Herbaugh, Melinda

From: King, Lindsay
Sent: Thursday, January 08, 2015 1:40 PM
To: Stephan Namisnak
Cc: PRC
Subject: RE: Project #3016024

Hello Stephen,

All parties who have provided comments are added to the project mailing list. Everyone on the mailing list will be provided with a mailed notice of future design review meetings and the opportunity to provide additional comments.

Sincerely,

Lindsay King

From: Stephan Namisnak [mailto:thecolonelschicken@yahoo.com]
Sent: Tuesday, January 06, 2015 7:16 PM
To: King, Lindsay
Cc: PRC
Subject: Project #3016024

Lindsay,

thanks for your reply last week regarding the comment period on this project.

I'll admit to being unfamiliar with the planning process but, to reiterate, a sign showing the comment period for a project as having closed would seem to actively discourage members of the public from commenting after that date. How is a concerned passerby looking at that sign to know their comments will still be accepted now that 31 December has passed?

Will there be any further direct mailings to inform neighboring residents of the completion of requested studies or the dates of future Design Reviews?

In any event, please add our Homeowners' Association (East Boston Street Condominium Association at ebsca@yahoogroups.com and 201 E Boston St Seattle 98102) along with myself as parties of record.

thanks,

Stephan Namisnak
EBSCA, President

From: "King, Lindsay" <Lindsay.King@seattle.gov>
To: Stephan Namisnak <thecolonelschicken@yahoo.com>
Cc: PRC <PRC@seattle.gov>
Sent: Wednesday, December 31, 2014 6:12 AM
Subject: RE: PRC staff declines request to extend comment period for Project #3016024?

Stephen,

Thank you for your email. At this time we are currently waiting for the applicant to respond to the corrections from the letter dated November 26, 2014. DPD accepts comments from the public throughout the review until the point DPD issues a Recommendation/Decision. Please feel free to submit comments at any point within the process.

Sincerely,

Lindsay King
Senior Land Use Planner

From: Stephan Namisnak [mailto:thecolonelschicken@yahoo.com]
Sent: Tuesday, December 30, 2014 12:24 PM
To: King, Lindsay
Subject: PRC staff declines request to extend comment period for Project #3016024?

Lindsay,

Understand you were out of the office until yesterday so I don't know if you've had a chance to weigh in on requests to extend the comment period for the project referenced above.

The PRC staff sent a summary denial of the request. My original letter is appended below. In a presumably transparent municipal process, it seems inconceivable that the opportunity for open public comment would would be closed before the public have had a chance to see the preliminary analyses on which comments are expected to be made.

Has your office even received any of the studies which were requested from the developers?

Please let me know and, if possible, please ask the PRC staff to extend the formal comment period so all concerned parties have a chance to review the pertinent studies and comment on them accordingly.

Beyond this, I hope you passed a jolly holiday.

Happy New Year ahead,
Stephan Namisnak
310-804-5410

Begin forwarded message:

> **From:** PRC <PRC@seattle.gov>
> **Date:** December 29, 2014 at 7:52:06 AM PST
> **To:** Stephan Namisnak <thecolonelschicken@yahoo.com>
> **Subject: RE: Request to extend comment period for Project #3016024**
>
> This comment period has already been granted a 14-day extension from its original date of 12/17/14. Unfortunately we are unable to extend the comment period any further, although we consider all comments submitted after the comment period up until when the decision is published.

Thank you,
PRC Staff

From: Stephan Namisnak [mailto:thecolonelschicken@yahoo.com]
Sent: Saturday, December 27, 2014 6:44 PM
To: King, Lindsay
Cc: PRC; Rush, Josy
Subject: Request to extend comment period for Project #3016024

Re: Project #3016024 at 2203 Eastlake Ave E, Seattle 98102

27 December 2014

Lindsay King, Planner
Dept. of Planning and Development
PO Box 34019
Seattle WA 98124

Ms. King,

The public comment period for the project referenced above closes 31 December 2014 despite critical preparatory studies having yet to be made available by the developers. While we await the completion of a view impact analysis appropriate to the scenic street designation along with historic structure reviews and traffic studies, please accept this request to extend the comment period.

In considering an extension, please allow sufficient time for the general public to be made aware of the availability of these studies and then to comment on the project in light of them. It is difficult for the public to make informed comment on a proposal without access to the very information on which they are expected to comment.

The one aspect of the current proposal that would seem to need no further study is the developers' request for an optional early action determination of non-significance. This project poses any number of highly significant issues as indicated by the studies which your own office has requested. It raises a great many valid concerns for various parties as expressed in previous comments by individual members of our Association as well as those made by others in the neighborhood and delineated in considerable detail in the letter sent to DPD on 3 December 2014 by the Eastlake Community Council.

Clearly, this is a matter of significance.

On behalf of the East Boston Street Condominium Association,

Stephan Namisnak
President, EBSCA

Cc: Josy.Rush@seattle.gov PRC@seattle.gov

Brian J. Bergman
2810 Eastlake Ave E
Seattle WA 98102
206-799-7799

December 15, 2014

Ms. Lindsay King
Department of Planning and Development
700 Fifth Ave, Ste. 2000
Seattle, WA 98124

Re: Rezone Support Letter for Project 3016024
2203 & 2209 Eastlake Avenue East

Dear Ms. King,

I support the above-referenced proposed development. I have worked in the Eastlake neighborhood for the past 14 years and know it well. Eastlake is one of the only neighborhoods that I know of in Seattle that does have uniform zoning codes. For instance, on Eastlake Ave E north of Fred Hutch, there are NC 30, NC 40, LR, IG, and C1 zones and many of these different zones are adjacent to one another along Eastlake Ave E. In my opinion, all of these properties from Eastlake Ave E to their alleys should be NC 40 zoning or higher.

I know the developer John Links, both personally and professionally and can attest to the caliber of his developments; he not only builds aesthetically pleasing buildings, he creates cutting edge interiors that residents crave. The Eastlake Community should support this development.

Additionally, the Eastlake neighborhood needs more mixed use properties. Having more retail options would reduce the dependence on cars as Eastlake doesn't have the services residents deserve, especially compared to other nearby neighborhoods.

Sincerely,

Brian J. Bergman

RECEIVED
DEC 19 RECD
BY:

Herbaugh, Melinda

From: Sarah Armstrong <sarah.armstrong@gmail.com>
Sent: Wednesday, January 07, 2015 10:44 PM
To: King, Lindsay
Cc: Charles Wheeler; PRC; Stephan Namisnak
Subject: Re: Project 3016024, 2203 Eastlake Ave

Hi Lindsay,

Thanks for the detailed response. This helps.

Sarah

On Mon, Jan 5, 2015 at 3:51 PM, King, Lindsay <Lindsay.King@seattle.gov> wrote:

Sarah,

Thank you for your email. The public comment period for SEPA and a Rezone begins once an application is submitted. The purpose of the timing is to obtain comments as early as possible in the project so that they may be considered in the first review cycle. However, projects generally require multiple review cycles where additional information is submitted over the course of the review. DPD will accept comments until a decision is published.

The project will be noticed at least one more time for the Design Review Recommendation Meeting. The Recommendation Meeting will not be scheduled until a correction response has been provided.

I hope this helps answer your questions.

Sincerely,

Lindsay King
Senior Land Use Planner

From: Sarah Armstrong [mailto:sarah.armstrong@gmail.com]
Sent: Wednesday, December 31, 2014 2:55 PM
To: Charles Wheeler; PRC
Cc: King, Lindsay; Stephan Namisnak
Subject: Re: Project 3016024, 2203 Eastlake Ave

PRC

From: King, Lindsay
Sent: Monday, January 05, 2015 3:52 PM
To: Sarah Armstrong; Charles Wheeler; PRC
Cc: Stephan Namisnak
Subject: RE: Project 3016024, 2203 Eastlake Ave

Sarah,

Thank you for your email. The public comment period for SEPA and a Rezone begins once an application is submitted. The purpose of the timing is to obtain comments as early as possible in the project so that they may be considered in the first review cycle. However, projects generally require multiple review cycles where additional information is submitted over the course of the review. DPD will accept comments until a decision is published.

The project will be noticed at least one more time for the Design Review Recommendation Meeting. The Recommendation Meeting will not be scheduled until a correction response has been provided.

I hope this helps answer your questions.

Sincerely,

Lindsay King
Senior Land Use Planner

From: Sarah Armstrong [mailto:sarah.armstrong@gmail.com]
Sent: Wednesday, December 31, 2014 2:55 PM
To: Charles Wheeler; PRC
Cc: King, Lindsay; Stephan Namisnak
Subject: Re: Project 3016024, 2203 Eastlake Ave

Lindsay and PRC -

I have added the PRC email address to make my comment and Charles' 12/21 comment both part of the public record.

I echo Charles' concern that an early SEPA review should not be permitted. So much information remains to be provided that could influence the public's opinion of the proposed development.

Moreover, it seems reasonable the public would be alerted once the developer has responded to the three correction notices posted 11/26/2014, 12/4/2014, and 12/15/2104. I still am not clear how a project submitted with an incomplete application was opened to the public for comment and I second Charles' request to reopen the comment period AND inform the public of the new information once it has been made available. Do we have an idea of when this information will be provided and made publicly available?

Thank you, and happy new year.

Sarah

On Wed, Dec 31, 2014 at 2:22 PM, Charles Wheeler <cbw@charleswheeler.net> wrote:

I'm resending this email as it has not appeared on the Library site.

From: Charles Wheeler [mailto:cbw@charleswheeler.net]
Sent: Sunday, December 21, 2014 11:15 AM
To: 'King, Lindsay'
Cc: Stephan Namisnak; 'Sarah Armstrong'
Subject: Project 3016024, 2203 Eastlake Ave

Lindsay, I'd like to submit this for your consideration. The Revised Notice of Application from DPD contained the following statement:

"**SEPA Environmental Determination** (This project is subject to the Optional DNS Process (WAC 197-11-355) and Early DNS Process (SMC 25.05.355). This comment period may be the only opportunity to comment on the environmental impacts of this proposal.)"

I think early SEPA review is inappropriate on the documentation submitted so far, since the applicant has yet to respond to the 12 items in the first correction notice and the seven items in the second notice, including preparation of an environmental report, traffic report and a view impact analysis. At the very least, the public should be afforded the opportunity to comment after that information is submitted. Thus the comment period should be extended.

Thanks

Charles Wheeler

201 East Boston St

Seattle, WA 98102

This email has been checked for viruses by Avast antivirus software.
www.avast.com

Peli, Michael

From: Jacob McCoy <jacob.m.mccoy@gmail.com>
Sent: Friday, January 02, 2015 1:04 PM
To: PRC
Subject: ATTN: Public Resource Center or Assigned Planner re: Project 3016024

To Whom It May Concern:

I am writing as a neighbor to oppose this proposed project at 2203 Eastlake Ave E (Project #: 3016024).

The plan to build a 5-story structure with 45 residential units and over 3000 sq. ft. of commercial space is inconsistent with the character of Eastlake. While more population density is desirable to prevent suburban sprawl, there seems to be no coherent plan for the transportation infrastructure needed to handle an increase in population. While this project may be a large drop in the bucket that is urban growth, I fear it will have a negative tangible effect on the quality of life in the surrounding area.

Adequate street parking is a concern. Neighborhood parking is already lacking, and even though the plan includes onsite parking, one expects residents and commercial users will require more parking, spilling on to the street.

Thank you for hearing my concern.

Sincerely,
Jacob McCoy
2044 Yale Avenue E #304

--
Jacob McCoy
(206) 245-5084

East Boston Street Condominium Association

Re: Project #3016024 at 2203 Eastlake Ave E, Seattle 98102

27 December 2014

Lindsay King, Planner
Dept. of Planning and Development
PO Box 34019
Seattle WA 98124

Ms. King,

The public comment period for the project referenced above closes 31 December 2014 despite critical preparatory studies having yet to be made available by the developers. While we await the completion of a view impact analysis appropriate to the scenic street designation along with historic structure reviews and traffic studies, please accept this request to extend the comment period.

