

**Oswald U.S. Army Reserve Center
Re-Use Plan
June 1, 2009**



A. Description of Action

1. Closure of Oswald U.S. Army Reserve Center

As part of the 2005 round of the Base Realignment and Closure (BRAC) process, the Oswald Army Reserve Center, located at 1110 Rainier Avenue in Everett, Washington was selected for closure by the Department of Defense. The BRAC Report Army Recommendation stated "Close the Oswald U.S. Army Reserve Center, Everett, WA and relocate units to a new Armed Forces Reserve Center in the Everett, WA area if the Army is able to acquire suitable land for construction of the new facility. The new AFRC shall have the capability to accommodate units from the following Washington Army Reserve National Guard (ARNG) facilities: Washington ARNG Everett Readiness Center and the Snohomish Readiness Center, if the state decides to relocate those units."

The Department of Defense declared the Oswald Army Reserve Center to be surplus in the Federal Register published on May 9, 2007 as prescribed under BRAC. The number of affected U.S. Army Reserve personnel at the Oswald Army Reserve Center include six (6) full-time personnel (five (5) Active Guard and Reserve (AGR) and one (1) civilian). The Department of Defense plans to construct a new and larger center in Marysville, WA adjacent to the Smokey Point Naval Support Center. The current schedule for the relocation of personnel from Everett to Marysville, according to the BRAC 2005 Base Transition Coordinator, is mid-July to mid-September, 2011. The Oswald Army Reserve Center will be conveyed to another user upon construction of the new reserve center and the relocation of personnel at the subject site.

2. Re-Use Plan

BRAC requires that any military property declared to be surplus be the subject of a locally managed re-use planning process. The Department of Defense encourages the local government agency responsible for land use planning to assume this responsibility by asking the Office of Economic Adjustment (OEA) to recognize the agency as the Local Redevelopment Authority (LRA). The LRA is responsible for coordinating the property's conversion from a military to a non-military use and developing a re-use plan for the site. The re-use plan must appropriately balance the community's expressed needs for economic redevelopment and other development with the expressed needs of the homeless population in the vicinity of the installation. Specifically, the LRA must conduct outreach to homeless service providers and seek "Notices of Interest" (NOI's) from all interested parties including representatives of the homeless who plan to submit proposals for the re-use of the property. The recommended re-use plan by the LRA is not binding upon the Department of Defense (DOD). However, DOD is statutorily obligated to give the LRA's re-use plan considerable weight in making its disposal determinations.

B. Federal Planning Requirements

1. Local Redevelopment Authority (LRA)

Federal statutes governing the BRAC property surplus process encourage local governments to lead the base re-use planning process. The Everett City Council reviewed the prospect of assuming the lead role, and on February 20, 2008 adopted a resolution asking OEA to recognize the City of Everett as the LRA. On May 16, 2008 OEA published recognition of the City as the LRA in the Federal Register. This recognition formally started the re-use planning process. The LRA is responsible for carrying out most of the functions of re-use planning and following federal processes in developing a recommended re-use plan, including:

- Informing homeless and public interest groups about the closure/realignment and property disposal process and seeking Notices of Interest for the proposed re-use of the property.
- Allowing groups to tour the buildings and properties available.
- Explaining the LRA's process and the schedule for receiving NOI's.
- Discussing any known land-use or environmental constraints affecting the available property and buildings.

2. Homeless Needs

The Base Closure Community Redevelopment and Homeless Assistance Act of 1994 (The Redevelopment Act) requires that LRA's consider and provide for the needs of homeless in the community in planning for the re-use of surplus federal properties. The LRA must consider the needs of the homeless as identified in the community's Consolidated Plan Continuum of Care and other planning policies addressing the needs of the homeless. Homeless service providers are eligible for a no-cost conveyance of surplus federal property. The LRA is required to notify homeless service providers of the availability of surplus property so they can submit a notice of interest in the property.

Homeless Assistance Providers may include State or Local government agencies or private nonprofit organizations that provide or propose to provide assistance to homeless persons and families, including emergency shelter, transitional housing, permanent housing, job and skills training, employment programs, food and clothing banks, health care and treatment facilities or other programs that clearly meet the identified needs of the homeless and fill a gap in the City's Continuum of Care. Target populations which have priority for homeless assistance programs in the re-use planning process include homeless families, young children, homeless veterans, homeless adults with mental illness, runaway youth, homeless adults with additions and victims of domestic violence.

