned Single Family with a minimum lot area of 7,200 square feet (SF 7200). Zoning designations in the vicinity of the site include SF 7200 to the north, SF 5000 to the east, Lowrise LR3 and LR3/RC (Lowsrise/Residential Commercial) to the southeast, and SF 7200 to the south and west.³ Comparable zoning, including Single Family zones on the site, extends back to at least 1957 and likely back to the 1940s.

Zoning maps from the 1940s show blocks in the vicinity of the Fort Lawton Army Reserve Center predominantly in the "R1" designation, which was a "first residence district," where single-family homes, public schools, churches and associated parking were permitted (City Archives, Zoning Maps). All of W Government Way and several blocks along 34th Avenue W were zoned "B-C," which was a community business zone. Areas to the east of Gilman Avenue and W Commodore Way were zoned "first manufacturing district."

Development capacity increases adopted with passage of Ordinance 125791 (Council Bill 119444) in March 2019 were concurrent with implementing Mandatory Housing Affordability (MHA) requirements. For example, the Lowrise LR3 and Lowrise/Residential Commercial LR3/RC zones southeast of the site were rezoned to LR3 (M1) and LR3/RC (M1). No other known zoning changes are proposed or anticipated on or in the immediate vicinity of the Ft. Lawton site.

This rezone would be the second one in Seattle addressing a military base closure that turned over property to the City. The first was the former Sand Point Naval Air Station. The City prepared plans, and in 1997 recommended rezoning that property to Lowrise 3 in a residential activity area and to Commercial 1 in an education and community activities area. The Sand Point rezone analysis discussed relationships to existing and future uses, building scale, transition between zones on- and off-site, and historic resource protections and environmental critical areas. It concluded that with the LR3 and C1 zones, the relationships of the zones to existing on-

³ A cluster of old military housing in the center of Discovery Park is designated by the City as the "Fort Lawton Landmark District" but this does not apply to the proposed rezone site.

site structures, and zoning patterns on- and off-site would provide for compatible land use outcomes and sufficient transitions among uses.⁴ This past analysis for a similar military facility conversion is informative in that its evaluation considered the characteristics of the facility, its past uses and current features, and its relationship to adjacent land use patterns. As would be the case with Fort Lawton, the Sand Point rezoned the facility from a single family zone to a higher density zone or zones oriented toward accommodating future patterns of use and possible infill development.

Rezoning the Fort Lawton site would not create a precedential effect in the vicinity of the Fort Lawton Army Reserve Center due to several unique factors:

- The large size of the rezoned site;
- A decade-plus *Fort Lawton Redevelopment Plan* planning process that is specific to the site and subject to the federal Base Realignment and Closure (BRAC) process. BRAC prioritizes conveying Fort Lawton for homeless assistance, including supportive housing for persons who have been homeless; and
- The site's Comprehensive Plan "Multifamily Residential Area" designation on the Future Land Use Map. The inconsistency between the Future Land Use Map designation and existing zoning would be made consistent by adopting the proposed rezoned.

D. Neighborhood Plans. Not applicable. The Fort Lawton site is not within an area that is subject to a neighborhood plan adopted by the City Council and incorporated as part of the Comprehensive Plan.

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

- 1. The impact of more intensive zones on less intensive zones, or industrial and commercial zones on other zones, shall be minimized by the use of transitions or buffers, if possible. A gradual transition between zoning categories, including height limits, is preferred.**
- 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 space and greenspaces.**
- 3. Zone boundaries**
 - a. In establishing boundaries, the following elements shall be considered:**

⁴ "City of Seattle Analysis and Recommendation of the Proposed Rezone of the Sand Point Naval Base," May 6, 1996, pp. 7-9.

- 1) Physical buffers as described in subsection 23.34.008.E2; and**
 - 2) Platted lot lines.**
- b. Boundaries between commercial and residential areas shall generally be established so that commercial uses face each other across the street on which they are located, and face away from adjacent residential areas. An exception may be made when physical buffers can provide a more effective separation between uses.**

The distance between the rezone area and the nearest residences to the east, and separation provided by intervening vegetation and differences in elevation will have a buffering and transitioning effect that adequately limits perceived impact on adjacent single-family residents from townhomes and rowhouses that would be located on the eastern side of the proposed rezone area.

The following helps define the boundaries for the rezone site:

- The presence of 36th Avenue W and W Lawton Street rights-of-way at the east and north perimeter of the Fort Lawton property;
- The existing slopes and open spaces near these streets;
- The physical buffering provided by the dense evergreen tree vegetation at the east perimeter of the rezone site;
- The on-site elevation changes due to past grading that define part of the northern rezone site boundary; and
- At the west edge of the rezone site, the adjacent presence of an existing Veterans Administration office building and one of its access drives, and a property edge with a fence that demarcates the previously developed military facility from the undeveloped forest land that lies southwest of the rezone site.

At the east perimeter of the rezone site, an existing 20-25 foot wide vegetated buffer provides a substantial degree of visual separation of the site from the adjacent residential uses along 36th Avenue W. Vegetation includes two rows of mature evergreen trees that mostly block views into the site, except for occasional obscured views beneath limbs, one parking lot driveway at the northeast corner of the rezone site (see Figure 3.7-5, page 3.7-12 in the FEIS), and one opening that has an existing stairway and concrete path onto the site. The stairway opening near W. Fort Street/36th Avenue W. reveals an approximate 10-15 foot wide view into the site. Figure 3.7-5 of the FEIS illustrates a conceptual worst-case impact condition at the northeast corner of the rezone site because it does not show the view-obscuring qualities of the trees in views from 36th Avenue W. Topography also contributes to buffering along this eastern site edge. The site has terraced topography and 36th Avenue W. slopes gently down toward the north, so the vegetated buffer includes upward slopes from the street that vary between approximately 4 and 8 feet from the road elevation. This assists with providing a visual separation and perceptual boundary between the uses on- and off-site, although in some locations the elevation difference is relatively small.