In considering an extension, please allow sufficient time for the general public to be made aware of the availability of these studies and then to comment on the project in light of them. It is difficult for the public to make informed comment on a proposal without access to the very information on which they are expected to comment.

The one aspect of the current proposal that would seem to need no further study is the developers' request for an optional early action determination of non-significance. This project poses any number of highly significant issues as indicated by the studies which your own office has requested. It raises a great many valid concerns for various parties as expressed in previous comments by individual members of our Association as well as those made by others in the neighborhood and delineated in considerable detail in the letter sent to DPD on 3 December 2014 by the Eastlake Community Council.

Clearly, this is a matter of significance.

On behalf of the East Boston Street Condominium Association,

Stephan Namisnak
President, EBSCA

Cc: Josy.Rush@seattle.gov PRC@seattle.gov

Camacho, Rodolfo

From: Ray Baalman <raybetsy@charter.net>
Sent: Saturday, December 27, 2014 7:09 PM
To: Stephan Namisnak
Cc: King, Lindsay; PRC; Rush, Josy
Subject: RE: Request to extend comment period for Project #3016024

Excellent letter, Stephan!

Ray & Betsy

On Sat, Dec 27, 2014 at 6:43 PM, Stephan Namisnak wrote:

Re: Project #3016024 at 2203 Eastlake Ave E, Seattle 98102

27 December 2014

Lindsay King, Planner
Dept. of Planning and Development
PO Box 34019
Seattle WA 98124

Ms. King,

The public comment period for the project referenced above closes 31 December 2014 despite critical preparatory studies having yet to be made available by the developers. While we await the completion of a view impact analysis appropriate to the scenic street designation along with historic structure reviews and traffic studies, please accept this request to extend the comment period.

In considering an extension, please allow sufficient time for the general public to be made aware of the availability of these studies and then to comment on the project in light of them. It is difficult for the public to make informed comment on a proposal without access to the very information on which they are expected to comment.

The one aspect of the current proposal that would seem to need no further study is the developers' request for an optional early action determination of non-significance. This project poses any number of highly significant issues as indicated by the studies which your own office has requested. It raises a great many valid concerns for various parties

as expressed in previous comments by individual members of our Association as well as those made by others in the neighborhood and delineated in considerable detail in the letter sent to DPD on 3 December 2014 by the Eastlake Community Council.

Clearly, this is a matter of significance.

On behalf of the East Boston Street Condominium Association,

Stephan Namisnak
President, EBSCA

Cc: Josy.Rush@seattle.govPRC@seattle.gov

December, 17, 2014

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: **Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.**

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC1P-40. The rezone is necessary to make this project a reality and allow and will help the Eastlake Community achieve its vision and neighborhood plan.

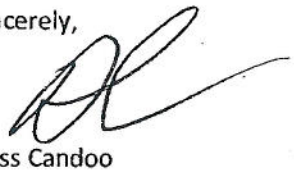
Up until 18 months ago I conducted my commercial real estate business from an office in the Eastlake neighborhood. Currently I am working in the Greenlake neighborhood and was drawn here largely due to the walkability and convenient services that are provided in the new upscale mixed-use properties that had recently been built in the area.

As more properties like the one proposed develop in the Eastlake neighborhood it will become a more pedestrian friendly and commercially vibrant neighborhood. Many other neighborhoods are finding that 40 to 65 ft development standards help attract the development dollars and type of iconic projects that transform neighborhoods in a positive way. Eastlake simply has not kept up with the rest of Seattle.

John Links has already addressed neighborhood concerns through the Early Design Guidance process and has a long standing reputation in Seattle as a high quality developer who creates structures that stand the test of time.

In sum, the proposed development at 2203 and 2209 Eastlake Avenue East will benefit the neighborhood. The project is contingent on the pending contract rezone to an NC1P-40, and I strongly urge the City of Seattle to approve the rezone.

Sincerely,



Ross Candoo
206.818.4715

Peli, Michael

From: Sarah Armstrong <sarah.armstrong@gmail.com>
Sent: Monday, December 08, 2014 12:35 PM
To: Rush, Josy; PRC; King, Lindsay
Cc: Charles; sandra wheeler; Stephan Namisnak
Subject: Public Records Request (Project #3016024)

Hi Josy,

Thank you for your response.

I will be writing a comment on behalf of my homeowners association and want to ensure I have access to the necessary documents for the preparation of these comments. In your role, I do not know if you have visibility into the comment period, so I have added PRC and Lindsay King, the assigned planner, to this thread.

PRC, Lindsay - Josy has indicated a full or partial response to my request for all records related to Project 3016024 by January 7, 2015. The date given for a response to my records request does not allow me and the other officers access to the information by the end of the comment period (now December 17, 2014). If the information is not produced by sufficient time in advance of the deadline (i.e., the end of this week), I request a continuance of the comment period.

Thank you,
Sarah

cc: East Boston St Condo Association Officers

On Mon, Dec 8, 2014 at 10:36 AM, Rush, Josy <Josy.Rush@seattle.gov> wrote:

Ms. Armstrong,

I have received your request. I estimate a full or partial response by January 7, 2015. However, I will make every effort to release records as soon as they can be reviewed.

Please contact me if you have any questions.

Regards,

Josy

Public Disclosure Officer/Administrative Staff Analyst

(206) 233-7910

From: Sarah Armstrong [mailto:sarah.armstrong@gmail.com]
Sent: Monday, December 08, 2014 9:14 AM
To: Rush, Josy
Subject: Public Records Request

To Josy Rush, Public Records Officer of DPD:

Under the state Public Records Act (RCW.42.56), I request all documents (including but not limited to text messages, e-mails, schedules, notes of meetings or phone conversations, voice mail messages, word processing or file-sharing documents, and metadata for any of the above) that since Jan. 1, 2013 may have been sent, received, or in the custody of anyone employed by the Department of Planning and Development regarding any aspect of the proposed project at 2003 and/or 2009 Eastlake Ave. E. (permit number 3016024).

Please provide the requested documents in batches by e-mail attachment to sarah.armstrong@gmail.com, and please provide whatever you can soon, as time is of the essence.

In addition to your sending me the documents by e-mail, I request to view in person the project file. Please let me know when I can come to DPD to do so.

Sincerely,

Sarah Armstrong

206.214.5969

sarah.armstrong@gmail.com

January 2, 2015

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality.

My office is located at 3213 Eastlake Ave E, Suite B, Seattle, WA 98102. Currently, the neighborhood lacks some crucial amenities and community-oriented retail activity with a few exceptions, the commercial space along Eastlake Avenue is largely occupied by traditional office-space and is in dire need of more engaging retail activity. The development will energize the streetscape along Eastlake Avenue with retail activity and an open-air atmosphere between the sidewalk and commercial spaces; and, consistent with the cities overall plan to increase urban density, creating more residential apartment homes. I look forward to seeing more local neighborhood retail and expect the project's planned streetscape will contribute to the revitalization of the Eastlake corridor.

Maria Barrientos, Barrientos, LLC has also addressed neighborhood concerns through the Early Design Guidance process. Given the thoughtful design to unit layouts and the building in relation to the street and neighborhood, I have no concern with the increased density. I support the Design Review Board's approval of the blended residential-commercial space in the corner courtyard; I believe it will be a great addition to the neighborhood.

Finally, I appreciate the developer's willingness to informally meet with neighborhood residents in an attempt identify and address concerns. For example, neighborhood parking is a particular concern; in response, the developer has included additional parking in the project to alleviate some of the current parking issues and provide additional parking for local residents and businesses.

In sum, I believe the proposed development at 2203 and 2209 Eastlake Avenue East will benefit the neighborhood. The project is contingent on the pending contract rezone to an NC2P-40, and I strongly urge the City of Seattle to approve the rezone.

Sincerely,

Siew L. Tan, P.E.
Principal at PanGEO, Inc.

Camacho, Rudy

From: Bolser, Shelley
Sent: Friday, September 11, 2015 12:15 PM
To: PRC
Subject: 3016024 public comment

This should have been sent to the Public Resource Center, rather than to Reta on the public notice team, but here's another comment for the record.

From: Joseph Buchta [mailto:jbuchta@gmail.com]
Sent: Friday, September 11, 2015 11:46 AM
To: Gonzales Cunneutubby, Reta
Subject: Re: City of Seattle Department of Planning & Development Notice #3016024 - September 10, 2015

Hi Reta,

Are you serious that the Director approved the rezone when no building in the area or around it is 5 stories? Did you get a payment from the developer to look the other way?

Thank you for destroying this city of those of us that live in it.

A very angry tax payer,

Joseph

On Fri, Sep 11, 2015 at 9:55 AM, Gonzales Cunneutubby, Reta <Reta.Gonzales@seattle.gov> wrote:

Please see attached Notice published on **September 10, 2015.**

This notice is being sent to you because you either submitted comments or requested to be a party of record for this project or are the applicant/contact. You may view the decision document at http://web6.seattle.gov/dpd/luib/NoticeSearch.aspx. (This link will allow you to type in the Project number and, from the decision notice, open the decision document.)

Thanks,

r

RETA GONZALES-CUNNEUTUBBY

Administrative Specialist III

Seattle Department of Planning & Development

Public Resource Center

700 Fifth Avenue, Suite 2000

PO Box 34019

Seattle, WA 98124-4019

206-727-8525 (Tel)

reta.gonzales@seattle.gov

--
Joseph Buchta
jbuchta@gmail.com

Herbaugh, Melinda

From: Bolser, Shelley
Sent: Tuesday, October 06, 2015 12:19 PM
To: tomas ardavany; PRC
Subject: RE: project #3016024

Hi, thank you for your comments. I have made sure that they are added to the record, and a copy will be provided to the Hearing Examiner. The next step of the process is for the Hearing Examiner to hear the rezone analysis, public testimony, and the applicant's testimony. After that is complete, she will make a recommendation to City Council. City Council will review the entire record (including public comments), and make a decision about the rezone.

Thanks,
Shelley

Shelley Bolser, AICP, LEED AP
Land Use Planning Supervisor

City of Seattle
Department of Planning and Development
700 5th Ave, Suite 2000
PO Box 34019
Seattle, WA 98124-4019
Tel: (206) 733-9067
Fax: (206) 233-7902

From: tomas ardavany [mailto:ardytomas@yahoo.com]
Sent: Tuesday, October 06, 2015 9:27 AM
To: Bolser, Shelley; PRC
Subject: project #3016024

Dear Ms. Bolser,
I wish to express my disappointment in the rubber stamp process for rezoning permits in Seattle. I have lived in Seattle for 45 years. I worked as a nurse at Harborview Medical Center ER for 10 years and as a flight nurse for Airlift Northwest for 15 years. I am retired.
The out of control growth and the overwhelming catastrophe to culture in Seattle is changing this town irreversibly. I am not nostalgic, but rather concerned about the direction of change.
The mayor says 25% of taxes comes from new developments and ignores the loss of community.
Specifically, to the project number 3016024, this is another rubber stamp. It is perhaps unwritten, but where is the trade off for the community? Rezoning and variances are handed out and the developers give nothing back to the neighborhood or community that they impact with huge consequence. Why not trade rezoning and variances for sidewalk repair, parks, trees, home repairs and low income family assistance for housing?
You know, as well as I do, the boom/bust nature of what this city is doing. The apodments and expensive single unit housing will be vacant in a few years. How many 'ghost apartments' and condos do we have now? We have an increasing number of homeless. We have increasing lines at the food banks.
I am told by some City Council members I will just have to move because I will not be able to afford to live in my city as a retired person. Maybe it is because this is not my city anymore. Maybe it belongs to developers and their version of eminent domain.
I respect your position. However, please forward this to anyone you feel has the authority and responsibility for rezoning, variances and the impact of development for a decent affordable life in our neighborhoods.