3. Public Benefit Use

Surplus federal properties may be used for a variety of uses. In addition to meeting homeless needs in the community, the property could be used for a public benefit use, such as a park, library, fire station, school, or other use that provides the community with facilities or services that benefit the public. While the City of Everett was consulted during the surplus process about any interest in the site for a City-sponsored public use, it declined pursuing the property for municipal purposes.

C. LRA Review Process

1. Notice of Availability (NOA) / Notice of Interest (NOI)

After being recognized as the LRA, the City is required to publish a Notice of Availability of surplus federal property, and notify any homeless service organizations and others it is aware of that may be interested in obtaining and using the property. The City published the NOA on May 16, 2008 for a 90-day period in which interested parties could submit a Notice of Interest, which must include a description of the organization's intended use for the surplus property. The LRA must then review all NOI's and conduct a process to develop a re-use plan for the property.

2. LRA Board

The BRAC procedures require that the LRA be governed by a board who will take final action to recommend a re-use plan for the property. Everett has decided its LRA board would consist of the Mayor and City Council as an eight-member LRA board. The LRA board decided it would use the Planning Commission as a citizen review panel to review and recommend a re-use plan for the Oswald ARC property.

3. Planning Commission

The Everett Planning Commission, under the City of Everett Charter, reviews plans and policies and makes recommendations to the City Council. The Planning Commission held two separate public workshops on the LRA re-use planning process and on the NOI that was recommended by a separate citizen's committee and City staff for the re-use plan. It held a public hearing on June 16, 2009 and adopted a resolution recommending that the LRA Board approve the re-use plan recommended by City staff.

4. Mayor's Office / Planning Department

The Planning Department provides staff support to the Planning Commission, and conducts a variety of planning processes required for updating of City plans, policies and related regulations. The Planning Department reports to the Mayor, who is the elected administrative head of the City. The Mayor's office was involved in depth in the LRA planning process.

5. Citizen Committee

The Mayor directed staff to use an ad-hoc citizen committee to review the NOI's submitted in response to the NOA. This committee consisted of 6 citizens representing a cross section on interests in the community. The committee met three times and made a recommendation on the re-use plan, with direction to staff to review other potential uses of the site as a contingency in the event that part of the plan, which is dependent on a subsequent action by the City Council under a separate planning process, is not consistent with the future action taken by Council.

D. Notices of Interest

1. **Domestic Violence Services of Snohomish County (DVS):** Submitted a proposal to remodel the existing buildings on the Oswald site for a) emergency shelter for victims of domestic violence; b) administrative offices for staff that provide support of the victims of domestic violence; and c) daycare for children of residents of the emergency shelter.

2. **Everett Community College (ECC):** Submitted a proposal to use the existing property and buildings for public safety training programs for law enforcement and fire/medic emergency services as an expanded component of existing educational programs at the nearby ECC campus.

3. **Archdiocesan Housing Authority of Seattle/Catholic Community Services:** Submitted a proposal to partner with a non-profit homeless service provider (who would use the north half of the property) and develop permanent housing for homeless veterans on the south half of the property. Shortly after submitting its NOI, the Archdiocesan Housing Authority of Seattle/Catholic Community Services withdrew its NOI.

The citizens committee heard presentations from both ECC and DVS explaining in greater detail each organization's proposal for re-use of the site. During the course of consideration by the citizens committee, ECC withdrew its NOI, leaving only the DVS proposal for the use of the Oswald ARC property.

E. Domestic Violence Services of Snohomish County Notice of Interest (NOI)

The following information has been provided by DVS concerning their proposed re-use of the Oswald ARC property.

1. Overview of Project

Domestic Violence Services of Snohomish County (DVS) proposes to re-use the existing structures at the Oswald Reserve Center to shelter victims of domestic violence and their children and to provide a service center for 24-hour crisis line, support group and advocacy services. Re-use of the Oswald Center will allow DVS to expand their shelter capacity from fifteen (15) beds to sixty (60) beds, expand staffing from twenty-five (25) to forty-one (41), thereby enabling them to provide housing and support services to 600 victims of domestic violence annually. The current annual number of victims receiving housing and support services is 217.

The Oswald Army Reserve Center is ideally located near services helpful to domestic violence clients such as Everett Community College, the Department of Social and Health Services, the Volunteers of America, and most importantly, the Snohomish County Courthouse for legal advocacy.