Under either Lowrise zone, the zoning pattern would provide for an adequately gradual transition in scale and intensity of development. The height limit in the LR2 (M1) zone is 40 feet, which is similar to and compatible with the 35-foot height limit in Single Family zones (factoring in a five-foot allowance above 30 feet for pitched roofs). Under the LR1 (M1) zone, the 35-foot height limit (also factoring in five feet for pitched roofs) would provide for exactly the same height and scale in future development on- and off-site near the western edge of the site. The recommended rezone to a Lowrise zone would also enable transition of obsolete non-residential structures and paved parking areas to residential uses and landscaped areas, which would increase land use compatibility by leading to residential uses on both sides of 36th Avenue W where the closest single-family residences are present.

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;**
 - b. Public services;**
 - c. Environmental factors, such as noise, air and water quality, terrestrial and aquatic flora and fauna, glare, odor, shadows, and energy conservation;**
 - d. Pedestrian safety;**
 - e. Manufacturing activity;**
 - f. Employment activity;**
 - g. Character of areas recognized for architectural or historic value; and**
 - h. Shoreline view, public access and recreation.**

- 2. Service capacities. Development which can reasonably be anticipated based on the proposed development potential shall not exceed the service capacities which can reasonably be anticipated in the area, including:**
 - a. Street access to the area;**
 - b. Street capacity in the area;**
 - c. Transit service;**
 - d. Parking capacity;**
 - e. Utility and sewer capacity; and**
 - f. Shoreline navigation.**

The Fort Lawton Army Reserve Center Redevelopment Project FEIS (March 2018) provides a detailed review of elements of the environment that were analyzed to assess the redevelopment of the 34-acre former military site. No significant unavoidable adverse impacts were identified from the proposed affordable housing and associated rezone from SF 7200 to LR2 (M1), and the additional parks and recreation uses at Fort Lawton. Although an LR1 (M1) zone was not specifically analyzed by the EIS, the EIS contains alternatives that “bookend” different zone and development outcomes with the LR1 (M1) zone fitting within the range of the impact analysis findings. Given the comparisons between the LR2 (M1) and LR1 (M1) zone capabilities earlier in this analysis, the impacts of a LR1 (M1) zone and associated future

development outcomes would likely be characterized as “similar to or slightly less impacting” than future development under the EIS’s Alternative 1. The most relevant aspects of a comparison of outcomes under a LR1 (M1) zone would recognize that total amounts of development could likely be the same as studied under Alternative 1, with only minor differences in building type, height, and scale outcomes, and either no change or only minor changes in the extent of area covered by future residential development.

The impact evaluation for this rezone analysis incorporates by reference the Fort Lawton EIS, which documents a wide range of impact analysis findings within the context of the State Environmental Policy Act (SEPA). For a summary of the FEIS findings see Section 1.4; for housing and low-income housing see Section 3.13; for public services see Section 3.11; for environmental factors see Sections 3.1 through 3.4 and 3.7; for pedestrian safety, transportation and parking see Section 3.10; for architectural/historic value see Section 3.9; for shoreline view see Section 3.7; for public access and recreation see Section 3.8.

The following discussion is a summary-level overview of impact evaluation findings, drawn from the EIS and additional evaluation that falls outside of SEPA’s context.

Housing

The FEIS concluded that no significant adverse housing impacts are anticipated (FEIS, pages 3.13-22 and 23). This included a finding of no probable negative effects of the rezone and future possible development on established real estate values in the Fort Lawton site vicinity (FEIS, page 3.13.-16). Proposed development following the proposed rezone would include up to 238 new affordable housing units with a mix of senior supportive rental housing, affordable rental housing and affordable homeowner-ship housing. The future occupants of affordable housing anticipated to be developed at the Fort Lawton site under Lowrise zoning would also likely diversify the neighborhood in terms of age, income level, and ethnicity (FEIS, pages 3.13-16 and 17).⁵ See Final EIS Section 3.13, Housing and Socioeconomics, and Section 3.14, Environmental Justice, for details.

Public Services

Police and Fire/Emergency Services

Future development and residential uses, and the addition of active recreation features on the site, would generate additional demand for police and fire/emergency services. These service providers indicate sufficient staffing and equipment capacity to serve the cumulative impacts of future development (FEIS, pages 3.11-11 through 14, 4-5 and 4-14).

Schools

Additional students generated by future development would add to student attendance demands on school facilities, in a possible range of 31 to 41 additional students among all grade

⁵ At FEIS page 3.13-8, Table 3.13-4 data show that median household income is nearly \$91,000 for households in Census Tract 57 that contains the site and its immediate vicinity, compared to \$70,600 for Seattle households as a whole. Based on American Community Survey 5-year estimates for 2011-2015.

levels, with the highest amount projected to occur with future development under the preferred Alternative 1 (FEIS, page 4-5). Senior housing would not generate additional students. If development were completed by 2021, additional students generated at the site would attend Lawton Elementary and Ballard High School that may temporarily face over capacity attendance levels in the worst-case scenario. However, Lawton Elementary School's and Catharine Blaine Elementary School's capacity issues may be sufficiently aided by the projected opening of Magnolia Elementary and six added classrooms at Coe Elementary by 2020-2021 (FEIS, page 3.11-15, and pages 4-5 to 4-6). McClure Middle School's 2020-2021 enrollments would remain below its capacity level. Later, other school facility resources are expected to be available as Seattle Public Schools proceeds with its school facility planning and improvements program. The FEIS concludes that no significant adverse or cumulative impacts are expected (FEIS, pages 4-6 and 4-14).