Thank you.
Tom

PS, I volunteer at a food bank every week. I vote.

Tom Ardavany, R.N.
2203 Yale E.#103
Seattle Wa 98102
206 330-1565

Sent from Yahoo Mail on Android

Peli, Michael

From: King, Lindsay
Sent: Friday, December 19, 2014 9:24 AM
To: PRC
Subject: FW: Rezone Support Letter for Project 3016024-
Attachments: Eastlake support letter.pdf

From: Ross Candoo [mailto:ross@candooassociates.com]
Sent: Thursday, December 18, 2014 3:53 PM
To: King, Lindsay
Subject: Rezone Support Letter for Project 3016024-

Ms. King,

Please see the attached letter letter voicing my strong support for the proposed 45 unit mixed use project at Boston Street and Eastlake Avenue. Feel free to call if you have any questions.

Thank you.

Ross Candoo
Candoo Associates, Inc.
7301 Fifth Avenue NE, Suite A
Seattle, WA 98115
office 206-441-4410
cell 206-818-4715
ross@candooassociates.com
www.Candooassociates.com

avast! be free This email is free from viruses and malware because avast! Antivirus protection is active.

Peli, Michael

From: King, Lindsay
Sent: Wednesday, December 31, 2014 12:51 PM
To: PRC
Subject: FW: Project 3016024, 2203 Eastlake Ave

From: Charles Wheeler [mailto:cbw@charleswheeler.net]
Sent: Sunday, December 21, 2014 11:15 AM
To: King, Lindsay
Cc: Stephan Namisnak; 'Sarah Armstrong'
Subject: Project 3016024, 2203 Eastlake Ave

Lindsay, I'd like to submit this for your consideration. The Revised Notice of Application from DPD contained the following statement:

"SEPA Environmental Determination (This project is subject to the Optional DNS Process (WAC 197-11-355) and Early DNS Process (SMC 25.05.355). This comment period may be the only opportunity to comment on the environmental impacts of this proposal.)"

I think early SEPA review is inappropriate on the documentation submitted so far, since the applicant has yet to respond to the 12 items in the first correction notice and the seven items in the second notice, including preparation of an environmental report, traffic report and a view impact analysis. At the very least, the public should be afforded the opportunity to comment after that information is submitted. Thus the comment period should be extended.

Thanks Charles Wheeler
201 East Boston St
Seattle, WA 98102

This email has been checked for viruses by Avast antivirus software.
www.avast.com

Camacho, Rodolfo

From: King, Lindsay
Sent: Monday, December 29, 2014 8:34 AM
To: PRC
Subject: FW: Letter of Support for Project at 2203 & 2209 Eastlake Ave E
Attachments: Letter to planning dept.pdf

From: Chicks Golf, too [mailto:chicksgolftoo@gmail.com]
Sent: Tuesday, December 23, 2014 2:15 PM
To: King, Lindsay
Cc: john@equipacdev.com
Subject: Letter of Support for Project at 2203 & 2209 Eastlake Ave E

Ms. King -

Please find attached my letter of support for the John Links project at 2203 & 2209 Eastlake Ave E.

Kind Regards,
Amanda Brynn
--
Chicks Golf, too
PO Box 592
Puyallup, WA 98371
www.chicksgolftoo.com
Find us on Facebook!

Lindsay and PRC -

I have added the PRC email address to make my comment and Charles' 12/21 comment both part of the public record.

I echo Charles' concern that an early SEPA review should not be permitted. So much information remains to be provided that could influence the public's opinion of the proposed development.

Moreover, it seems reasonable the public would be alerted once the developer has responded to the three correction notices posted 11/26/2014, 12/4/2014, and 12/15/2104. I still am not clear how a project submitted with an incomplete application was opened to the public for comment and I second Charles' request to reopen the comment period AND inform the public of the new information once it has been made available. Do we have an idea of when this information will be provided and made publicly available?

Thank you, and happy new year.

Sarah

On Wed, Dec 31, 2014 at 2:22 PM, Charles Wheeler <cbw@charleswheeler.net> wrote:

I'm resending this email as it has not appeared on the Library site.

From: Charles Wheeler [mailto:cbw@charleswheeler.net]
Sent: Sunday, December 21, 2014 11:15 AM
To: 'King, Lindsay'
Cc: Stephan Namisnak; 'Sarah Armstrong'
Subject: Project 3016024, 2203 Eastlake Ave

Lindsay, I'd like to submit this for your consideration. The Revised Notice of Application from DPD contained the following statement:

"**SEPA Environmental Determination** (This project is subject to the Optional DNS Process (WAC 197-11-355) and Early DNS Process (SMC 25.05.355). This comment period may be the only opportunity to comment on the environmental impacts of this proposal.)"

I think early SEPA review is inappropriate on the documentation submitted so far, since the applicant has yet to respond to the 12 items in the first correction notice and the seven items in the second notice, including preparation of an environmental report, traffic report and a view impact analysis. At the very least, the public should be afforded the opportunity to comment after that information is submitted. Thus the comment period should be extended.

Thanks

Charles Wheeler

201 East Boston St

Seattle, WA 98102

This email has been checked for viruses by Avast antivirus software.
www.avast.com

December 19, 2014

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC1P-40. The rezone is necessary to make this project a reality.

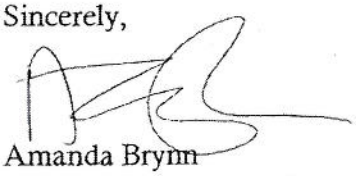
The project as proposed advances the Eastlake Community's goals, vision and neighborhood plan. I have lived in the Eastlake neighborhood for more than a year now and couldn't be happier with the growth I see coming into the area.

I look forward to seeing more high quality retail space and expect the project's planned streetscape will contribute to the revitalization of the Eastlake corridor.

It's my understanding that developer, John Links has addressed neighborhood concerns through the Early Design Guidance process and prepared the project accordingly.

As a former retail business owner, I believe the proposed development at 2203 and 2209 Eastlake Avenue East will benefit the neighborhood. The project is contingent on the pending contract rezone to an NC1P-40, and I strongly urge the City of Seattle to approve the rezone.

Sincerely,



Amanda Brynn
117 E. Louisa St. #587
Seattle, WA 98102

January 20, 2015

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality.

The University of Washington – the 3rd largest employer in the start of Washington and one of the largest recipients of health grants in the United States – sits at the N end of the Eastlake corridor connecting South Lake Union, Fred Hutch, the biotech cluster and booming Amazon.

Eastlake Avenue East is an essential transportation corridor between these two vital hubs and a natural candidate for further housing density and related retail services. The corridor is served by Metro Bus Routes 66 and 67 including electric overhead trolley providing essential transportation to support increased living density in the neighborhood.

This increased density also is a fits well as part of the City of Seattle's and goal of contributing to the comprehensive plan which is part to the Washington State Growth Management Act.

Currently the Eastlake corridor is badly under-zoned with a puzzling array of inconsistent zoning ranging from low-rise 2 zoning to NC3- 65 zoning. The neighborhood is ripe for a complete up zone similar to those provided in South Lake Union, Broadway Avenue, Market Street in Ballard, University Way and several other major arterials in the University District and the likely proposed up-zoning in Uptown Queen Anne.

A rezoning of Eastlake Avenue E. will not change the charm, character and eclectic nature of the mostly single family, smaller, multi-plex and apartment inventory on Fairview, Minor, Yale, Franklin and Boylston Avenues and their East/West connecting side streets.

Sincerely,

William Morrow
1700 Westlake Ave. N. Suite 702
Seattle, WA 98109

RECEIVED
JAN 20 REC'D
BY:

Peli, Michael

From: Stephan Namisnak <thecolonelschicken@yahoo.com>
Sent: Tuesday, January 06, 2015 7:16 PM
To: King, Lindsay
Cc: PRC
Subject: Project #3016024

Lindsay,

thanks for your reply last week regarding the comment period on this project.

I'll admit to being unfamiliar with the planning process but, to reiterate, a sign showing the comment period for a project as having closed would seem to actively discourage members of the public from commenting after that date. How is a concerned passerby looking at that sign to know their comments will still be accepted now that 31 December has passed?

Will there be any further direct mailings to inform neighboring residents of the completion of requested studies or the dates of future Design Reviews?

In any event, please add our Homeowners' Association (East Boston Street Condominium Association at ebsca@yahoogroups.com and 201 E Boston St Seattle 98102) along with myself as parties of record.

thanks,

Stephan Namisnak
EBSCA, President

From: "King, Lindsay" <Lindsay.King@seattle.gov>
To: Stephan Namisnak <thecolonelschicken@yahoo.com>
Cc: PRC <PRC@seattle.gov>
Sent: Wednesday, December 31, 2014 6:12 AM
Subject: RE: PRC staff declines request to extend comment period for Project #3016024?

Stephen,

Thank you for your email. At this time we are currently waiting for the applicant to respond to the corrections from the letter dated November 26, 2014. DPD accepts comments from the public throughout the review until the point DPD issues a Recommendation/Decision. Please feel free to submit comments at any point within the process.

Sincerely,

Lindsay King
Senior Land Use Planner

From: Stephan Namisnak [mailto:thecolonelschicken@yahoo.com]
Sent: Tuesday, December 30, 2014 12:24 PM

To: King, Lindsay
Subject: PRC staff declines request to extend comment period for Project #3016024?

Lindsay,

Understand you were out of the office until yesterday so I don't know if you've had a chance to weigh in on requests to extend the comment period for the project referenced above.

The PRC staff sent a summary denial of the request. My original letter is appended below. In a presumably transparent municipal process, it seems inconceivable that the opportunity for open public comment would would be closed before the public have had a chance to see the preliminary analyses on which comments are expected to be made.

Has your office even received any of the studies which were requested from the developers?

Please let me know and, if possible, please ask the PRC staff to extend the formal comment period so all concerned parties have a chance to review the pertinent studies and comment on them accordingly.

Beyond this, I hope you passed a jolly holiday.

Happy New Year ahead,
Stephan Namisnak
310-804-5410

Begin forwarded message:

> **From:** PRC <PRC@seattle.gov>
> **Date:** December 29, 2014 at 7:52:06 AM PST
> **To:** Stephan Namisnak <thecolonelschicken@yahoo.com>
> **Subject: RE: Request to extend comment period for Project #3016024**
>
> This comment period has already been granted a 14-day extension from its original date of 12/17/14. Unfortunately we are unable to extend the comment period any further, although we consider all comments submitted after the comment period up until when the decision is published.
>
> Thank you,
> PRC Staff

From: Stephan Namisnak [mailto:thecolonelschicken@yahoo.com]
Sent: Saturday, December 27, 2014 6:44 PM
To: King, Lindsay
Cc: PRC; Rush, Josy
Subject: Request to extend comment period for Project #3016024

Re: Project #3016024 at 2203 Eastlake Ave E, Seattle 98102

27 December 2014

Lindsay King, Planner
Dept. of Planning and Development
PO Box 34019
Seattle WA 98124

Ms. King,

The public comment period for the project referenced above closes 31 December 2014 despite critical preparatory studies having yet to be made available by the developers. While we await the completion of a view impact analysis appropriate to the scenic street designation along with historic structure reviews and traffic studies, please accept this request to extend the comment period.

In considering an extension, please allow sufficient time for the general public to be made aware of the availability of these studies and then to comment on the project in light of them. It is difficult for the public to make informed comment on a proposal without access to the very information on which they are expected to comment.

The one aspect of the current proposal that would seem to need no further study is the developers' request for an optional early action determination of non-significance. This project poses any number of highly significant issues as indicated by the studies which your own office has requested. It raises a great many valid concerns for various parties as expressed in previous comments by individual members of our Association as well as those made by others in the neighborhood and delineated in considerable detail in the letter sent to DPD on 3 December 2014 by the Eastlake Community Council.

Clearly, this is a matter of significance.