2. Proposed Re-use of the Oswald U.S. Army Reserve Center: Structural Renovations and Improvements

Upon learning of the Oswald surplus designation, DVS agency staff and board members toured the facility and were impressed by the excellent condition of the structures which have been well maintained since there were constructed in the early 1960's. In support of their proposed re-use of the property, DVS in their NOI, stated "Taxpayers have paid for these buildings and recycling them to meet the needs of low-income homeless people in crisis is an appropriate re-use of these structures."

Analysis of space needs conducted by the agency concluded that approximately 9,000 square feet is needed for the expanded shelter and about 5,000 square feet for the service center facility. Also, the square footage of the facility is adequate to meet expanded needs of DVS clients for both the larger shelter and the support facility. The proposed re-use of the Oswald structures is as follows:

• Main Administrative Building: Phase I, Administrative Offices

This one-story structure is the main Oswald training and administrative building, and consists of approximately 7,500 square feet. This structure would be remodeled to house the agency's non-shelter services, including group meeting rooms, a flexible multi-purpose room, separate rooms for staff to interview and counsel domestic violence victims, and staff offices. The building will also house shelter support functions such as laundry facilities, storage and a computer server room. Relatively minor modifications will be made to some spaces with removal of existing walls and the addition of others. Window enlargements will be necessary to meet fire code requirements.

▪ Attached Gymnasium and Kitchen: Phase I, Emergency Shelter

Attached to the main administrative building is a gymnasium and complete commercial kitchen, with approximately 4,150 square feet. This structure would be re-used for a 60-bed domestic violence shelter. To have adequate space for the shelter, a second floor would be added to the gymnasium. The roof will not have to be raised to accomplish this remodel. Along with the kitchen facilities, the first floor will act as the shelter "living room" for children's play area, TV viewing, eating space, group activities, and sleeping rooms for mobility impaired clients. The second floor addition will consist of 12 sleeping rooms with 2 sets of bunk beds in each room (48 total beds). Each sleeping room will have its own toilet and sink with shared tub/shower. If allowed by city regulation, small additions would be made to the gymnasium footprint adding about 2,000 square feet for 4 additional handicapped sleeping rooms and shelter staff offices. Another alternative would be to construct a new shelter structure to the north or south of the gymnasium, but again this is dependent on city regulations, including the City's Consolidated Plan, permitting such construction.

- **Vehicle Maintenance Facility: Phase II, Day Care Center**

This facility consists of approximately 2,500 square feet. DVS proposes to remodel this structure for use as a child care facility, in Phase II of the renovation plan. In the short term, the facility will be used for storage.

3. Transitional Housing: Phase III, 20 New Housing Units

If the Everett City Council amends the Consolidated Housing Plan to allow new construction of publicly subsidized housing on the Oswald Center property, DVS is proposing that the southern portion of the site be developed at a later date with 20 units of transitional housing units to serve women and children who are leaving the shelter.

The City of Everett has suggested that 30 units of housing might be appropriate for the one and a half acre site at the south end of the Oswald property to take advantage of the Multiple-family zoning. DVS believes that a 20-unit transitional facility best serves the needs of the agency and their clients. The operational model of the transitional housing facility includes the provision of project based vouchers by the Everett Housing Authority (EHA). Vouchers will provide an income stream for the project assuring project feasibility. If all the units are not occupied by DVS clients, inadequate income will be produced jeopardizing needed cash flow. The transitional housing would be constructed 36 months after DVS takes possession of the property (May – September, 2011). It is anticipated that the remodel of the administrative support center and the shelter will take 12 months to complete after the property is transferred to DVS. It will then take an additional year to begin filling the shelter and building the agency's capacity to achieve full occupancy. Transitional housing will be ready for occupancy around September, 2014.

DVS and EHA are aware of the recent efforts by the City to rezone the Broadway Corridor, and to upgrade the appearance and quality of this area of Everett. All design standards, including multiple-family development standards and other requirements of the Broadway Mixed-use zone (BMU) will be observed in remodeling and construction of the DVS campus.

4. Ownership, Management, Financing

The Everett Housing Authority and DVS will work cooperatively to acquire funding for the transitional housing. EHA will be the lead agency since they will own the facility. EHA has a great deal of experience in aggregating funding sources to construct housing facilities. EHA also has considerable experience in managing housing construction and will oversee the development of the transitional housing.