Parks, recreation, and public access

The FEIS concluded that future development would generate demand for additional park resources but no significant adverse park and open space impacts are anticipated (FEIS, page 3.8-4 through 3.8-7 and pages 4-7 through 4-8). As a positive impact, a total of 18.3 acres would become available on the site for active and passive recreation purposes. Approximately 13 acres would become available for passive recreation purposes, including wooded areas in the northern, southern, and western parts of the site. Some of this area would be incorporated into Discovery Park (see FEIS, page 4-7). Also, approximately 5 acres in the southern part of the site is planned for active recreation purposes, which could include unlit multipurpose fields for structured and unstructured athletic activities and other community functions. Other passive park space would likely be incorporated into the future housing development site. Using Seattle Parks' planning factors, the amounts of open space and recreational facilities provided on the site would exceed an estimated added demand for 4.7 acres of parkland created by the projected future on-site resident population of 586 persons under the preferred Alternative 1 (FEIS, page 3.8-4 through 3.8-5).

Environmental Factors – Noise, Air and Water Quality, Flora, Fauna, Light/Glare, Odor, Shadows, Energy Conservation

Noise

The FEIS concluded that future possible construction activities would generate temporary noise impacts due to activities such as using heavy equipment and hauling construction materials (FEIS, page 4-12). These would be subject to City codes on construction noise including Section 25.08.425. After construction, permanent residential, parks and recreation, senior support service and maintenance facility uses on the Fort Lawton property would generate noise, as would vehicle traffic. The FEIS concluded these kinds of operational noise are not expected to generate significant impacts (FEIS, page 3.4-6 through 3.4-9). Adhering to City noise rules including but not limited to Section 25.08.490 would apply.

Air Quality, Odor, and Environmental Health

The FEIS concluded no significant adverse air quality or greenhouse gas emission impacts would occur from future permanent uses of the site. Future construction could lead to temporary dust

emissions, odor (such as from asphalt paving), and construction equipment emissions but these would also not be significant impacts (FEIS, pages 3.3-6 through 3.3-12, and page 4-12).

During construction potential adverse impacts could include air pollutants from dust or vehicle emissions, exposure to hazardous materials and potential for accidental spills of construction-related chemicals. After construction, environmental health impacts could result from the improper use and disposal of household chemicals, such as cleaners and fertilizers. With the implementation of a required site-specific health and safety plan relating to abatement processes during construction, and a required Stormwater Pollution Prevention Plan, no significant environmental health impacts are expected (FEIS, page 3.5-1).

Water Quality

Future construction could create temporary indirect disturbances through grading that could alter local erosion, stormwater runoff water quality, or drainage patterns and could cause off-site transport of sediment. However, temporary erosion and sedimentation control measures and other best management practices would be implemented during construction to reduce the potential for these impacts that might have a bearing on off-site water quality impacts. After construction, installing a permanent stormwater control system would help avoid erosion and sedimentation impacts and potential related off-site water quality impacts from occurring (FEIS, pages 3.1-7, 3.1-10, and 3.1-16).

Flora and Fauna

Existing portions of natural unmaintained vegetation on the Fort Lawton property are primarily located in two areas in the north and south portions of the property. A narrow strip of established trees exists on the east side of the site (FEIS, page 3.2-3, Figure 3.2-1). Most of the wildlife habitat available at the site is located within these areas. The site abuts forests located in Discovery Park to the west. Plant species at the site are typical of urban non-wetland forests in the region. No sensitive or rare plants are known to occur on the site or immediate vicinity (FEIS, page 3.2-2). The site supports a variety of bird and mammal species, with 43 observed bird species ranging from common crows, starling, and house sparrows, to species including bald eagle, chickadees, juncos, kinglets, woodpeckers, and great blue heron (FEIS, page 3.2-5). Mammals include mice, moles, voles, rats, squirrels, chipmunks, rabbits, raccoons, opossums, coyotes, deer, and bats.

Great blue herons are regulated by the City as a species of local importance. They are considered a State Monitored species and Washington State Priority Species by the State Department of Fish and Wildlife (WDFW). The north forest on the Fort Lawton property could provide nesting habitat for great blue herons, although no nests have been documented on-site (FEIS, page 3.2-6). The City maps a wildlife environmental critical area on the property for great blue heron and other wildlife (FEIS, page 3.2-1). The site also possibly hosts pileated woodpeckers and purple martins, which are designated as State Candidate and priority bird species by WDFW (FEIS, page 3.2-6). In the past, a great blue heron rookery was located in Kiwanis Memorial Reserve Park, located nearby to the east of the Fort Lawton property (FEIS, page 3.2-6).

The FEIS (page 3.2-11) concludes for the preferred Alternative 1 that “no direct impacts to critical areas (i.e., the potential wetland/stream in the north forest area), vegetation that provides wildlife habitat (in the north and south portions of the site), or sensitive wildlife species (i.e. great blue herons, pileated woodpeckers and purple martins which could use habitats onsite) would be expected at the Fort Lawton site.” The FEIS (page 3.2-11) also finds that “proposed development under Alternative 1 would indirectly impact retained habitat on the Fort Lawton site due to: increased human activity; building, parking lot, and roadway lighting; noise; the potential use of fertilizers, pesticides, and herbicides in landscaped areas; and the introducing of ‘super predators’ (e.g., domestic dogs and cats) in residential areas that could impact native wildlife.”

While stormwater runoff from the site could carry pollutants to downstream water resources, with a required permanent stormwater control system on the site, Alternative 1 is not expected to significantly impact biological resources downstream (FEIS, page 3.2-11).

Future development would be subject to compliance with relevant City regulatory requirements, which would include construction noise controls and the SDCI Director's Rule 13-2018 “Great Blue Heron Management” [identified in the EIS in its prior version Rule 5-2007]. This Rule includes time-of-year controls for grading and construction, and other construction and post-construction requirements (FEIS, page 3.2-15); coordination with WDFW would also be required. See FEIS pages 3.2-15 and 3.2-16 for a list of required and proposed mitigation.