On behalf of the East Boston Street Condominium Association,

Stephan Namisnak
President, EBSCA

Cc: Josy.Rush@seattle.gov PRC@seattle.gov

Peli, Michael

From: Sarah Armstrong <sarah.armstrong@gmail.com>
Sent: Wednesday, December 31, 2014 2:55 PM
To: Charles Wheeler; PRC
Cc: King, Lindsay; Stephan Namisnak
Subject: Re: Project 3016024, 2203 Eastlake Ave

Lindsay and PRC -

I have added the PRC email address to make my comment and Charles' 12/21 comment both part of the public record.

I echo Charles' concern that an early SEPA review should not be permitted. So much information remains to be provided that could influence the public's opinion of the proposed development.

Moreover, it seems reasonable the public would be alerted once the developer has responded to the three correction notices posted 11/26/2014, 12/4/2014, and 12/15/2104. I still am not clear how a project submitted with an incomplete application was opened to the public for comment and I second Charles' request to reopen the comment period AND inform the public of the new information once it has been made available. Do we have an idea of when this information will be provided and made publicly available?

Thank you, and happy new year.

Sarah

On Wed, Dec 31, 2014 at 2:22 PM, Charles Wheeler <cbw@charleswheeler.net> wrote:

I'm resending this email as it has not appeared on the Library site.

From: Charles Wheeler [mailto:cbw@charleswheeler.net]
Sent: Sunday, December 21, 2014 11:15 AM
To: 'King, Lindsay'
Cc: Stephan Namisnak; 'Sarah Armstrong'
Subject: Project 3016024, 2203 Eastlake Ave

Lindsay, I'd like to submit this for your consideration. The Revised Notice of Application from DPD contained the following statement:

"**SEPA Environmental Determination** (This project is subject to the Optional DNS Process (WAC 197-11-355) and Early DNS Process (SMC 25.05.355). This comment period may be the only opportunity to comment on the environmental impacts of this proposal.)"

I think early SEPA review is inappropriate on the documentation submitted so far, since the applicant has yet to respond to the 12 items in the first correction notice and the seven items in the second notice, including preparation of an environmental report, traffic report and a view impact analysis. At the very least, the public should be afforded the opportunity to comment after that information is submitted. Thus the comment period should be extended.

Thanks

Charles Wheeler

201 East Boston St

Seattle, WA 98102

This email has been checked for viruses by Avast antivirus software.
www.avast.com

Peli, Michael

From: Ray Baalman <raybetsy@charter.net>
Sent: Tuesday, December 30, 2014 6:34 PM
To: PRC
Subject: Project #3016024

Why is the comment period being closed before all of the project studies are complete? This makes no sense.

Ray & Betsy Baalman

Peli, Michael

From: King, Lindsay
Sent: Wednesday, December 31, 2014 6:13 AM
To: Stephan Namisnak
Cc: PRC
Subject: RE: PRC staff declines request to extend comment period for Project #3016024?

Stephen,

Thank you for your email. At this time we are currently waiting for the applicant to respond to the corrections from the letter dated November 26, 2014. DPD accepts comments from the public throughout the review until the point DPD issues a Recommendation/Decision. Please feel free to submit comments at any point within the process.

Sincerely,

Lindsay King
Senior Land Use Planner

From: Stephan Namisnak [mailto:thecolonelschicken@yahoo.com]
Sent: Tuesday, December 30, 2014 12:24 PM
To: King, Lindsay
Subject: PRC staff declines request to extend comment period for Project #3016024?

Lindsay,

Understand you were out of the office until yesterday so I don't know if you've had a chance to weigh in on requests to extend the comment period for the project referenced above.

The PRC staff sent a summary denial of the request. My original letter is appended below. In a presumably transparent municipal process, it seems inconceivable that the opportunity for open public comment would would be closed before the public have had a chance to see the preliminary analyses on which comments are expected to be made.

Has your office even received any of the studies which were requested from the developers?

Please let me know and, if possible, please ask the PRC staff to extend the formal comment period so all concerned parties have a chance to review the pertinent studies and comment on them accordingly.

Beyond this, I hope you passed a jolly holiday.

Happy New Year ahead,
Stephan Namisnak
310-804-5410

Begin forwarded message:

From: PRC <PRC@seattle.gov>
Date: December 29, 2014 at 7:52:06 AM PST
To: Stephan Namisnak <thecolonelschicken@yahoo.com>
Subject: RE: Request to extend comment period for Project #3016024

This comment period has already been granted a 14-day extension from its original date of 12/17/14. Unfortunately we are unable to extend the comment period any further, although we consider all comments submitted after the comment period up until when the decision is published.

Thank you,
PRC Staff

From: Stephan Namisnak [mailto:thecolonelschicken@yahoo.com]
Sent: Saturday, December 27, 2014 6:44 PM
To: King, Lindsay
Cc: PRC; Rush, Josy
Subject: Request to extend comment period for Project #3016024

Re: Project #3016024 at 2203 Eastlake Ave E, Seattle 98102

27 December 2014

Lindsay King, Planner
Dept. of Planning and Development
PO Box 34019
Seattle WA 98124

Ms. King,

The public comment period for the project referenced above closes 31 December 2014 despite critical preparatory studies having yet to be made available by the developers. While we await the completion of a view impact analysis appropriate to the scenic street designation along with historic structure reviews and traffic studies, please accept this request to extend the comment period.

In considering an extension, please allow sufficient time for the general public to be made aware of the availability of these studies and then to comment on the project in light of them. It is difficult for the public to make informed comment on a proposal without access to the very information on which they are expected to comment.

The one aspect of the current proposal that would seem to need no further study is the developers' request for an optional early action determination of non-significance. This project poses any number of highly significant issues as indicated by the studies which your own office has requested. It raises a great many valid concerns for various parties as expressed in previous comments by individual members of our Association as well as those made by others in the neighborhood and delineated in considerable detail in the letter sent to DPD on 3 December 2014 by the Eastlake Community Council.

Clearly, this is a matter of significance.

On behalf of the East Boston Street Condominium Association,

Stephan Namisnak
President, EBSCA

Cc: Josy.Rush@seattle.gov PRC@seattle.gov

Peli, Michael

From: King, Lindsay
Sent: Wednesday, December 31, 2014 12:45 PM
To: PRC
Subject: FW: Project number 3016024 Boston and Eastlake

From: Brian Ramey [mailto:brianramey@comcast.net]
Sent: Wednesday, December 31, 2014 12:36 PM
To: King, Lindsay
Subject: Project number 3016024 Boston and Eastlake

Lindsay,

Please make me a party of record regarding this project.

I understand that today is the last day for public comment, however, it appears that not all the information requested by the City and the public has been answered. Therefore I reserve the right to comment on any additional information that is provide to the file in the future.

Why would the city cut off comment when not all the information requested has been responded to by the developer?

Even without the benefit of an analysis of view blockage, it seems that if the additional height requested by the developer should be denied and the City should adhere to the current zoning and density requirements for this site and deny any waiver from the current zoning and height limits requirements.

I will have more comments when the holidays are over.

Thank you,

Brian Ramey
117 East Louisa Street, #187
Seattle, WA 98102
(206) 271-4744
brianramey@comcast.net
"Whether we and our politicians know it or not, Nature is party to all our deals and decisions, and she has more votes, a longer memory and a sterner sense of justice than we do." – Wendell Berry

December 30, 2014

Lindsay King
Department of Planning and Development
700 Fifth Ave, Ste. 2000
Seattle, WA 98124

Re: Rezone Support Letter for Project 3016024
2203 & 2209 Eastlake Avenue East

Dear Ms. King,

This letter is in support of the above-referenced proposed development.

I have worked the Eastlake neighborhood for the past 10+ years as a commercial real estate broker. During this period many new mixed-use buildings have been constructed. In my opinion they have helped revitalize the neighborhood providing more housing, life and activity which in turn helps support more retail. I know this as I worked on the Equinox building project when they were first built by Schnitzer West. Throughout the country, it is a common trend that people are moving to areas where there is vibrancy, amenities, and life, such as coffee shops, restaurants, and places to shop, all within walking distance

I am of the opinion that this building will be a great addition to the area. John Links, the developer, has a good reputation for building first-class buildings with high quality architecture. Mr. Links lives in Eastlake and has owned property there dating back to 1974. I believe this new development will be very positive for the Eastlake community.

DPD is likely receiving some push back from the community about increasing the height limit here to 40 feet. As you no doubt know, significant portions of Capitol Hill, Lower Queen Anne, Belltown and South Lake Union have height limits of 65 feet and even 85 feet.

The Eastlake neighborhood lies between the University of Washington and South Lake Union. I strongly think that the community should welcome new development built to at least a 40-foot scale. Eventually, and even very soon, there will be pressure for 60 or 65-foot height limits. Wherever they are built, today's 40-foot buildings will ensure low-rise development that will be in place for the next 100 years.

Sincerely,

Damian Sevilla
Colliers International
206.931.9900

Peli, Michael

From: King, Lindsay
Sent: Wednesday, December 31, 2014 6:09 AM
To: PRC
Subject: FW: Support for Waterton on Eastlake
Attachments: Waterton Support Letter.pdf

From: Sevilla, Damian [mailto:Damian.Sevilla@colliers.com]
Sent: Tuesday, December 30, 2014 3:47 PM
To: King, Lindsay
Subject: Support for Waterton on Eastlake

December 30, 2014

Lindsay King
Department of Planning and Development
700 Fifth Ave, Ste. 2000
Seattle, WA 98124

Re: Rezone Support Letter for Project 3016024
2203 & 2209 Eastlake Avenue East

Dear Ms. King,

This letter is in support of the above-referenced proposed development.

I have worked the Eastlake neighborhood for the past 10+ years as a commercial real estate broker. During this period many new mixed-use buildings have been constructed. In my opinion they have helped revitalize the neighborhood providing more housing, life and activity which in turn helps support more retail. I know this as I worked on the Equinox building project when they were first built by Schnitzer West. Throughout the country, it is a common trend that people are moving to areas where there is vibrancy, amenities, and life, such as coffee shops, restaurants, and places to shop, all within walking distance

I am of the opinion that this building will be a great addition to the area. John Links, the developer, has a good reputation for building first-class buildings with high quality architecture. Mr. Links lives in Eastlake and has owned property there dating back to 1974. I believe this new development will be very positive for the Eastlake community.

DPD is likely receiving some push back from the community about increasing the height limit here to 40 feet. As you no doubt know, significant portions of Capitol Hill, Lower Queen Anne, Belltown and South Lake Union have height limits of 65 feet and even 85 feet.

The Eastlake neighborhood lies between the University of Washington and South Lake Union. I strongly think that the community should welcome new development built to at least a 40-foot scale. Eventually, and even very soon, there will be pressure for 60 or 65-foot height

Herbaugh, Melinda

From: Lydia Brennan <lydiafbrennan@hotmail.com>
Sent: Thursday, February 12, 2015 5:06 PM
To: King, Lindsay
Cc: PRC
Subject: Project 3016024 Address 2203 Eastlake Ave E

Dear Ms. King,

I am a resident and property owner at 2228 Eastlake Ave East and am very concerned about the negative impacts this new project will have on our Eastlake community.

My father built our building in 1993 per the Seattle building codes. He did not build to the allowable building height zoning code because the neighbors didn't want their views blocked. He provided parking for all his tenants and commercial space.

How is it possible that a big developer is able to break the building height zoning code after all these years? This will set a precedent for the Eastlake community - any builder with influence and money will be able to build whatever they deem profitable without regard to the neighborhood. I believe that the developer's presenter is on one of the Mayor's planning committees. Is this why this project is even being considered?

The developer claims that they are providing affordable housing for new, college graduates but their rental rates are not affordable for students with large student loans. The developer claims that they don't need to provide adequate parking because these same young, college graduates will not use cars. Seattle is not a city that can be navigated without a car. After renting for over 20 years on Eastlake, all of our tenants have owned cars. They may take the bus to work downtown or to school, but they all have a car that requires a parking place.