The array of sources typically used to construct transitional housing will be utilized including Community Development Block Grants, Washington State Housing Trust Funds, and Low Income Housing Tax Credits. EHA plans to project base vouchers at the facility providing a market rate funding stream. This source of project income can support bank financing with a mortgage on the property as a likely part of the funding scheme. Since construction of the transitional housing is approximately 5 years away, there is more than adequate time to plan and obtain the funding necessary for construction.

The Executive Director of the Everett Housing Authority, in a letter addressed to DVS dated March 2, 2009 indicated that the Housing Authority fully supports your plans for

provision of a new shelter together with administrative and supportive services for victims of domestic violence. “We further support the inclusion in your plans of a small transitional housing development at the 12th Street end of the property.

“Our Board of Commissioners has formally agreed to serve as the lessee and developer of the transitional units. Our expectation is that the site would be leased to EHA (or to an entity controlled by EHA) and we would develop, own and manage the units. It would be our expectation to “project-base” vouchers at the site, utilizing the allocation already awarded to DVS as part of the Sound Families program, and supplementing them with adequate additional vouchers to cover all of the units. Using this approach will serve two important purposes: first, it would make the units affordable to the tenants, all of whom will be referred by DVS from the shelter; second, it would provide a secure source of rental income, using market rental rates, in order to satisfy a lender.

“Since the site will not be vacated by the Army for three years, it is not possible to secure commitments at this time. The current weakened state of the credit market together with the focus of normal housing funders on “shovel ready” projects contribute to this situation. However, the transitional housing element of the proposal is modest in size and should not present any significant obstacles to completion. The generous lead time available should be of great assistance in putting the development and financing package together.

“We are excited about your progress in this effort and look forward to working with you to make this entire undertaking a reality.”

5. Proposed Financial Plan to Operate and Maintain Proposed Project

The preliminary projections of the cost to acquire, remodel, develop, furnish and cover contingency expenses and equipment are as follows:

*Capital Project		Other	
Land acquisition	\$0.0	Fundraising (2006-2011)	\$0.8
Construction	2.8	3-Year Program Expansion (consistent with	
Development	1.0	Growth projected in strategic plan)	0.5
Project Contingency	0.9	Transition and start-up costs	0.1
Furnishings & Equipment	0.3	Overall project contingency (~ 2%)	0.1
Sub-total Capital Project	5.0	Sub-total Other	1.5

Total Expenses \$6.5 *(All figures are presented in millions)

NOTE: *The market value of the Oswald site with its acreage and existing buildings is not known. Based on preliminary work done to date, it may cost \$3.0-\$5.0 M more to acquire land and build “from scratch” on another property comparable to the size and location of the Oswald Center. The difference in cost for new construction rather than renovation of existing structures is factored in to this projection.*

**Domestic Violence Services of Snohomish County
Capital Expansion Plan Timeline**

Dates	Project Planning and Completion	Oswald Reserve Center Redevelopment Plan	\$5M Fundraising Campaign
Completed	DVS Strategic Plan Complete and Facility Needs Defined		Advancement and Planning
Aug-08 Sep-08 Oct-08 Nov-08 Dec-08 Jan-09 Feb-09 Mar-09 April-09 May-09 Jun-09 Jul-09	Renovation Plans Refined	Notice of Interest Submitted Local Redevelopment Authority Evaluation and Planning; Agreement Developed	<ul style="list-style-type: none"> • <i>Government sources researched</i> • <i>Top donor prospects identified—foundation, corporations and individuals</i> • <i>New market tax credits and other alternate funding sources researched</i> • <i>Informational meetings with donor prospects</i> • <i>Fundraising campaign plans updated</i>
Aug-09		LRA Re-use Plan approved	
Sep-09 Oct-09 Nov-09 Dec-09 Jan-10 Feb-10 Mar-10 Apr-10 May-10 June-10	<p style="text-align: center;">Pre-Construction</p> <ul style="list-style-type: none"> • <i>Architect selected</i> • <i>Land use permits secured</i> • <i>Environmental assessment and remedial action completed</i> • <i>Design/development plans completed</i> • <i>Contractor selected</i> • <i>Construction documents completed</i> • <i>Construction contract negotiated</i> 		<p style="text-align: center;">Early, Lead and Major Gifts</p> <ul style="list-style-type: none"> • <i>Early, Lead and Major Gifts</i> • <i>Campaign Steering Committee formed and 20+ volunteers actively engaged</i> • <i>Government grants applied for and secured</i> • <i>New market tax credits or alternate funding secured</i> • <i>Private sector fundraising campaign reaches out to all constituencies</i>
Jul-10	City of Everett Consolidated Plan Completed		
Aug-10 Sep-10 Oct-10 Nov-10			
Dec-10 Jan-11 Feb-11 Mar-11 Apr-11 May-11	Permits Secured from City of Everett	U.S. Army Reserve Vacates Site	
Jun-11 Jul-11 Aug-11 Sep-11 Oct-11 Nov-11 Dec-11 Jan-12 Feb-12 Mar-12 Apr-12 May-12	<p style="text-align: center;">Renovation Construction</p> <ul style="list-style-type: none"> ➤ <i>Emergency Shelter</i> ➤ <i>Administrative Offices</i> ➤ <i>Day Care Center</i> 		<p style="text-align: center;">80% of Goal Community Campaign</p> <ul style="list-style-type: none"> • <i>Loud phase of fundraising effort</i> • <i>Entire community invited to participate</i> • <i>Grassroots level gifts and final major and lead gifts secured</i>
June-12	DVS Moves In		100% Goal