Light/glare, and shadows

Future development at the rezone site would create new sources of light and glare, but such development would be subject to City review processes that would ensure excessive light and glare would not occur due to future buildings or light fixtures. Factors including the presence of mature trees would tend to reduce the potential for adverse impacts. Significant adverse light or glare impacts are not expected to occur (FEIS, page 3.7-19).

Based on the height of possible future buildings at the rezone site and the site's size, most shadows from future buildings would be cast onto the rezone site. In certain winter months, shadows might be cast toward Discovery Park property. However, no adverse shadow impacts on the forested park land are expected, and the existence of mature trees in the site vicinity would continue to be the greatest source of shadows in the site vicinity (FEIS, page 3.7-19 and 3.7-20).

Energy Conservation

The possible future development of the rezoned property would follow sustainable design principles in the design and development of affordable housing, including:

- Optimizing site potential to house people and provide services;
- Minimizing non-renewable energy consumption;
- Using environmentally preferable products;

- Protecting and conserving water;
- Enhancing indoor environmental quality; and
- Optimizing operation and maintenance practices.

Evergreen Sustainable Development Standards, a Washington State green building standard for affordable housing receiving City funds, would apply to all affordable housing developed on the Fort Lawton site (see FEIS, page 2-35). The anticipated future development and the adjacency to Discovery Park would provide ample recreational opportunities within walking distance of future on-site residences. Sidewalks and trails would be located throughout the site to provide opportunities for non-motorized circulation that would help conserve energy.

Pedestrian Safety

On Texas Way, new sidewalks would be provided on the east side of the street, resulting in sidewalks on both sides. This would provide pedestrian access to buses. Improvements would be provided as needed to meet ADA standards. Other sidewalk segments, pedestrian crossings, and curb ramps that could occur with future development would meet City requirements. The FEIS concludes that no adverse pedestrian and non-motorized transportation impacts would occur (FEIS, page 3.10-20).

Manufacturing and Employment Activity

None of the structures on the site are currently in use and there is no employment activity or manufacturing activity occurring. No adverse impacts are identified. The anticipated senior supportive housing would increase employment opportunities on the site. Case management services would be provided by Catholic Community Services of Western Washington and housing case managers would be available on-site.

Architectural and Historic Preservation

The site is not located on the National Register of Historic Places (NRHP), and existing buildings, while not yet evaluated for City landmark designation, may not meet the criteria for designation. The Fort Lawton Cemetery, associated with the former military post, is located adjacent and just west of the site. It is considered eligible to be designated on the NRHP but to date has not been (FEIS, pages 3.9-4 through 3.9-7).

As of March 2019, the Friends of Fort Lawton Historic District submitted materials to nominate Harvey Hall and Leisy Hall for City landmark designation. According to the Department of Neighborhoods (DON), these materials are incomplete and DON will provide initial feedback to the applicants. After this, if the materials are amended or supplemented and resubmitted, this nomination may be evaluated by the City's Landmarks Preservation Board, who makes recommendations to the City Council for a possible landmarking designation by City ordinance.

Cultural resources of indigenous peoples are not known to exist at the site. The extent of past military use may have disturbed much of the property, but knowledge of past indigenous peoples' presence in the broader vicinity suggests that cultural resources could potentially be present (FEIS, pages 3.9-7 and 3.9-8).

Future development is anticipated only on a portion of the site, and approximately 13 acres of the site would likely remain undisturbed or minimally affected by passive recreational use. Development would be subject to established State and City regulations if cultural resources would be unearthed during future construction (FEIS, pages 3.9-7 through 3.9-16).

Shoreline Views

The rezone site is not located near shorelines and would not affect shoreline views. In the central portion of the rezone site, territorial views northward in the direction of Shilshole Bay are possible, showing the ridgeline of Ballard, with portions of Puget Sound visible from some locations, and other distant features. Figure 3.7-2 on page 3.7-7 shows an analogous view from a location further south, with the Ballard ridgeline visible in the distance. The FEIS documented on pages 3.7.-5 through 3.7-7 that changes at the rezone site would not affect City-defined protected viewpoints or view resources.

Street Access and Capacity

Under existing conditions, Texas Way provides access through the Fort Lawton site. It would remain in service and be improved including two through lanes, two curb parking lanes, and sidewalks on both sides (FEIS, page 2-30).

Intersections in the immediate vicinity of the site currently operate with little delay at an acceptable level of service (LOS) B or better (FEIS, page 3.10-5). With future development, on-site and nearby streets would continue to provide sufficient levels of street access with reserve capacity, including for pedestrians. In terms of level of service, future conditions under the most-impacting Alternative 1 would only slightly increase delay at local intersections and no changes in the LOS A and B designations would occur at those intersections (FEIS, see Table 3.10-4 on page 3.10-11). The more distant W Emerson Place/Gilman Avenue W intersection that provides access to northern Magnolia (in the Fisherman's Terminal vicinity) presently operates at LOS F.

With the future development of the Fort Lawton site, the EIS identifies a potential additional delay of 10 to 11 seconds at the Emerson/Gilman intersection during the PM peak hour (FEIS, pages 3.10-16 and 3.10-17). This includes increments of traffic that could be generated by possible future active recreation fields at the site.

Transit Service

Transit service to the Fort Lawton site and the vicinity is provided by King County Metro Transit Routes 33 and 24. Potential development under the proposed rezone is expected to generate a small percentage of the traffic at the studied intersections and a minor amount of transit ridership, amounting to approximately 28 riders in the peak hour, equivalent to about 2 to 3 riders per bus during that period (FEIS, page 3.10-18).