The building will definitely block the sunlight for all the buildings that were built to code which will negatively impact the neighborhood's real estate curb appeal.

Please do not approve this project. It is not a positive addition to the Eastlake neighborhood and it violates the zoning code.

Respectfully submitted,

Lydia Brennan
Eastlake resident and property owner

Peli, Michael

From: K Abe <kmasaoabe@gmail.com>

Sent: Wednesday, February 18, 2015 6:50 AM
To: PRC
Cc: info@eastlakeseattle.org
Subject: Public Comment for Master Use Project #3016024

Hi,

As a resident of Eastlake, I would like to take this opportunity to voice my concern over the pending construction at 2203 Eastlake Avenue E.

I took the liberty of attending an Eastlake Community meeting a couple of weeks ago on this development. What I heard was a request for a "special exception" to the building code height for the specific location. This would be precedent setting for the community and the city of Seattle.

If the DPD made an exception for this one development it could have potential impacts across city, where would it stop? The Eastlake Community President, also mentioned that the current height limit was intentional and based on action taken by the community.

What I didn't hear was a compelling argument by the Developer as to how the increase in the height limit would benefit the community. 39 parking spots for 45 residential units and 3 commercial spaces? Not compelling. What about the businesses that they were looking to attract? Was it a market that is sorely missing, no, just another offshoot of Serafina. Part of being a good neighbor is listening to the needs and concerns of the neighborhood and enhancing the livability of the community. I heard neither.

I understand that Seattle has to grow, but it has to grow in a smart way within the confines of the building code. If this Developer, or any other, wants to change the code that it should be addressed in the proper manner, not through an exception process.

Thank you for the opportunity to voice my concern and I hope that it will be taken into consideration when a decision is made.

Kurt Abe
Eastlake Resident

Camacho, Rodolfo

From: Gabriel Grant <gabrielfgrant@gmail.com>
Sent: Thursday, February 12, 2015 10:10 AM
To: PRC; King, Lindsay
Subject: Project: 3016024

Dear Ms. King,
As a long time resident of Eastlake (just around the corner from the proposed project) I am writing in support of Project 3016024. The developer, Maria Barrientos, has an excellent reputation for attractive and high quality buildings in urban neighborhoods throughout the city. This project will be a major improvement for that corner of Eastlake. Currently the dry cleaner and adjacent house add almost nothing to the street environment, whereas the proposed development will add excellent retail and a much more vibrant , something the neighborhood needs much more of. I am fully in support of the project's proposed height, as Eastlake is a busy urban corridor with excellent transit access that should be able to accommodate more neighbors. This is exactly where more dense housing should be built if the city is to grow in a sustainable and attractive way.

Please let me know if you have any questions.

Gabriel Grant

Peli, Michael

From: Joseph Buchta <jbuchta@gmail.com>

Sent: Wednesday, March 04, 2015 11:42 AM
To: PRC
Cc: Eastlake Community Council; Stephen Nelson
Subject: Public Comments: Project 3016024

Hello,

My partner and I live at 2223 Boylston Ave E in the Eastlake neighborhood. While our address is off of Boylston Ave E, our residence is situated off the alley about one block up from project #3016024 at 2203 Eastlake Ave E.

We have the following issues with the project at 2203 Eastlake Ave E:

1) The project is completely out of scale for the area which is evident given that the project is proposed to be rezoned to 5 stories. This area of Eastlake contains many small businesses including Serafina and Cicchetti. This building will tower over both of these restaurants and the outdoor spaces that diners use every summer. I have to think that this will negativity impact these iconic restaurants, their diners, and the quaintness of the experience.

2) The Eastlake infrastructure is not equipped to support this size of a development. This project will add over 45 more units and 37 parking spaces. Given that most apartments charge a hefty fee for parking (Equinox two blocks down the street charges over $150/month), many of these residents will opt to park on the street or in the neighborhood via RPZ permits. The streets in my neighborhood are already crowded to the point of not being safe. Take a look at the streets behind the Equinox or on Franklin Ave E. There is zero room for more cars and people are parking in front of fire hydrants and within 30 feet of stop signs.

3) Per the DPDs 2010 Population Growth Report, Eastlake is already 239% of the proposed 2024 target. Even if renters wanted to use public transit and forgo car ownership, public transit is not keeping up with the growth. As someone who rides the 66/70 buses regularly, I can tell you that the buses are over crowded and have no room for additional riders. Given the population growth already experienced, it is responsible to continue to build low-rise apartment structures with tens of units? Is public transit keeping up with the growth in our area?

4) I know you obviously do not care for our views, but the proposed rezoning **will** impact views. This isn't hard to figure out. The building is 5 stories and after adding a roof and penthouse exits for rooftop views, this will be close to 6 stories. We specifically chose to live in Eastlake due to the proximity to the lake and the views we enjoy. Allowing the rezoning will block many views of those who live on Eastlake and Boston. Moreover, it will create a hideous skyline from my upper balcony view which will directly look at this new building.

We have paid our price for Seattle growth in Eastlake. I ask that you **not** approve the rezoning of the project, **restrict** RPZ parking for any building that is approved, and begin to actually think about current residents when you build these projects. DPD is allowing developers to sell out our city by building projects like this and others in the area, such as the micro housing at 2371 Franklin Ave E.

--

EASTLAKE COMMUNITY COUNCIL

March 3, 2015

Director, Dept. of Planning and Development
701 Fifth Avenue, #1900
PO Box 34019
Seattle, WA 98124-4019

Public Resource Center
700 Fifth Avenue #2000
PO Box 34019
Seattle, WA 98124-4996

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVENUE AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

To the DPD director and the DPD Public Resource Center:

Attached to this letter, the Eastlake Community Council provides petitions with 124 signatures of people who have endorsed the following position and request, which ECC also endorses:

> We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

Please note that the requested public meeting is separate from any meeting of the Design Review Board. The DRB meetings should also be held in the Eastlake neighborhood, just as they were in the founding years of the design review program. As ECC has often pointed out to DPD: with so many large projects being proposed in Eastlake, it is harmful to public participation and to a good land use process for the DRB meetings about Eastlake neighborhood projects to be held at Seattle University, on the other side of I-5 and of Capitol Hill and farther even from Eastlake than downtown.

Sincerely,

Christopher K. Leman, President
Eastlake Community Council
info@eastlakeseattle.org
(206) 322-5463

117 E. Louisa #1 • Seattle, WA 98102

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
JOHANN WASSERMANN	jgwassermann@gmail.com	2507 MINOR AVE E	206.778.6671
Sandra C Wheeler	sandracwheeler@gmail.com	201 E BOSTON ST 98102	301.247.1728
Supriya Mitremail	sup.wick@gmail.	1135 18TH AVE E Seattle 98112	206.349.9033
Caitlin Heermans	CaitlinRoseSea@gmail.com	1017 BOREN AVE	206-604-3057
Preethi Ramani	ramani.preethi@gmail.com	1135 18th AVE E SEATTLE WA 98112	425-269-7331
Emily Wheeler	egwheeler@gmail.com	1123 18th Ave E Seattle	206.384.2312
CHRIS PATTERSON	chpatterson@gmail.com	1123 18TH AVE E SEATTLE	206 3842309
Charles Wheeler	cbw@charleswheeler.net	201 E Boston ST Seattle, WA 98102	301 247 0400
Darcelle Darby	darcelldarby.com@hotmail.com	21318 PTRAL WEST LYNNWOOD WA 98036	425-226-4802
David C Campbell	jmn45@comcast.net	5703 25th Ave NE Seattle, WA 98105	- none -
David C Campbell	- none -	716 N. 49th. Seattle Wa 98103	206-632-8175
Gerald West	GWEST@bex-nsa.com	Illegible alaska	206 [illegible]
Nate Reichard	N14bay@att.com	1229 Taylor ave N	206 301 6416
Cameron Lusvegas	cameron.lusvegas@gmail.com	201 Boston Ave Apt W	??
Scott Monk	—	2209 Eastlake Apt 4 Seattle, WA	—
James Campbell	—	94 E Newton 98102	—
MATT PONTIOUS	.	11 E ALLISON ST. #3	206-719-5549
DAVID WILLIAMSON	tmp@commandcreate	2497 31ST AVE NE	415.254.2772
NICK CURTIS	nick.curtis	850 NE 91ST ST.	(604) 679-6

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
STEPHAN NAMISNAK	THECOLONELSCHICKEN@YAHOO	201 E BOSTON #1100 98102	
Carol H. Namisnak	cnamisnak@	201 E. Boston, #1100 98102	
Calm Smith	dragonfly@hooseboatd.net	2017 Eastlake Ave E	206-518-9087
RYAN MURPHY	INFO@VYBEHUB.COM	2226 EASTLAKE AVE. E.	206-745-0160
JIM KOOLICK	TYEECHUCK.YAHOO	2123 NW 85TH ST	206 784 1761
Matthew Burnett	mattyburnett@hotmail	100 E. Edgar Seattle	360-305-6999
TIM HADDOX		117 E. Louisa ST.	206-226-9576
Annie Lyman	Annielyman1230@Yahoo.	2044 Yale Ave E SEATTLE	
Kurt Abe		KMASAOABE@gmail.com	
Michael Garrett	skybot2@hotmail.com	214 E. Edgar	206-328-0327
Jon Bergman	jmbergman43@comcast.net	614 E Lynn 98102	360-204-6780
LOU DALL	LOUDALL3@icloud.com	2260 PORTAGE BAY PL.E. 98102	206-324-3260
Bruce Davis	KING5TO436@COMCAST.NET	117 E. Louisa #487 Seattle, WA 98102	
Janet Yoder	JanetL.Yoder@gmail.com		
Robert Rudine	robertrudine@gmail.com		(206) 325-6645
Mary Lou Pederson	SAMMARY@AOL.COM	2727 FAIR VIEW AVE E. #3 98102	206-709-1453
Carolyn Krall	Krallc@[illegible].net	2370 Yale Ave E 98102	206-779-9132
Chris Leman CHRIS LEMAN	clemanB4.00.net	2370 Yale Ave 98102	206-322-5463

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Lydia Brennan	lydiafbrennan@hotmail.com	2228 Eastlake Ave E #6 Seattle 98102	303-549-6464
Ryan Brennan	ryanybrennan@msn.com	2228 Eastlake Ave E Seattle 98102	303-552-1268
Trevor Brennan	trevorybrennan@msn.com	2228 Eastlake Ave E Seattle 98102	303-552-1269
SCOTT M BRENNAN	SCOTTMBRENNAN@msn.com	2228 EASTLAKE AVE E APT 6 SEATTLE WA 98102	303-807-1466
Alejandra Tavares	alix_tavares@hotmail.com	2228 Eastlake Ave E. Apt 3. Seattle WA 98102	206-499-2089
Nanoatzin Castro	nanonb@gmail.com	2228 Eastlake Ave E. Apt 3 Seattle Wa 98102	206-457-7596
Sarah Quill	sarahquill@gmail.com	2228 Eastlake Ave E Apt 4 Seattle WA 98102	808-385-6979
Cheryl Dietrich Cheryl Dietrich	cherrelot@yahoo.com	2228 Eastlake Ave E Apt 4 Seattle, WA 98102	910-818-6945
DONALD H HUANG Donald Huang	donjing@comcast.net	2228 Eastlake AVE. E.	206-542-2397
Kathleen Carney	KathleenCarney@hotmail	2422 1st Ave W Seattle, WA 98119	206-769-9047
Clare Kanazawa	Kanazawa@gmail.com	"	206-351-3510
Paula Szlenk	pzaulac me.com	3118A Portage Bay Pl E	206-325-2108
Don Brownlee	brownlee@astro.washington.edu	3118A Portage Bay	206 325 2108
Gail Jensen	gail1005@gmail.com	1924 Fairview E #303	206-323-6005
Donald Gulden	dcgulde24@comcast.net	2624 W Viewmont Way W	206 286 8131
Liz Barbee	lizbarbee@hotmail.com	3100 Fairview Ave E #208	206-320-0810
Jan Boyer	"	3100 Fairview Ave E #208	206-320-0310
Lindy Nguyen	quangandlindynguyen@gmail.com	2703 Bayshore Drive E.	206-300-8622