Agency Operating Budget
 Past, current and future projections
 (does not include Capital Campaign items)

	2002-03	2008-09	2014-15
Revenue			
Service Contracts	\$1,012,355	\$1,244,000	\$2,111,500
Fund Development	178,500	361,400	770,000
Program Revenue	65,500	213,600	317,000
	\$1,256,355	\$1,819,000	\$3,198,500
Expenses			
Salaries, Taxes, Benefits	\$888,801	\$1,284,200	2,256,800
Professional Services	19,000	24,500	49,000
Fund Development	31,450	76,950	95,900
Program and Operations	247,204	322,322	544,900
General and Administration	69,950	115,000	175,000
	\$1,256,405	\$1,822,972	\$3,121,600

Current DVS Service Contracts

For the 2008-09 fiscal year, DVS is receiving the following public grants for the Emergency Shelter, Transitional Housing, and Legal Advocacy programs:

HUD-Supportive Housing Program:	\$106,669
FEMA Emergency Food and Shelter Program:	5,258
Washington State DSHS Emergency Domestic Violence Shelter Grant	632,324
Washington State DSHS-CSO Community Advocacy:	45,011
Washington State CTED Domestic Violence Legal Advocacy Grant	28,000
Washington State ESAP Emergency Shelter Assistance Program:	56,754
Snohomish County CDBG Community Development Block Grant:	49,230
Snohomish County CSBG Community Services Block Grant:	48,460
Snohomish County ESG Emergency Shelter Grant:	21,550
Snohomish County 2163 Ending Homelessness Program:	63,850
City of Everett CDBG Community Development Block Grant:	15,000
City of Everett Human Needs Grant:	15,000
City of Everett Legal Advocacy Grant:	36,050
City of Mountlake Terrace Legal Advocacy Grant:	32,809
Everett Police Department STOP Grant:	15,487
Cities criminal justice funding – Legal Advocacy:	6,000
United Way of Snohomish County Families Matter Grant:	66,025
Total:	\$1,243,477

F. Local Policy and Regulation issues.

The City of Everett has various land use planning and housing policies, land use and development regulations, and environmental and community impacts it must consider as part of the reuse planning for the Oswald ARC property. The following summarizes applicable policies and regulations

1. City of Everett: 2005 – 2009 Consolidated Plan.

The Consolidated Plan is a requirement of the U. S. Department of Housing and Urban Development related to the City of Everett's receipt of Community Development Block Grant (CDBG) funds. The City has about \$2.6 million each year in CDBG and other federal and local funds to invest in projects and programs that principally benefit low- and moderate-income people. The Consolidated Plan describes the local priorities that guide the decisions for the use of the funds.

The priorities that the City sets out for using the CDBG funds must be consistent with a set of national goals, all of which are intended to improve the lives of lower income people. They are:

- Provide decent, affordable housing
- Improve neighborhoods and provide access to quality public facilities and services
- Expand job opportunities and support economic self-sufficiency

Everett's Local Goals

- Create a range of affordable housing choices for current and future residents of Everett. Through policies, regulations, and investment of public funds address the housing needs of low- and moderate-income households, particularly those with special needs and those who are homeless or at risk of becoming homeless.
- Address the human service needs of Everett's low-income and special needs populations by supporting programs that target basic needs, enhance quality of life, and encourage self-sufficiency.
- Build attractive neighborhoods and improve living conditions for low-income residents by investing in community facilities and in public infrastructure for recreation; transportation and accessibility; safety; and neighborhood interaction.