Additional analysis in the FEIS evaluated effects on transit capacity in more detail and considered bus usage levels as the buses proceed to and from downtown. That evaluation found that buses serving the site in the peak hour could experience use levels of approximately

44 to 65 percent of capacity. In any given bus, this use level could translate to some buses experiencing "standing room only" conditions during peak ridership periods because bus capacity includes use of space by standing passengers. The EIS concluded that on average, buses serving the Fort Lawton site would continue to have available capacity after considering future development on the site (FEIS, pages 3.10-18 through 3.10-20).

Parking

Parking is currently extensively available in the portion of the site proposed for rezone, due to parking lots included with inactive on-site uses.

Future possible residential development would replace several buildings and parking lots with new residential buildings including townhouses, rowhouses, and apartments. Future development would provide new parking within new residences or as surface parking subject to future design and permitting. The identified possible recreational field use on the site would generate parking demand that would be served by an on-site parking lot.

The FEIS identified a worst-case possibility that demand for future parking under Alternative 1, ranging between 257 and 294 spaces, could exceed the preliminarily identified total parking supply of 266 spaces on the site (FEIS, page 3.10-17). This worst-case scenario includes full use of the athletic fields and their anticipated 60 parking spaces. If worst-case level of excess parking demand materialized in the future, especially related to recreational event activities, Parks could arrange for spillover parking supply use, such as at the adjacent VA office building's generous-sized parking lot (258 spaces). Also, parking supply greater than 266 parking spaces could be incorporated into future development plans. No significant adverse parking impacts are expected (FEIS, pages 3.10-18, 3.10-21, and 3.10-23).

Utility Capacity

Seattle Public Utilities provides potable water and sewer service to the Fort Lawton site. There are no significant adverse capacity constraints for these services. No significant adverse impacts on utilities are expected with the rezone or the anticipated future development (FEIS, pages 3.12-7 through 3.12-14). Depending on the results of future permit reviews, it is possible that on-site utility pipes would need to be replaced or upgraded to fulfill domestic water supply, fire protection, and sewer service needs of the future development (FEIS, pages 3.12-8, 3.12-10, 3.12-11).

The FEIS notes that the electrical system was installed in 1999 and consists of a 26kV primary underground system with three pulling vaults and four transformer vaults. Electrical service is provided by a Seattle City Light substation located on the east side of 36th Avenue W and associated underground transmission lines (FEIS, page 2-15). If needed, improvements to the electrical system would be required to serve future development.

Shoreline Navigation

The Fort Lawton site is not located on a shoreline where shoreline navigation exists.

G. Changed circumstances. Evidence of changed circumstances shall be taken into consideration in reviewing proposed rezones, but is not required to demonstrate the appropriateness of a proposed rezone. Consideration of changed circumstances shall be limited to elements or conditions included in the criteria for the relevant zone and/or overlay designations in this Chapter 23.34.

The following discussion pertains to the role of zoning designations in providing opportunities for a variety of types of multifamily housing to be located in Seattle for the use of Seattle households, through the redevelopment of property. Zone criteria for multifamily zones in Chapter 23.34 of the Land Use Code address relevant multifamily housing, housing opportunities, and property redevelopment concepts, and the discussion below relates to those concepts.

Seattle's zoning history parallels that of cities across the United States. Historically, multifamily housing was permitted in nearly all of Seattle's developable areas. That changed with the introduction of single-family zoning, which has been documented by historical planning and legal records as "integral to the story of *de jure* segregation" and the consequential racial inequities with which cities continue to grapple (Rothstein, Richard, *The Color of Law*, 2017).

Today, severe lack of affordable housing is a crisis-level public policy issue for Seattle. The proposed rezone enables use of publicly-owned land to create an affordable and livable community that creates opportunities for those with low incomes to live in the Magnolia neighborhood.

Since the Fort Lawton site was zoned single-family at least 62 years ago, several circumstances have changed:

- After a long period of military use, the site's functions and activity levels in federal uses diminished over time. Over the course of the last 14 years, Fort Lawton has become one of the last remaining military bases to be disposed of under the BRAC process;
- Adoption of a Future Land Use Map in 2007 showing Fort Lawton to be a Multifamily Residential Area;
- The City has been working since 2006 on a plan for Fort Lawton to develop supportive housing for people who have experienced homelessness and affordable housing, while preserving open space/vegetated areas and creating recreation areas;
- The pending Fort Lawton property dispositions under the BRAC process and a decision on this rezone proposal are additional changed circumstances that influence the possibilities for future uses. A rezone affords the opportunity for developing small-scale multifamily uses, adding to a similarly-scaled nearby neighborhood that has several existing multifamily uses along W Government Way.

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

Not applicable.

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

The Fort Lawton site contains existing environmentally critical areas including:

- Geologic hazards: intermittent presence of steep slope erosion hazard areas and landslide-prone areas in portions of the site perimeter, and including a portion of the northern edge of the rezone area; and soil types that pose erosion hazards when they are unvegetated or disturbed (FEIS, pages 3.1-3 and 3.1-4);
- A possible wetland near the northwest boundary of the property (outside the rezone site) (FEIS, pages 3.2-2 and 3.2-3); and
- A wildlife environmental critical area which includes habitat for great blue heron and other wildlife located in the north forest vicinity (FEIS, page 3.2-1).

Forests on the Fort Lawton property but outside the rezone site provide plant and animal habitat, including the possible presence of pileated woodpeckers and purple martins, which are designated as State Candidate and priority bird species by the State Department of Fish and Wildlife.