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVENUE AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature) e-mail address U.S. mail address Phone

1 Janice Schindler Janice Schindler janice.schindler@comcast.net
1519 229th Ave SE · Sammamish 98074 · 425-681-6303 (work in 98012)

2 Alexandra Bailey Alex Bailey allie.bowman@gmail.com
201 E Boston St #3200
Seattle, WA 98102 585-734-8594

3 Calvin Chan 206-458-4790 calvin9175@gmail.com

4 Kelly Rowe 206-715-0190 rowe.kellyj@gmail.com

5 Chris Gan 253-632-9536 brainbumps@gmail.com

6 Kurt Pfaff 206-790-8351 SEWARD SCHOOL - TOPS

7 Alix Wandesforde-Smith alixws@msn.com

8 Randee Churchill 2065713651 ardichurch@gmail.com

9 Sam Newbold snewbold@gmail.com

10 Grace Reyer gracereyer@gmail.com

11 Britney Holdaas britneyholdaas@gmail

12 Jeff Sorensen jrsoren@gmail.com

13 Shantau Fellows shantaufellows@outlook.com

14 Kevin Klein kevinaklein@gmail.com

15 Laurie Thomas tgoldbar@gte.net

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Callie Chestnut		2234 Eastlake AVE #201	
Emilie Kimball			
Jacob May	mayjacobr@gmail.com	2334 Eastlake Ave	
[redacted]			
Travis White			
Curtis Black			
Ben Veman		2234 Eastlake Ave E	
Jordan Peters		2234 Eastlake Ave E	
Dana Erickson		2234 Eastlake AVE.	
John Markle	johnmarkle@uw.edu	2234 Eastlake Ave #301	
Katherine Polak	katester@gmail.com	2234 Eastlake Ave E Apt 303	609 668 8433
Lauren Sleezer	lauren.sleezer@gmail.com	2234 Eastlake AVE E	
Jeff Finkelpaugh	jfinkler@gmail.com	2234 Eastlake Ave E	
John Burke	johnjburk@gmail.com	2234 Eastlake Ave. E	

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Sarah Armstrong Sarah Armstrong	sarah.armstrong.e gmail.com	201 E Boston St #3107 Seattle, WA 98102	206.214.5969
LISA TEMPOSKY	temposky@hotmail.com	10501 - 8th Ave NE #225 Seattle, WA 98125	206-290-3734
Gina Hart	Graelyse@gmail.com	2907 NE 52nd St., #101 Seattle, WA 98105	206-819-2222
ANDREW JACKSON	ANDREW.JACKSON@COMCAST.NET	1414 12th AVE #503 SEATTLE, WA 98122	206-320-5912
Marianne Gendy Marianne Gendy	mgendy@seattleca.org	6909 Weedin Pl. NE Seattle, WA 98115	336-473-0059
Farnaz Dormanesh	sdormanesh@gmail.com	98118	408-854-6005
Sharon San Jose	ssanjose@seattleca.org	98105	206 370 4689
LUCY WU	lucywu91@gmail.com	98102	520 204 6682
Emily Walsworth	emilywalsworth@gmail.com	98118	206 288 6209
Alysha Duran	alyshaduran@hotmail.com	98199	206-999-6498
Kim Reilly Brooke		98102	206-329-1111
Reilly Pittman	reillywp@gmail.com	2312 3rd Ave #533	206-999-0840

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

- We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Eugene Y. Son	zenoram@gmail.com	5106 Greenlake way N#B	206-375-5072
Will Clagett	wmc@vnf.com	5552 Woodland Ave N	206 547 9591
Thuy Nguyen	tina_nguyen1027@live.com	825 NE 66th St.	509-438-8421
Kiley Koehler	KileyKoehler@charter.net	825 NE 66th St	5095213384
Kimberly Ong	kimberly.ong92@gmail.com	825 NE 66th St	6026-241-8430
Chris Clark	Chrisbuilds@comcast.net	9313 234th st	(425)286-4716
Calvin Cline	C.Cline@Hotmail.com	42227th Ave NE	(206)375-8980
Santa Velazquez	Sullmer420@Yahoo.com	9309 244th St	206 816 9439
Christian Gonzalez	christiangonz422@yahoo.com	1915 Linden Ave N.	206-356-1404

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
KAREN I. APPELMAN Karen I Appelman	Kiappelman@aol.com	2020 YALE AVE E #201 SEATTLE WA 98102	206-323-7636
Kathleen W. Jendrick Kathleen W Jendrick	kwjendrick@yahoo.com	2020 yale Ave E #202 Seattle WA 98102	206-329-3065
ETTA K. CHAMBERS Etta K Chambers	—	2014 YALE AVE. E, SEATTLE, WA 98102	206-323-8286
Michelle A Solon Michelle A Solon	masolon@me.com	2020 yale Ave E. #201 Seattle, WA 98102	206-329.7689
LAURIE D. KOHLI Laurie D. Kohli	lkohli@porterkohli.com	2020 YALE Ave E. #301 Seattle, WA 98102	206-682-0224
PAULA MCKINNON Paula McKinnon	paulamckinnon@	2020 YALE AVE E SEATTLE WA. #202	206 328 7227

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
STEPHEN LOCKE	STEPHENLOCKE@COMCAST.NET	1506 SW BRANDON ST 98106	206-651-5061
ELAINE LOCKE Elaine Locke	elainelocke@comcast.net	1506 SW BRANDON ST	206-651-5061
Timothy Locke	tim.locke.m@gmail.com	1506 SW Brandon St	206-607-7293

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Elizabeth O'Donoghue	lizodonoghue68@gmail	104 E Newton St	206-683-5624
Dan Schultery	dansing@gmail	12354 76th Ct. NE Kirkland	484-213-8008
EDWINA CHOUNG	echoung@uw.edu	4719 C 21st AVE NE, Seattle, WA 98105	206-719-9173
Aya Hatsukami	hatsukami@gmail.com	4628 22nd Ave NE Apt C Seattle	(206) 714-4985
Jen Majeska	jen@dagco.com	2228 Eastlake Ave E #2 Seattle	206.909.9799
Mark Price	Mark@coyotes.org	2228 Eastlake Ave E #2 Seattle, WA 98102	747-777-2189

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
William M. Waring	urbandoc@hotmail.com	4127 SW Kenyon Seattle WA 98136	206-933-0885
Douglas Donohue	dogbd@comcast.net	118 6th Ave N Seattle WA 98109	253-458-0718
Sharon Donohue	sharonkd@comcast.net	118 6th Ave N Seattle WA	253 458-0715

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVENUE ANDREQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle,WA 98102. Must have original signatures and contact information for each.Can have as few as onesigner. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on thelots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it beredesigned and resubmitted to be built within the existing zoning. We urgently request that the SeattleDept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear publiccomment regarding the proposed project and rezone.

	name (print & signature)	e-mail address	U.S. mail address	Phone
1	ADAM DREW	adamdrew@gmail.com	2037 Franklin AVE E apt 101 Seattle Wa 98102	206-949-9062
2	Descie Svennungsen	descie@gmail.com	2037 Franklin AVE E #101 Seattle Wa. 98102	206-462-0658
3				
4				
5				
6				

Peli, Michael

From: Eastlake Community Council <info@eastlakeseattle.org>
Sent: Tuesday, March 03, 2015 7:47 PM
To: Sugimura, Diane
Cc: PRC
Subject: Attached is a letter conveying a petition with 124 signatures opposing a rezone for Rezone #3016024 opposition petition & public meeting request with ECC covering letter.pdf
Attachments:

To the office of DPD Director Diane Sugimura and to the DPD Public Resource Center:

Attached is a March 3, 2015 letter from the Eastlake Community Council to Director Sugimura and to the Public Resource Center. The letter conveys a petition with 124 signatures endorsing the following statement and request regarding proposal #3016024:

> We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

Please confirm that you have received the letter and petition. Thanks!

Eastlake Community Council

Camacho, Rodolfo

From:	locke.stephen.i@gmail.com on behalf of Wayne Locke & Sons <locke.apartments@gmail.com>
Sent:	Monday, February 09, 2015 10:45 AM
To:	King, Lindsay
Cc:	PRC
Subject:	Public Comments regarding Project #3016024 2203 Eastlake Ave E
Attachments:	Public Comment Project 3016024.pdf

Dear Ms. King,

Please see the attached comments regarding the Re-zoning proposal project 3016024, 2203 Eatlake Ave E.

Regards,

Stephen Locke
206-762-4155

Vinemaple Apartments

2234 Eastlake Ave E
Seattle, WA 98102

Director, Dept of Planning and Development
701 Fifth Avenue, #2000
PO Box 34019
Seattle, WA 98124-4019

Public Resource Center
701 Fifth Avenue
PO Box 34019
Seattle, WA 98124-4019

Subject: Rezoning Proposal Project 3016024 2203 Eastlake Ave E

Dear Ms. King,

It has recently come to my attention as a member of the Eastlake residential community that a re-zoning request is being made at 2203 Eastlake Ave E for a 5 story building.

The city planning department has experienced a high level of concern from residents regarding the proposed re-zoning in what has been a relatively quiet and safe neighborhood. It is critical that the planning department not deviate from previously set zoning regulations which were established to provide consistency and predictability for our city neighborhoods as well as housing builders and designers. The area of Eastlake at the proposed project site is a quiet inner city neighborhood comprised of low-rise multi-family residential and mixed use buildings along with older single family homes. It is important to keep in mind that this very nature is what makes Eastlake a very special and desirable neighborhood to reside.

In addition to preserving the character of the Eastlake neighborhood and preventing it from turning in to anything resembling the west side of Lake Union which has totally changed the neighborhood, it is important that the city not create any additional challenges for traffic, pedestrians, and bicyclists. Service vehicles already must park temporarily in the middle of the street during restricted parking time periods creating significant hazards for bicyclists, drivers, and pedestrians.

Preserving the attractive characteristics of Seattle's neighborhoods should be a major factor in guiding the city's planning decisions. Ensuring consistent guidelines is critical to fair and equitable treatment of developers and residents.

Sincerely,

Stephen Locke

Locke.apartments@gmail.com
206-762-4155

Peli, Michael

From: Ryan Brennan <ryanybrennan@msn.com>
Sent: Sunday, February 22, 2015 5:13 PM
To: King, Lindsay
Cc: PRC
Subject: Project 3016024 at 2203/2209 Eastlake Ave E

Hi Ms. King,

My name is Ryan Brennan, and I am a resident of the Eastlake community. I live at 2228 Eastlake Ave E, and I want to express my displeasure for Project 3016024 being constructed at 2203/2209 Eastlake Ave E. The designers requested the rezone so they can provide more "affordable housing." Rezoning this building will create the expectation that other designers will be able to rezone and build unnecessarily large buildings, which will disrupt the feel of the Eastlake community as a suburb of Seattle. Even more disturbing, the designers are absolutely not providing "affordable housing" for their intended tenants. At the Eastlake Community meeting, the designers expressed their desire to target current students and recent graduates of the University of Washington. As a recent graduate, I can personally attest that no student can afford their "studio apartment" for $1,200 a month. $1,200 a month is also robbery for a unit that is only 700 square feet.

In addition, the designer's intend for this building to be a high density apartment complex with too many small apartments. Based on the current plan, it will be impossible for the designers to provide the parking necessary for their tenants. Parking on Eastlake is a disaster. The side streets are always incredibly packed every day of the week, and with traffic the area becomes gridlocked. This building will compound an already serious issue. The designers have a responsibility to provide enough parking for all of their tenants and commercial units to prevent more congestion in the Eastlake community.