The City's Consolidated Plan must:

Describe the process the City used to provide information to residents about how funds are being spent and to hear about what residents consider to be the highest priority needs for spending money in the future.

Evaluate the capacity of the system of public and private agencies that the City will rely on (HUD calls this the "institutional structure) to implement the strategies of the Plan.

Describe the ways the City has, and will, coordinate with others (Snohomish County, the State of Washington, other cities) in funding and monitoring planned activities.

Identify trends, housing conditions, income, and economic conditions that need to be considered in planning for and providing assistance to low- and moderate-income people.

Assess the housing market to understand if lower income households can afford housing, are paying more than they can afford, or need assistance to improve their housing conditions.

Identify the needs of homeless people and people with special needs that require public assistance with housing and supportive services.

Summarize the housing and community development needs of low- and moderate-income Everett residents.

Report on 1) the risk of lead poisoning due to the existence/prevalence of lead-based paint in housing and existing facilities, 2) housing discrimination and fair housing practices based on complaint data, and 3) the City's efforts to remove barriers to affordable housing through land use, regulatory, and/or tax policy.

State the City's strategies for addressing needs with descriptions of the activities that are planned and specific outcomes that the City will work to achieve with the funds.

Consultation and Coordination

Joint Public Hearing

HUD requires that jurisdictions coordinate with each other, and with the local organizations and agencies involved in the delivery of housing and community development activities and programs. The jurisdiction is also required to provide multiple opportunities for citizen comments and review.

On November 1, 2004, the City, the Everett Housing Authority (EHA), Snohomish County, and the Snohomish County Housing Authority held a joint public hearing. Agency representatives described the requirements, the planning processes, and the relationship between the City's and County's Consolidated Plans, and the housing authorities' agency plans.

Notice of the Public Hearing was published in the local newspaper one week in advance of the meeting. Notice was also sent to the mailing list of the Citizen's Advisory Committee for Housing and Community Development's that includes citizens, public agencies and other interested parties.

Plan Development

The City and EHA collaborated on the preparation of this *Plan* and EHA's *Streamlined 5-Year Plan for Fiscal Years 2005 – 2009*. Strategies for each plan were developed with the cooperation of the other agency, and EHA was a major source of data for the analysis of housing needs of low- and moderate-income households. In addition, the Executive Director of EHA is a member of the Committee for Housing and Community Development, which was twice briefed on the *Consolidated Plan* during its development. The Committee also reviewed and commented on an initial draft of the *Plan*.

The City also worked closely with Snohomish County in identifying the needs described in the *Plan*, as well as coordinating on proposed strategies.

Citizen and Agency Involvement

The City has provided opportunities for comment and participation from housing and human services agencies, neighborhood groups, and citizens. In addition to the public hearing, agencies serving lower-income households provided information on the needs of their clients, which is included in the *Plan*. They were also interviewed about the capital and program development needs of the agency in preparing the goals and objectives of the *Consolidated Plan*. Finally, citizens were provided with a 30-day period in which to review and comment on the draft *Plan*.

2. Growth Management Comprehensive Plan. The City has a comprehensive plan that includes land use and housing policies that are relevant to the Oswald ARC site and to the DVS proposed re-use plan. The Land Use Map of the Comprehensive Plan designates the site as “Mixed Use Commercial – Multiple Family.” Commercial land use policies in the Land Use Element of the comprehensive plan include policies that call for the integration of housing in commercial areas and the improvement of existing commercial districts. They also call for development in commercial zones to be compatible with surrounding land uses, that commercial property development should be well designed and maintained to enhance the character of the surrounding neighborhood.