The FEIS identified impacts to wildlife as: "increased human activity; building, parking lot and roadway lighting; noise; the potential use of fertilizers, pesticides and herbicides in landscaped areas; and introducing 'super predators' (e.g., domestic dogs and cats) in residential areas that could impact native wildlife." (FEIS, page 3.2-11). Refer to the impact evaluation of flora and fauna earlier in this analysis for more discussion of impacts and mitigation, and the FEIS Sections 3.1 and 3.2 that discuss Earth and Biological Resources elements of the environment.

23.34.009 - Height limits of the proposed rezone

If a decision to designate height limits in residential, commercial, or industrial zones is independent of the designation of a specific zone, in addition to the general rezone criteria of Section 23.34.008, the following shall apply: **The criteria in this part of the report are paraphrased.*

A. Function of the zone. Paraphrase: consistent with the type and scale of development intended for the zone.

B. Topography. Paraphrase: height limits that reinforce natural topography; consider likelihood of view blockage.

C. Height and scale of the area. Paraphrase: Consider current zoning's height limits; compatible with existing predominant height and scale of development.

D. Compatibility with surrounding area. Paraphrase: compatible with actual building heights and zoned height limits in surrounding areas; gradual transitions in height, scale, and level of activity between zones

E. Neighborhood plans. Paraphrase: give attention to any height recommendations in applicable neighborhood plans

The LR2 (M1) zone has a prescribed height limit of 40 feet, and the LR1 (M1) zone has a prescribed height limit of 30 feet (see Code section 23.45.514). Therefore, Section 23.34.009 is not applicable.

23.34.010 - Designation of SF 5000, SF 7200, and SF 9600 zones

- A. Except as provided in subsection 23.34.010.B, areas zoned SF 5000, SF 7200, or SF 9600 may be rezoned to zones more intense than SF 5000 only if the City Council determines that the area does not meet the locational criteria for SF 5000, SF 7200, or SF 9600 zones.**
- B. Areas zoned SF 5000, SF 7200, or SF 9600 that meet the locational criteria contained in subsections 23.34.011.B.1 through 23.34.011.B.3 may only be rezoned to zones more intense than SF 5000 if they are located within the adopted boundaries of an urban village, and the rezone is to a zone that is subject to the provisions of Chapter 23.58B and Chapter 23.58C.**

23.34.011 - SF 5000, SF 7200, and SF 9600 zones, function, and locational criteria

- A. Function.** An area that provides predominantly detached single-family structures on lot sizes compatible with the existing pattern of development and the character of single-family neighborhoods.
- B. Locational criteria.** A SF 5000, SF 7200, or SF 9600 zone designation is most appropriate in areas that are outside of urban centers and villages and meet the following criteria:
 - 1. Areas that consist of blocks with at least 70 percent of the existing structures, not including detached accessory dwelling units, 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 70 percent of the existing structures, not including detached accessory dwelling units, 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, not including detached accessory dwelling units, in the last five years has been increasing proportionately to the total number of constructions for new uses in the area, or**

- b. The area shows an increasing number of improvements and rehabilitation efforts to single-family structures, not including detached accessory dwelling units, or**
 - c. The number of existing single-family structures, not including detached accessory dwelling units, has been very stable or increasing in the last five years, or**
 - d. The area's location is topographically and environmentally suitable for single-family residential developments.**
- C. An area that meets at least one of the locational criteria in subsection 23.34.011.B should also satisfy the following size criteria in order to be designated as a SF 5000, SF 7200, or SF 9600 zone:**
 - 1. The area proposed for rezone should comprise 15 contiguous acres or more, or should abut existing SF 5000, SF 7200, or SF 9600 zones.**
 - 2. If the area proposed for rezone contains less than 15 contiguous acres, and does not abut existing SF 5000, SF 7200, or SF 9600 zones, then it should demonstrate strong or stable single-family residential use trends or potentials such as:**
 - a. That the construction of single-family structures, not including detached accessory dwelling units, in the last five years has been increasing proportionately to the total number of constructions for new uses in the area, or**
 - b. That the number of existing single-family structures, not including detached accessory dwelling units, has been very stable or increasing in the last five 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, not including detached accessory dwelling units.**
- D. Half-blocks at the edges of SF 5000, SF 7200, or SF 9600 zones which have more than 50 percent single-family structures, not including detached accessory dwelling units, or portions of blocks on an arterial which have a majority of single-family structures, not including detached accessory dwelling units, shall generally be included. This shall be decided on a case-by-case basis, but the policy is to favor including them.**

The Fort Lawton site, including the proposed rezone area, does not meet the criteria for single-family zone designation.

- The site does not contain single-family structures.
- The site does not contain a block or lot pattern consisting of mostly single-family uses.
- The site does not show a trend of increasing presence of single-family structures on the site.
- The site is not mentioned in a neighborhood plan as appropriate for single-family uses.
- The area has not historically been a part of a single-family residential neighborhood, having instead served as part of a military installation with no discernible residential block pattern.

- The Fort Lawton site does not meet at least one of the locational criteria in subsection 23.34.011.B, and thus is not subject to the provisions of subsection C.

Further, the city-wide Comprehensive Plan designates this area on the Future Land Use as Multifamily Residential Area (*Seattle 2035 Comprehensive Plan*, page 41). Consistent with subsection 23.34.010.A, this single-family zoned area may be rezoned.

23.34.013 – Designation of multifamily zones

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

The site does not meet the criteria for single-family zone designation, so this section's prohibition on rezoning single-family to multifamily is not applicable.

23.34.014 – Lowrise 1 (LR1) zone, function and locational criteria

This section analyzes the consistency of Lowrise 1 (LR1) function and locational criteria to the Fort Lawton site.

A. Function. The function of the LR1 zone is to provide opportunities for low-density multifamily housing, primarily rowhouse and townhouse developments, through infill development that is compatible with single-family dwelling units, or through the conversion of existing single-family dwelling units to duplexes or triplexes.

