

FINDINGS, CONCLUSIONS, AND DECISION
OF THE CITY COUNCIL OF THE CITY OF SEATTLE

In the matter of the Petition:)	Clerk File 314310
Capitol Hill / First Hill Development, LLC))	FINDINGS, CONCLUSIONS, AND DECISION
For approval of a rezone of property located at 1203 East Spruce Street)	

Introduction

This matter involves a petition by Capitol Hill / First Hill Development, LLC (the Applicant), to rezone a portion of an approximately 62,000 square foot development site located at 1203 East Spruce Street (the Property) from Lowrise 3 (LR3) to Neighborhood Commercial 3 with a 65-foot height limit (NC3 65). Attachment A shows the area to be rezoned (the Rezone Area).

On April 13, 2017, the Director of the Seattle Department of Construction and Inspections (SDCI) recommended approval of the proposed rezone, with conditions. SDCI also issued a State Environmental Policy Act (SEPA) decision and design review decision.

The Hearing Examiner held an open record hearing on the rezone recommendation on May 23, 2017. On July 5, 2017, the Hearing Examiner issued findings and conclusions and recommended approval of the rezone, subject to conditions. On August 15, 2017, the Planning, Land Use and Zoning Committee of the Council reviewed the record and the recommendations by SDCI and the Hearing Examiner and recommended approval of the contract rezone to the Full Council.

Findings of Fact

The Council hereby adopts the Hearing Examiner's Findings of Fact as stated in the Findings and Recommendation of the Hearing Examiner dated July 5, 2017. In addition, the Council adopts the following Findings of Fact:

1. The Rezone Area is an area where increased residential development will assist in achieving local growth management and housing policies.
2. Approval of the rezone provides substantially increased residential development capacity in the Rezone Area.

Conclusions

The Council hereby adopts the Hearing Examiner's Conclusions as stated in the Findings and Recommendation of the Hearing Examiner dated July 5, 2017.

Decision

The Council hereby **GRANTS** a rezone of the Property from LR3 to NC3 65, as shown in Exhibit A. Development of the Property must comply with SEPA and Design Review conditions as stated in the Findings and Recommendation of the Hearing Examiner. Development of the Property is also subject to the following rezone conditions related to application of the Mandatory Housing Affordability program, which is codified in Seattle Municipal Code Chapters 23.58B and 23.58C. The following conditions replace condition one in the Findings and Recommendation of the Hearing Examiner and must be incorporated into an executed Property Use and Development Agreement:

1. Future development of the Property is restricted to a project that complies with Master Use Permit (MUP) #3018576, once the Seattle Department of Construction and Inspections (SDCI) issues that MUP. Prior to issuing the MUP, SDCI must confirm that the drawings substantially comply with the conditions established during the design review process, including the structure design and location on the site, structure height, building materials, landscaping, street improvements, parking design, signage and site lighting.
2. The provisions of Seattle Municipal Code Chapters 23.58B and 23.58C shall apply to the Property. For purposes of application of those Chapters, future development of the Property shall be subject to the following performance or payment requirements:
 - For Chapter 23.58B, 8% per square foot for the performance option or \$12.75 per square foot for the payment option; and
 - For Chapter 23.58C, 10% of units for the performance option or \$29.75 per square foot for the payment option.

Dated this _____ day of _____, 2017.

City Council President

ATTACHMENT A