The Housing Element policies of the comprehensive plan include the following policies that are relevant to the DVS proposal:

- 3.8.1** The City shall coordinate with the Everett Housing Authority, Snohomish County Housing Authority, non-profit housing providers, and other public and private housing interests to increase the supply of housing for low income and special needs populations within the Everett Planning Area. (Note: survivors of domestic violence are included in the comprehensive plan definition of special needs populations).
- 3.8.2** The City shall continue to make use of available public and private resources to subsidize housing costs for low income households and special needs populations within the Everett Planning Area, within the financial capabilities of the City.
- 3.8.3** The City shall develop strategies to disperse subsidized rental housing equitably throughout the Everett Planning Area and to ensure that not more than 20% of the rental housing within any census tract is government subsidized very low-, low-, or moderate-income housing.
- 4.8.5** The City shall work with social service and non-profit agencies to effectively provide the services required for low-income households and special needs populations, within the financial capabilities of the city.
- 4.8.7** The City shall cooperate with other local governments, non-profit housing providers, and housing authorities to develop a 10-year plan to assist homeless persons find permanent housing, within the financial capabilities of the city.

The above cited policies of the Housing Element of the Comprehensive Plan state the City’s support for programs and organizations that address homeless, low income, and special needs populations. The DVS proposal to expand the facilities and services it currently provides in the Everett community by relocating and growing on the Oswald ARC site is supported by most of these policies. However, Policy 3.8.3 is based on the recognition that certain neighborhoods in the City, including the Oswald ARC neighborhood, have high concentrations of subsidized low income rental housing. While the emergency shelter element of the DVS proposal creates no conflict with this policy, the transitional housing proposed for the south half of the property would, if it serves low income tenants with subsidized housing. If tenants of the transitional housing are not low income households, but prefer the location due to its proximity to services for victims of domestic violence, this policy becomes less important as it pertains to consistency with the comprehensive plan policies.

3. Zoning and Development Standards. The Oswald ARC site is zoned BMU (Broadway Mixed Use), which allows a wide range of commercial and residential uses, including emergency shelter housing through the Special Property Use permit process, social services, business and government administrative offices, day care centers, and high density multiple family housing. The BMU zone was recently added to the Everett zoning code and the Broadway corridor was rezoned to the new zone to encourage a mix of commercial and residential uses with an emphasis on the design guidelines to improve the character of the Broadway corridor over time. Buildings up to 80 feet in height may be constructed in this part of the BMU zone, provided the development meets applicable design standards and floor area regulations.

The Special Property Use (SPU) permit process is required in order to establish a “temporary shelter home,” the definition of which includes “. . . a facility providing temporary shelter for victims of domestic violence, . . .” The SPU permit process requires a public hearing before the City’s Hearing Examiner and review of the proposal for consistency with the following evaluation criteria, as listed in EMC 19.41.150.C:

General Evaluation Criteria. The following general criteria shall be used for evaluating special property uses:

- The need of the neighborhood, district or city for a proposed special property use.
- The adequacy of streets, utilities and public services required to serve a proposed use.
- The impact of traffic generated by the proposed use on the surrounding area, pedestrian circulation and public safety; and the ability of the proponent to mitigate such potential impacts.
- The provision of adequate off-street parking, on-site circulation, and site access.
- Compatibility of proposed structures and improvements with surrounding properties, including the size, height, location, setback and arrangements of all proposed buildings and facilities, especially as they relate to light and shadow impacts on more sensitive land uses and less intensive zones.
- The number, size and location of signs, especially as they relate to more sensitive land uses.
- The landscaping, buffering and screening of buildings, parking, loading and storage areas, especially as they relate to more sensitive land uses.
- The generation of nuisance irritants such as noise, smoke, dust, odor, glare, visual blight or other undesirable impacts.
- Consistency with the goals and policies of the Everett general plan for the area and land use designation in which the property is located.
- Compliance with the provisions of this title and other city, state and federal regulations.

- Accessibility to public transit, and traffic reduction measures proposed by the applicant to reduce dependence of the proposed use on the automobile.

During the public review for the SPU permit, neighbors will have the opportunity to provide input related to the evaluation criteria stated above. The Hearing Examiner may approve, deny, or approve with conditions if necessary to ensure the proposed use is compatible with surrounding uses and that impacts are minimized or mitigated.

4. Environmental and Community Impacts. In addition to the SPU permit process review for compatibility, the City's SEPA environmental review process is required for new construction or additions exceeding certain thresholds. For non-residential use, this threshold is 4,000 square feet, and for residential construction, the threshold is 4 dwelling units. Any proposal exceeding these thresholds is subject to preparation of an environmental checklist through a public review process of environmental impacts. The City may apply mitigation measures through this process to ensure that environmental impacts not already regulated by other City codes are not significant.