Per these functional criteria, the Fort Lawton site could be appropriate for a Lowrise 1 zone because it would provide opportunities for low-density multifamily housing through infill development. The proposed rezone would occur in a neighborhood context that includes adjacent single- and multi-family residential uses and commercial uses.

The Fort Lawton Redevelopment Plan that describes future possible development at the site includes rowhouses and townhouses, forms of housing that would be compatible with nearby single-family residences and would be consistent with the function of LR1 zones as noted in the function criteria in Section 23.34.014.A above. Conversions of single-family dwellings to duplexes or triplexes would not occur because there are no existing residential uses on the site. For additional relevant analysis, refer to the discussion of Section 23.34.008.B, Match Between Zone Criteria and Area Characteristics.

B. Locational Criteria. The LR1 zone is most appropriate in areas generally characterized by the following conditions:

- 1. The area is similar in character to single-family zones;**
- 2. The area is either:**

- a. **located outside of an urban center, urban village, or Station Area Overlay District;**
 - b. **a limited area within an urban center, urban village, or Station Area Overlay District that would provide opportunities for a diversity of housing types within these denser environments; or**
 - c. **located on a collector or minor arterial;**
3. **The area is characterized by a mix of single-family dwelling units, multifamily structures that are similar in scale to single-family dwelling units, such as rowhouse and townhouse developments, and single-family dwelling units that have been converted to multifamily residential use or are well-suited to conversion.**
 4. **The area is characterized by local access and circulation that can accommodate low density multifamily development oriented to the ground level and the street, and/or by narrow roadways, lack of alleys, and/or irregular street patterns that make local access and circulation less suitable for higher density multifamily development;**
 5. **The area would provide a gradual transition between single-family zoned areas and multifamily or neighborhood commercial zoned areas; and**
 6. **The area is supported by existing or projected facilities and services used by residents, including retail sales and services, parks, and community centers.**

By these locational criteria, the Fort Lawton site could be appropriate for a Lowrise 1 zone because its surrounding vicinity contains a mix of single-family dwellings and low-scaled multifamily dwellings, and the area is outside of any urban center, urban village, and light rail station area. Local zoning is mostly single-family but there is an adjacent Lowrise 3 zone, and a Neighborhood Commercial 1 zone along W Government Way nearby to the southeast.

The proposed rezone area is not located between single- and multifamily zoned areas, and so would not precisely provide the transition between two zones as contemplated by criterion 5 above. However, the juxtaposition of an LR1 (M1) zone on the Fort Lawton property with the nearest single-family residential uses on the east side of 36th Avenue W would accomplish a gradual transition between zones. This would be due to factors such as the LR1 (M1) sharing the same height limit as the single-family zone, and buffering provided by existing vegetation and edge buffers on the Fort Lawton property adjacent to 36th Avenue W.

The existing land use and character of the site itself is not similar in character to single-family zones as it is a vacant former U.S. Army Reserve Center and has no single-family dwellings on the site. Texas Way, to be improved with additional sidewalks in the future, would provide sufficient access and circulation to and through the site for multifamily development residents, connecting with Government Way, a minor arterial to the south.

Multiple retail and service uses, parks and community centers are within a 1.5-mile radius of the Fort Lawton site, including Metropolitan Market, Albertsons, QFC, Safeway, five gas stations, Discovery Park, and Swedish Primary Care facilities. Also, future anticipated development at the site would include supportive services that would be available to and used by site residents. See Final EIS Section 3.6.2 for details on commercial and institutional services in the vicinity.

23.34.018 – Lowrise 2 (LR2) zone, function and locational criteria

A. Functions. The dual functions of the LR2 zone are to:

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

The site is consistent with the functional criteria for the Lowrise 2 (M1) zone because it would provide an opportunity for a variety of different kinds of multifamily housing of limited height and scale within a 40-foot height zoning limit and a 1.4 to 1.6 floor area ratio (FAR) floor area limit. The LR2 (M1) zone would provide a 10-foot higher height limit and a 0.1 to 0.3 FAR increase in maximum floor area compared to the LR1 (M1) zone.

With respect to the locational aspects of these function criteria, the site is not in an urban center, urban village, or light rail station area (Station Area Overlay District). One portion of the site borders the W Government Way arterial near 36th Avenue W, although the heart of the site is about 1 - 1.5 blocks away from that arterial. Texas Way provides direct access to W Government Way.

The site vicinity includes an adjacent Lowrise 3 (LR3) multifamily zone as part of a few-block vicinity with a mix of small-scale multifamily structures along the nearest arterial, W Government Way. The LR3 zone includes an additional Residential Commercial (RC) designation allowing for non-residential use presence, and a limited-area Neighborhood Commercial 1 zone is also present nearby. The presence of these zones and allowable uses, and related levels of existing small-scale multifamily development near the site indicates an ability for the neighborhood vicinity to accommodate a mixture of multifamily housing types allowed by a LR2 (M1) zone without significant concerns about spillover effects related to excessive density, intensity, activity levels, or use incompatibility.

B. Locational Criteria. The LR2 zone is most appropriate in areas generally characterized by the following conditions:

- 1. The area is either:**
 - a. located in an urban center, urban village, or Station Area Overlay District where new development could help establish a multifamily neighborhood of small scale and density; or**
 - b. located in or near an urban center, urban village, or Station Area Overlay District, or on an arterial street, and is characterized by one or more of the following conditions:**

- 1) small-scale structures generally no more than 35 feet in height that are compatible in scale with SF and LR1 zones;**
- 2) the area would provide a gradual transition between SF or LR1 zones and more intensive multifamily or neighborhood commercial zones; and**
- 2. The area is characterized by local access and circulation conditions that accommodate low density multifamily development;**
- 3. The area has direct access to arterial streets that can accommodate anticipated vehicular circulation, so that traffic is not required to use streets that pass through lower density residential zones; and**
- 4. The area is well supported by existing or projected facilities and services used by residents, including retail sales and services, parks, and community centers, and has good pedestrian access to these facilities.**

The Fort Lawton site is not in or near an urban center, an urban village, or a Station Overlay District. One segment of the site borders on the W Government Way minor arterial near 36th Ave W, and the site is directly served from W Government Way by Texas Way. This would be consistent with the locational criteria. The site vicinity along W Government Way east of 36th Avenue W has a land use pattern that includes multifamily structures and a gas station that are of a small scale generally not exceeding 35 feet.

