

**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: MLK at Holly St Residential Urban Village

SUMMARY OF PROPOSED ACTION

This proposal is to adopt recommended rezones for the study area located in the MLK at Holly Street Residential Urban Village. The proposal includes changing existing LR3 to NC3-65, changing existing NC3-65 zoning to NC3P-85, changing existing NC3P- 65 zoning to NC3P-85, changing existing LR2 zoning to NC3P-85, and changing existing SF5000 zoning to C1-40.

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 MLK at Holly Street Residential Urban Village. The Department of Planning and Development has worked with members of the Othello community to identify a preferred development direction for this area. The proposal is based on the general guidance provided in the 2010 Othello Neighborhood Plan Update, the 2011 Othello Town Center Urban Design Framework, and dialogue with Othello community members.

Proposal Description

This proposal is to rezone parcels located in the MLK at Holly Street Residential Urban Village. The rezone area is approximately 29 acres in size.

Analysis undertaken by the Department of Planning and Development estimates the proposed rezone would increase 20-year growth projections by approximately 105 units and 104 jobs.

Proposed rezones are as follows:

Area A: Rezone the existing Lowrise 3 (LR3) zone to Neighborhood Commercial 3 with a height of 65 feet (NC3-65)

Area B: Rezone the existing Neighborhood Commercial 3 with a height of 65 feet (NC3-65) to Neighborhood Commercial 3 with a height of 85 feet and a pedestrian designation (NC3P-85)

Area C: Increase the height limits of the existing Neighborhood Commercial 3 with a pedestrian (NC3P) designation from 65 feet to 85 feet

Area D: Rezone the existing Lowrise 2 (LR2) to Neighborhood Commercial 3 with a height of 85 feet and a pedestrian designation (NC3P-85)

Area E: Rezone the existing Single Family (SF 5000) zone to Commercial 1 with a 40 foot height limit (C1-40)

Public Comments

Proposed changes to the Land Use Code require City Council approval. Public comment will be taken on the proposed amendments at a future scheduled Council public hearing.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist dated September 23, 2011. The information in the checklist, the information and

analysis in the Director's Report and Recommendation, the 2011 Othello 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 MLK at Holly Street Residential Urban Village including existing SF5000-zoned property that will be rezoned to C1-40 to align this area with 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 proposed action 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 significant. Projects developing pursuant to this proposed action would be subject to environmental review if they meet or exceed environmental review thresholds. In addition, projects would need to comply with existing codes and regulations, including the Land Use Code, Environmentally Critical Areas regulations, Stormwater Code, and Grading Code.

The most likely adverse impacts of the proposed action 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 anticipated future demand levels. While some site-specific improvements may be needed, these improvements will be identified at the time of application for 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 Stormwater Code.

Land Use

The Land Use SEPA policy states, in part, that "it is the City's policy to ensure that proposed uses 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 and Lowrise to Commercial and Neighborhood Commercial zones, and increasing heights to from 65’ to 85’ will encourage further development of the mixed use neighborhood commercial core around the Othello light rail station. The uses that would be allowed under the proposed rezones are expected to be reasonably compatible with uses in adjacent zones. No portion of the proposed rezones is within the City’s Shoreline District.

The proposed rezone generally supports Comprehensive Plan goals and policies for Mixed-Use Commercial Areas. Specifically, the rezones are proposed 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.”
- LU104: “Consistent with the urban village strategy, prefer the development of compact concentrated commercial areas, or nodes, in which many businesses can be easily accessed by pedestrians, to the designation of diffuse, sprawling commercial areas along arterials, which often require driving from one business to another.
- 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 from the proposed rezone is consistent with the goals and policies cited above. The proposed rezone area is entirely within the MLK @ Holly St Residential Urban Village. This area is generally well-served by transit, including Sound Transit’s Link Light Rail service.

Development on parcels proposed to be rezoned will be subject to design review if they exceed thresholds for design review established in the Land Use Code. Design review considers the context and character of surrounding development in applying City design guidelines, thus providing an additional opportunity to address any potential incompatibilities between new development 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.

Height, Bulk, and Scale

In general, the height, bulk and scale of projects developed pursuant to the proposed rezones would not be substantially different than what could be built under current zoning and would largely maintain existing transitions from high- to low-density zoning. The greatest proposed height limits of 85' 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 and parks. The rezone from SF to C1-40 would result in a transition similar to what currently exists in adjacent areas.

Bulk and scale impacts of projects developed pursuant to this proposed rezones may also be addressed by the City's design review process. Specific height, bulk and scale impacts of proposed development will be determined at the time of project review. The proposed rezones are not expected to have a significant impact on height, bulk, and scale, pursuant to SMC 25.05.675 G.

Transportation

The proposed rezones will increase development capacity on various parcels in the affected area; projects developed pursuant to proposed rezones may generate higher volumes of traffic and have greater transportation impacts than projects proposed under the current zoning.

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 on MLK Jr. Way S 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 Myrtle St S and MLK Way corridors. Overall operations are still expected to be within the City's LOS standard at all intersections.

Transit service is not anticipated to be significantly impacted in the Othello area since the modest increase in transit trips (26 PM peak hour trips) will be accommodated by the neighborhood's extensive transit system.

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 Othello 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. Parking utilization is defined by the number of vehicles parked as a percentage of the number of legal parking spaces. The surveys were conducted on Tuesdays, Wednesdays and Thursdays in late October and early November.

There are no minimum parking requirements in Station Area Overlay Districts, therefore the number of parking spaces provided as part of any future development would be determined largely by market demand. Recent development in other areas of the City suggests that developers will 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 Restricted Parking Zone applicable to the neighborhood, which limits non-resident parking and applies time restrictions to minimize long-term on-street parking usage. Given existing utilization rates and area conditions, it is not anticipated that this proposal will have significant impacts on on-street parking.

Based on these studies, it is expected that increased heights and densities within the Othello neighborhood are not likely to result in a significant impact to traffic operations and on-street parking. Given the availability of alternate modes and the available arterial capacity, the proposed rezones are not expected to have a significant impact on traffic and transportation, pursuant to SMC 25.05.675.R. In addition, with alternate modes of transportation, market demand for off-street parking and residential parking zones, the proposed rezones are not anticipated to have significant impact on on-street parking.

Conclusion

The proposed rezones in the Othello Residential Urban Village are not expected to have significant adverse impacts. The allowed height, bulk, and scale of development are consistent with neighborhood plan and comprehensive policies and would generally maintain existing transitions from high- to low-density areas. 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 existing and the mixed-use nature of the area are likely to reduce levels of auto traffic from development projects in the rezoned areas.

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: _____ Date: _____

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