5. Other Identified Issues. City staff has raised two issues of concern related to the DVS proposal:

- Underutilization of the south portion of the property if the transitional housing is not allowed by virtue of the city council choosing not to amend the policy of the Consolidated Plan pertaining to new construction of subsidized low income housing in areas where more than 20% of the existing housing stock is comprised of subsidized housing units. If the City Council determines that this policy is so important that it will not allow for continued concentration of subsidized low income housing in this neighborhood, the south half of the parking lot would remain a large, paved parking lot that would meet DVS' parking needs, but with substantially more pavement than needed. Staff has suggested that if the Consolidated Plan policy is not amended, another use should be identified for this portion of the site.
- Under-building the site in terms of the permitted density and the City's need for additional housing to accommodate anticipated growth. DVS has indicated that it needs 20 transitional housing units, assuming the Consolidated Plan policy is amended. The south portion of the property has approximately one acre that is not needed for the parking demand of the DVS shelter and administrative building. The density of 20 dwellings per acre is much lower than the site will accommodate under the BMU zoning. In response to staff's concern, DVS has indicated that twenty (20) units is a more realistic number given the transitional housing demand experienced historically by DVS.

G. Other Uses Considered

During the review of the NOI proposals by the citizens committee, City staff and DVS identified the Consolidated Plan policy related to the over-concentration of subsidized low income housing within the Oswald ARC neighborhood as an issue needing to be addressed. In order to determine if the transitional housing on the south half of the site could be allowed, this policy must be revised to allow the DVS – EHA partnership to develop the housing on the south half of the site. The citizens committee, in recommending approval of the DVS emergency shelter for the existing buildings on the property, asked staff to evaluate other potential uses for the south

part of the property in the event that the City Council, in their review of the Consolidated Plan update, which will occur after the LRA recommends a re-use plan, does not change the policy.

City staff contacted several other potential homeless service providers and providers of services with public benefit to see if they were interested in a portion of the Oswald ARC property to complement the DVS use of the existing buildings and provide a needed service in the neighborhood and community. Uses that were considered included food banks, medical clinics, senior housing and services, long-term respite care, and market rate housing. None of the organizations contacted by the City expressed an interest in the site.

H. Plan Contingencies

1. Delay In Performance

To the extent that delays in the performance of DVS's financial obligations including but not limited to the development of plans and specifications, securing funding commitments or commencement and completion of construction of the planned improvements are due to causes beyond DVS's reasonable control and without its negligence, DVS shall not be considered in breach of its obligations under the Legally Binding Agreement and the time for performance of the obligation shall be extended by the LRA. Within thirty (30) days after becoming aware of any delay in performance as previously referenced above, DVS shall promptly request an extension of time in writing from the LRA not to exceed six (6) months.

2. Alternative Re-Use Plan

Failure of DVS to obtain sufficient funding to implement the re-use plan after exercising its best efforts shall affect the right of the LRA to terminate the Legally Binding Agreement with DVS. The LRA shall develop an alternative plan which divides the property into two (2) parcels consisting of a southern section containing approximately 1.5 acres (the "Southern Parcel"), and a northern section containing approximately 1.5 acres (the "Northern Parcel"). The LRA shall develop and submit an Alternative Re-use Plan for the property which includes a use on the "Northern Parcel" which addresses the needs of the homeless population and new affordable housing construction on the "Southern Parcel."

I. Homeless submission to HUD

A separate document that describes how the City has addressed homeless needs in the community as part of the re-use plan has been prepared for submission to the Department of Housing and Urban Development.

J. Legally Binding Agreement

The federal re-use planning process requires that the LRA prepare a Legally Binding Agreement (LBA) that will apply to any conveyance of property from the Department of Defense to a selected user for the property. The LBA must include requirements that apply to the use of the property by the new owner, and restrictions on sale or re-conveyance of the property. A Homeless Service Conveyance requires a 30-year commitment to maintain service to the homeless in the community.

K. Property Conveyance Process

After the LRA has approved a re-use plan, HUD has approved the Homeless Submission, and a Legally Binding Agreement has been executed, the Army will convey the property to a selected user. The LRA has the authority to approve the use of the property, but the user must be approved by the Army.

L. SEPA Process

The City has prepared a SEPA Environmental Determination of Non-Significance (SEPA #09-011) for the Oswald ARC Re-use Plan. Future development on the site may require additional SEPA analysis.

M. NEPA Process.

The Army will prepare a NEPA environmental document prior to conveying the property to the end user.

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