A rezone to LR2 (M1) would enable the possibility of future multifamily development to replace unused military facilities with a variety of types of affordable multifamily housing, consistent with the function of the LR2 zone. Existing structures on the site are one- and two-story buildings no more than 35 feet high. A one-story maintenance building on the Fort Lawton property but outside the rezone area would be retained. The existing two-story VA building, off-site and immediately west of the rezone area, would also remain in use. In adjacent single-family residential blocks east of 36th Avenue W, existing structures are one-, two-, or three-stories no more than 35 feet high per the SF zone's height limit.

Under an LR2 (M1) zone, the portion of the rezone site that would be developed in the future would become more densely used than it is today by residential instead of non-residential uses. Recreational uses also would be present. This possible future development outcome could be more active and denser in number of buildings than today's uses, albeit in residential rather than non-residential use. The LR2 (M1) zone's height limit of 40 feet would be compatible with adjacent single-family residential uses that have a 35-foot height limit. Within the City's zoning system, the LR2 (M1) zone allows "small scale" development (see the text of Land Use Code Section 23.34.018.B.1.a above), and height differences in buildings of 10, 15 or 20 feet are not large differences (see the discussion of Section 23.34.008.B, Match Between Zone Criteria and Area Characteristics earlier in this analysis). The 40-foot height limit under the LR2 (M1) zone would be 10 feet higher than the 30-foot height limit under the LR1 (M1) zone. If the existing vegetative buffer of mature evergreen trees is retained at the east edge of the site, it would aid in providing a buffer and transition between on-site uses and the single-family residential uses located east of 36th Avenue W.

Local access and circulation conditions can accommodate low-density multifamily development. Intersections near the site currently operate at LOS B or better and bus service is available to serve the site. Texas Way provides direct vehicle and pedestrian access to W Government Way, the nearest arterial street. Traffic from the site is generally not required to use streets that pass through lower density residential zones to the east but could pass through lower density residential zones to the north (see Final EIS Section 3.10, Transportation, for details).

Multiple facilities and services are located within a 1.5-mile radius of the Fort Lawton site, including Metropolitan Market, Albertsons, QFC, Safeway, five gas stations, and Swedish Primary Care facilities. Discovery Park is located immediately west and south of the site, providing open space and park facilities for the community. (See Final EIS Section 3.6.2 for details on commercial and institutional services in the vicinity).

CONCLUSION

The following summarizes how the existing zoning and other potential zones relate to the general rezone criteria in Section 23.34.008 of the Land Use Code. Decision makers will weigh and balance the criteria, with no single criterion weighted any higher than another.

Criteria	Evaluation Criterion Favors:			
	SF	LR1 (M1)	LR2 (M1)	NA
Rezone Evaluation: Zone Function Statements 23.34.007.A		X	X	
General Rezone Criteria				
1. Capacity to meet Growth Targets				X
2. Within density ranges in Sect. A1 of Comp Plan Land Use Element				X
Match Between Zone Criteria and Area Characteristics 23.34.008.B			X	
Zoning History and Precedential Effect 23.34.008			X	
Neighborhood Plans 23.34.008.D				X
Zoning Principles 23.34.008.E				
1. Impact on less intensive zones		X	X	
2. Physical buffers		X	X	
3. Zone boundaries		X	X	
Impact Evaluation 23.34.008.F		X	X	
Changed Circumstances 23.34.008.G			X	
Overlay Districts 23.34.008.H				X
Critical Areas 23.34.008.I		X	X	
Other				
Relationship to zone-specific LR1 and LR2 criteria			X	

Notes: NA = not applicable

This rezone analysis favors the proposed Lowrise 2 (M1) zone over the existing Single Family 7200 zone and the Lowrise 1 (M1) zone for Fort Lawton. The site is inconsistent with the single-family zone criteria in Chapter 23.34 of the Land Use Code. The existing SF 7200 zoning is inconsistent with the current Multifamily Residential Area designation in the City's Comprehensive Plan, which means it is inconsistent with City land use and zoning policy.

While either the Lowrise 2 (M1) zone and the Lowrise 1 (M1) zone could accommodate future multifamily residential infill development, the LR2 (M1) zone would best match the property's characteristics. This relates to the property's large size, specific physical characteristics, its visually open setting in its central portion, and prevalence of edges bounded by forest vegetation. These create a campus-like setting that also reflects its past use as a military base. Within this setting, future development of multifamily structures may occur with a variety of forms, heights, and densities that will not generate substantial impacts within the site or on surrounding properties. This accommodation of a variety of multifamily development types best corresponds with the zone function statements for the LR2 zone (see Land Use Code Section 23.34.018), which is the recommended zone for this site.

In contrast, there is not a compelling need for future on-site development to be constrained in scale or type to fit within a fine-grained lot pattern, which is not present at this location but is more common in denser portions of Seattle. The LR1 (M1) zone's criteria are more oriented to rowhouse and townhouse dwelling types (see Land Use Code Section 23.34.014), and to achieving compatibility in such fine-grain blocks and lots. As such, the LR1 (M1) zone designation is less preferable than LR2 (M1) as a recommendation for this Fort Lawton property.

RECOMMENDATION

The SDCI Director recommends adopting the Lowrise 2 (M1) zoning.