Thank you for your time,

Ryan Brennan

Peli, Michael

From: Bolser, Shelley
Sent: Monday, April 06, 2015 10:19 AM
To: PRC
Subject: FW: Permit Land Use 3016024
Attachments: ScreenSaverEastlake.jpg

Public comment

From: Charles Wheeler [mailto:cbw@charleswheeler.net]
Sent: Saturday, April 04, 2015 1:19 PM
To: Bolser, Shelley
Subject: RE: Permit Land Use 3016024

Shelley, here is a screen saver for you and Dave. This is shown from the street in front of my building. Envision a view from 20' higher would be my view of this sun blocker. Charles

On the
Last set of drawings page 11 has 'existing sidewalk to remain'
And page 16 has Demo of sidewalk.

From: Bolser, Shelley [mailto:Shelley.Bolser@seattle.gov]
Sent: Thursday, March 26, 2015 11:56 AM
To: Charles Wheeler
Subject: RE: Permit Land Use 3016024

Thank you Mr. Wheeler. The April 8th meeting is for design review. Here's the public notice we have online: http://web1.seattle.gov/dpd/luib/Notice.aspx?BID=998&NID=19061 . It shows a location of 1016 E. Marion St, which is one of the Seattle University locations and the site of this particular meeting.

It looks like the previous design review (Early Design Guidance) meeting was held at a 12th Avenue address on May 5th, 2014. Is it perhaps the old public notice sign you're seeing on the telephone pole?

I'll ask our public notice team to make sure the correct location has been noticed for the April 8th, 2015 meeting.

In addition to the upcoming April 8th, 2015 Design Review meeting, we also have a meeting specifically scheduled to accept public comment on April 2nd, 2015. The location of that meeting was just changed to the TOPS school in Eastlake: http://web1.seattle.gov/dpd/luib/Notice.aspx?BID=1011&NID=19288

Thanks,
Shelley

Shelley Bolser, AICP, LEED AP
Land Use Planning Supervisor

City of Seattle
Department of Planning and Development
700 5th Ave, Suite 2000
PO Box 34019
Seattle, WA 98124-4019
Tel: (206) 733-9067

Fax: (206) 233-7902

From: Charles Wheeler [mailto:cbw@charleswheeler.net]
Sent: Wednesday, March 25, 2015 1:32 PM
To: Bolser, Shelley
Subject: RE: Permit Land Use 3016024

Ms Bolser, The telephone pole of Eastlake and Boston St has 2 notices on it, one with Marion address and one with 12 th ave. address for the 8 april meeting.
Thank you.
Charles Wheeler
201 E Boston
Seattle Wa 98102

From: Charles Wheeler [:cbw@charleswheeler.net]
Sent: Tuesday, March 24, 2015 2:26 PM
To: 'King, Lindsay'
Subject: FW: Permit Land Use 3016024

Lindsay,
In review of the information on the DPD website for project site at 2203 Eastlake Ave East - 2 questions.

1 - The DPD website shows 2 meeting locations for the April 8th meeting. (see attached)
Please clarify the meeting location and if necessary update the website.

2 - Also - under "Land Use Components" the website says there was review during EDG for reduced setback at the north side, and for reduction in the first floor 13' height requirements. Are these deviations officially approved, as I don't remember talking about them, or are these still under consideration as a part of the Design Review process. Please clarify.

Thank you.
Charles Wheeler
201 E Boston
Seattle Wa 98102

From: Eastlake Community Council [mailto:info@eastlakeseattle.org]
Sent: Monday, March 23, 2015 5:27 PM
To: Murray, Edward; Sugimura, Diane
Cc: Bolser, Shelley; Haines, Stephanie; Harrell, Bruce; Godden, Jean; Sawant, Kshama; O'Brien, Mike; Licata, Nick; Bagshaw, Sally; Clark, Sally; Burgess, Tim; Rasmussen, Tom
Subject: DPD's April 2 public meeting about project proposal #3016024 must be relocated to the Eastlake neighborhood, as requested by 200+ petition signatures

Mayor Murray, members of the City Council, and Director Sugimura—

On March 3, the Eastlake Community Council sent to DPD the attached letter along with 124 signatures on petitions opposing the project at 2203/9 Eastlake Avenue (MUP # 3016024) and its proposed rezone and asking that DPD "hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone." A hundred more signatures have since been collected, with more coming in; we will also provide those to DPD.

DPD has scheduled the requested meeting for April 2. But contrary to the request on the petition that it be held in our Eastlake neighborhood, DPD has chosen to locate this meeting at Seattle University—three miles away, on the other side of I-5 and Capitol Hill, with geography making it difficult for Eastlakers to journey to by bus, bike, or on foot--and even to reach by car at that hour.

It is bad enough that all Design Review Board meetings about Eastlake projects are now being held at this far away and difficult to access location—but it is completely unacceptable that this location would also be used for a meeting that 200+ petition signatures from our neighborhood asked for and for it be held in the Eastlake neighborhood.

Here is some background from our attached letter: "Please note that the requested public meeting is separate from any meeting of the Design Review Board. The DRB meetings should also be held in the Eastlake neighborhood, just as they were in the founding years of the design review program. As ECC has often pointed out to DPD: with so many large projects being proposed in Eastlake, it is harmful to public participation and to a good land use process for the DRB meetings about neighborhood projects to be held" so far away.

There is still time for DPD to arrange for an Eastlake location and to renotice the April 2 public meeting as being located there. It is strange for DPD to claim in the e-mail below that it could not find a meeting location in Eastlake. I just checked this afternoon with TOPS-Seward School (at the very center of Eastlake), and on that very evening of April 2, both the library and the cafeteria of the school are available for DPD to hold this public meeting there. (We suggest the cafeteria, which is where the City held the Jan. 8, 2013 public meeting on the Ride the Ducks proposal—also held because we had requested it via petition signatures.) DPD can reach the TOPS-Seward school secretary Janice Runner by calling 252-3510 or by e-mailing jmrunner@seattleschools.org.

There is time to make and notice the requested change of venue. Unless it favors developers over the community, DPD cannot claim otherwise. As seen in the attached DPD notice, the most recent scheduled meeting on this project which was noticed widely for March 4 was, at the developer's request, canceled and rescheduled by DPD on March 2 (just two days' notice).

Acre by acre, development is proceeding faster in Eastlake than possibly anywhere else in the City, and yet DPD no longer locates in Eastlake those public meetings that are about Eastlake projects--even when a public meeting is held in response to petition signatures that call for it, and that request it to be held in Eastlake. We are concerned that the Mayor and City Council are not aware of the damage to public trust and to good government from the current situation.

Please see that the people of Eastlake get better treatment from their Mayor, City Council, and Department of Planning and Development, by insisting that DPD hold the April 2 public meeting at TOPS-

Seward School. If is not possible to relocate the April 2 meeting to Eastlake, please insist that DPD schedule in Eastlake a later public meeting about the proposed project and rezone; and if a later date is chosen, please have DPD consult with ECC to avert scheduling conflicts (Despite having conveyed the request to DPD, ECC was never contacted by DPD about a date or location.)

Chris Leman (206) 322-5463
President, Eastlake Community Council
info@eastlakeseattle.org
http://eastlakeseattle.org

Herbaugh, Melinda

From: Bolser, Shelley
Sent: Monday, March 23, 2015 2:41 PM
To: PRC
Subject: FW: Rezone Support Letter Eastlake Project 3016024

Public comment

From: Christina Hogan [mailto:cmhmermaid@aol.com]
Sent: Sunday, March 22, 2015 11:57 AM
To: Bolser, Shelley
Subject: Fwd: Rezone Support Letter Eastlake Project 3016024

I am forwarding this email to you that I sent the other day to Lindsay King because it is my understanding that she is out on leave until September.

Thank you
Christina Hogan
cmhmermaid@aol.com

-----Original Message-----
From: Christina Hogan <cmhmermaid@aol.com>
To: Lindsay.King <Lindsay.King@Seattle.gov>
Sent: Fri, Mar 20, 2015 5:15 pm
Subject: Rezone Support Letter Eastlake Project 3016024

December 20, 2015

Lindsay King
Department of Planning and Development
700 Fifth Ave, Ste. 2000
Seattle, WA 98124

Re:	Rezone Support Letter for Project 3016024
	2203 & 2209 Eastlake Avenue East

Dear Ms. King,

I support the above-referenced proposed development. As a unit owner in the Riva condominium at 1550 Eastlake for nearly ten years, I consider Eastlake Avenue my main street. I want to see lively storefronts and vitality along our main street. I have met with the developer Maria Barrientos to study the required streetscape improvements this project will bring which will help extend the pedestrian experience closer to us at 1550 Eastlake. Most importantly, I welcome the elimination of several existing curb cuts along Eastlake which are pedestrian and bicycle hazards. Eastlake is a pedestrian and bicycle intensive route and the excessive curb cuts along the west side of Eastlake brought upon over the years by suburban style property uses is not only a blight to our community but continue to become a growing hazard.

I can say that I have studied the re-development plans and am glad to see the design review board and developer have a building more tasteful than many of the recent new projects along Eastlake Avenue East.

Sincerely,

Christina Hogan

1550 Eastlake Ave E.,
Suite 100, Seattle, WA 98102

Herbaugh, Melinda

From: Bolser, Shelley
Sent: Thursday, March 26, 2015 12:39 PM
To: PRC
Subject: FW: Permit Land Use 3016024

Public comment

From: Bolser, Shelley
Sent: Thursday, March 26, 2015 11:56 AM
To: 'Charles Wheeler'
Subject: RE: Permit Land Use 3016024

Thank you Mr. Wheeler. The April 8th meeting is for design review. Here's the public notice we have online: http://web1.seattle.gov/dpd/luib/Notice.aspx?BID=998&NID=19061 . It shows a location of 1016 E. Marion St, which is one of the Seattle University locations and the site of this particular meeting.

It looks like the previous design review (Early Design Guidance) meeting was held at a 12th Avenue address on May 5th, 2014. Is it perhaps the old public notice sign you're seeing on the telephone pole?

I'll ask our public notice team to make sure the correct location has been noticed for the April 8th, 2015 meeting.

In addition to the upcoming April 8th, 2015 Design Review meeting, we also have a meeting specifically scheduled to accept public comment on April 2nd, 2015. The location of that meeting was just changed to the TOPS school in Eastlake: http://web1.seattle.gov/dpd/luib/Notice.aspx?BID=1011&NID=19288

Thanks,
Shelley

Shelley Bolser, AICP, LEED AP
Land Use Planning Supervisor

City of Seattle
Department of Planning and Development
700 5th Ave, Suite 2000
PO Box 34019
Seattle, WA 98124-4019
Tel: (206) 733-9067
Fax: (206) 233-7902

From: Charles Wheeler [mailto:cbw@charleswheeler.net]
Sent: Wednesday, March 25, 2015 1:32 PM
To: Bolser, Shelley
Subject: RE: Permit Land Use 3016024

Ms Bolser, The telephone pole of Eastlake and Boston St has 2 notices on it, one with Marion address and one with 12 th ave. address for the 8 april meeting.
Thank you.

Charles Wheeler
201 E Boston
Seattle Wa 98102

From: Charles Wheeler [:cbw@charleswheeler.net]
Sent: Tuesday, March 24, 2015 2:26 PM
To: 'King, Lindsay'
Subject: FW: Permit Land Use 3016024

Lindsay,
In review of the information on the DPD website for project site at 2203 Eastlake Ave East - 2 questions.

1 - The DPD website shows 2 meeting locations for the April 8th meeting. (see attached)
Please clarify the meeting location and if necessary update the website.

2 - Also - under "Land Use Components" the website says there was review during EDG for reduced setback at the north side, and for reduction in the first floor 13' height requirements. Are these deviations officially approved, as I don't remember talking about them, or are these still under consideration as a part of the Design Review process. Please clarify.

Thank you.
Charles Wheeler
201 E Boston
Seattle Wa 98102

Herbaugh, Melinda

From: Bolser, Shelley
Sent: Monday, March 23, 2015 2:43 PM
To: PRC
Subject: FW: Support Letter for Project 3016024 - 2203 and 2209 Eastlake Avenue East.

Public comment

From: Max Blume [mailto:max@blumecompany.com]
Sent: Monday, March 23, 2015 1:42 PM
To: Bolser, Shelley
Subject: Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Shelley,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40 that is a necessity to make this project a reality.

The project as proposed advances the Eastlake Community's goals, vision and neighborhood plan. Currently, the neighborhood could really use some additional community-oriented retail activity. This will provide entertainment, food and social gathering places for both the residents and office workers of Eastlake.

The developer, John Links, is committed to energizing the streetscape along Eastlake Avenue with retail activity and an open-air atmosphere between the sidewalk and commercial spaces; and, consistent with the Seattle's overall plan to increase urban density, creating more residential apartment homes. I look forward to seeing more local neighborhood retail and expect the project's planned streetscape will contribute to the revitalization of the Eastlake corridor.

Best,

Max Blume
Finance and Development Manager
The Blume Company
617 EASTLAKE AVE E, STE 340, SEATTLE, WA 98109
Direct: 206.588.8978 Mobile 206.910.8843
www.blumecompany.com

Camacho, Rodolfo

From: King, Lindsay
Sent: Wednesday, March 11, 2015 10:59 AM
To: PRC
Subject: FW:

From: Vivas, Hernan P [mailto:hernan.p.vivas@bankofamerica.com]
Sent: Wednesday, March 11, 2015 10:25 AM
To: King, Lindsay
Subject:

March 11, 2014

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality.

The project as proposed advances the Eastlake Community's goals, vision and neighborhood plan. Currently, the neighborhood lacks some crucial amenities and community-oriented retail activity with a few exceptions, the commercial space along Eastlake Avenue is largely occupied by traditional office-space and is in dire need of more engaging retail activity. The developer, John Links, is committed to energizing the streetscape along Eastlake Avenue with retail activity and an open-air atmosphere between the sidewalk and commercial spaces; and, consistent with the Seattle's overall plan to increase urban density, creating more residential apartment homes. I look forward to seeing more local neighborhood retail and expect the project's planned streetscape will contribute to the revitalization of the Eastlake corridor.
This is my personal endorsement of this project

Sincerely,

Hernan Vivas

Vice President
Financial Center Manager
Eastlake Avenue Financial Center
WA3-121-01-01, 1600 Eastlake Ave., Seattle, Wa. 98102
T 206.695.5013 F 206.695.5025

This message, and any attachments, is for the intended recipient(s) only, may contain information that is privileged, confidential and/or proprietary and subject to important terms and conditions available at http://www.bankofamerica.com/emaildisclaimer. If you are not the intended recipient, please delete this message.

Camacho, Rodolfo

From: Julie P <julespp@hotmail.com>
Sent: Tuesday, March 10, 2015 4:40 PM
To: PRC; King, Lindsay; Murray, Edward
Subject: Project 3016024 2203/2209 Eastlake Ave E (Aloha Cleaners)

Good Afternoon,

I am writing to oppose any rezoning request on 2203/2209 Eastlake Ave E (Aloha Cleaners) Project 3016024

Here are some of my reasons why:

1. Zoning is put in place for a reason-People buy and rent properties in neighborhoods with this **committed zoning.** It is not fair to change that and affects views and values of other properties
2. It is unfair to allow zoning changes for some and not others and we certainly cannot have all 5 story 45 unit buildings in this little neighborhood
3. There is a serious lack of parking for the current Eastlake Ave E small businesses and people who live here. Probably why many businesses moved out
4. According to the May 2014 design photo this building towers over others and blocks many views
5. Adds to noise and traffic in the area

We that live here in Eastlake moved here because we wanted to live in a nice neighborhood with diversity of people and we DID NOT want to live in the middle of tall buildings all around us.

Thanks,
Julie Pederson
Eastlake Resident

Herbaugh, Melinda

From: Bolser, Shelley
Sent: Monday, March 30, 2015 2:19 PM
To: PRC
Subject: FW: Questions Re: Public Meeting for Project 3016024

Public comments

From: Bolser, Shelley
Sent: Monday, March 30, 2015 2:06 PM
To: 'Sarah Armstrong'
Cc: sandra wheeler; Charles Wheeler
Subject: RE: Questions Re: Public Meeting for Project 3016024

Hi Sarah,

The April 2nd meeting:

This meeting is to hear public comment on the **rezone, the environmental review, and general comments** on the proposal. We will ask people to sign in as they enter the cafeteria so that they are on the project's mailing list for notification of meetings and notification of DPD's recommendation of the rezone when it's available.

Meeting Format:
We'll start the meeting with a brief (5 minute) intro of myself and the other supervisor from DPD who will be there to assist. We'll then ask people to offer verbal public comment. We are working with TOPS to have a microphone or two for available for people wishing to comment. I'm expecting a fair number of folks, so we'll ask people to keep their comments to 1-2 minutes max, and we'll have approximately 90 minutes to hear public comment.

Typically we haven't used a sign in sheet to govern who may comment at the meeting, since people may show up slightly late and still wish to comment. If the microphones are cordless and can be passed around, we can hear everyone's public comment as the microphone(s) are passed from one side of the room to the other. If the microphones are not cordless, we may have folks line up at the microphone locations to comment. I'll have to see which option is more helpful for everyone, based on the sound system provided by TOPS.

Documentation:
The other supervisor and I will be taking handwritten summary notes of comments and those will be placed in the file with the rest of the documentation for the application and review. If people wish to have their comments submitted into the file verbatim, they are welcome to submit written comments at the meeting (I'll have a box to collect comments at the sign in sheet table), or directly to me via email or mail (please cc prc1@seattle.gov for emailed comments, so the comments are scanned ASAP, and the commenter is added to the mailing list).

The April 8th meeting:

This meeting is for the Design Review Board's consideration of the proposal only – **no rezone or environmental review comments will be considered at this meeting**. The Design Review Board is only authorized to consider the proposal's response to the Design Review Guidelines. They may not comment or recommend any aspect of the proposed rezone or the response to environmental review criteria.

Meeting Format:

The format of the April 8th meeting will follow the same as for all other Design Review meetings, with 20 minutes provided for public comment following the presentation by the applicant, prior to the Design Review Board's deliberation.

Documentation:
Comments that relate to design review, received prior to and at the meeting, are summarized in the Design Recommendation report. The Design Review Board meetings are restricted to review of the proposed development as it responds to the Design Review Guidelines, which are available here.

Next steps:

Following the April 2nd and April 8th meetings, DPD will continue to review the proposal, including rezone criteria, environmental review, and design review response. Once all the criteria are addressed, DPD will write a recommendation to the Hearing Examiner for the rezone. Anyone who has been added to the mailing list for this application will receive notice of DPD's Recommendation. This notice will also include an opportunity to appeal environmental review (SEPA) conditions. The Hearing Examiner will then schedule a hearing to review the rezone. Her hearing will include additional opportunity for public comment on the rezone proposal, and review of all the public comments on file with DPD.

At any time during DPD's review of the proposal leading up to the recommendation for the rezone, people are welcome to submit written comment to DPD. Comments can be submitted via email, fax, or mail, using the info below in my signature line. Please be sure to always include the 3016024 application number, so the comment is added to the correct file for consideration. Those comments will be added directly to the record for the proposal.

I hope that helps answer your questions!

Thanks,
Shelley

Shelley Bolser, AICP, LEED AP
Land Use Planning Supervisor

City of Seattle
Department of Planning and Development
700 5th Ave, Suite 2000
PO Box 34019
Seattle, WA 98124-4019
Tel: (206) 733-9067
Fax: (206) 233-7902
Email: shelley.bolser@seattle.gov

From: Sarah Armstrong [mailto:sarah.armstrong@gmail.com]
Sent: Monday, March 30, 2015 10:03 AM
To: Bolser, Shelley
Cc: sandra wheeler; Charles Wheeler
Subject: Questions Re: Public Meeting for Project 3016024

Hi Shelley,

Thank you for setting up this week's public meeting regarding project 3016024. I hope you can answer a few questions about that meeting and the design meeting on 4/8.

4/2 Public Meeting - How will oral comments presented during the meeting be preserved, entered into the public record, and presented to DRB members?

4/8 Design Meeting - will public comment also be received during this meeting?

Thank you!
Sarah

cc: two of my neighbors, Charles and Sandra Wheeler

Herbaugh, Melinda

From: Bolser, Shelley
Sent: Friday, March 27, 2015 1:11 PM
To: PRC
Subject: FW: EASTLAKE: A Community NOT a Corridor MUP 3016024

Public comment

From: Karen Appelman [mailto:KIAppelman@aol.com]
Sent: Thursday, March 26, 2015 7:05 PM
To: Bolser, Shelley
Subject: Re: EASTLAKE: A Community NOT a Corridor MUP 3016024

Hi Shelley:

Thanks so much for arranging to move the DPD public meeting on MUP# 3016024 from far away at Seattle University to TOPS in the Eastlake community. As you know, there are actually TWO meetings on the 3016024 project in our community. The more important meeting, the Design Review Board Recommendation meeting, is still scheduled also at Seattle University on April 8th.

In an email we received today from DPD Director Sugimura regarding the April 2nd meeting, she wrote the following: "I agree that having this meeting in the impacted neighborhood makes the most sense."

Would it be possible to schedule the April 8th meeting also at TOPS? The purpose of the DRB Recommendation meeting is to inform the community and take public input that may influence the final recommendation. As before, scheduling the meeting miles away from the Eastlake community will necessarily, greatly reduce attendance and frustrate the purpose of the meeting. Many Eastlake community neighbors won't have the opportunity to understand and comment on the project if the meeting is not held at TOPS.

Thanks for increasing the public accessibility of these meetings.

Best regards,

Karen

Karen I. Appelman, 206-323-7636, KIAppelman@aol.com

On Mar 25, 2015, at 2:42 PM, Bolser, Shelley <Shelley.Bolser@seattle.gov> wrote:

Hello, thank you for contacting us. Yes, as of this afternoon, we were able to secure a room reservation in the cafeteria with TOPS Seward Park school for the 4/2/15 meeting. Public notice of the new location will be sent out as soon as possible.

Thanks,
Shelley

Shelley Bolser, AICP, LEED AP

Land Use Planning Supervisor

City of Seattle
Department of Planning and Development
700 5th Ave, Suite 2000
PO Box 34019
Seattle, WA 98124-4019
Tel: (206) 733-9067
Fax: (206) 233-7902

From: Marwaha, Jasmine
Sent: Wednesday, March 25, 2015 2:38 PM
To: 'Karen Appelman'
Cc: Bolser, Shelley
Subject: RE: EASTLAKE: A Community NOT a Corridor

Dear Karen,

Thanks for emailing Councilmember O'Brien. My understanding is that Shelley Bolser from DPD (cc'ed here) has been in touch with the Eastlake Community Council about moving the meeting to TOPS. I believe she will be able to provide you with an update on that effort.

Best,

Jasmine

Jasmine Marwaha
Legislative Aide to Councilmember Mike O'Brien
Seattle City Council
206-684-8800
Follow Mike on: ***<image001.jpg>*** ***<image002.jpg>*** **<image003.jpg>** <image004.jpg> <image005.jpg> <image006.jpg>

<image007.jpg>

From: Karen Appelman [mailto:KIAppelman@aol.com]
Sent: Wednesday, March 25, 2015 9:24 AM
To: Murray, Edward; Clark, Sally; Burgess, Tim; Rasmussen, Tom; Godden, Jean; Sawant, Kshama; O'Brien, Mike; Harrell, Bruce; Licata, Nick; Bagshaw, Sally
Cc: Sugimura, Diane
Subject: EASTLAKE: A Community NOT a Corridor

Dear Mayor Murray and City Council members:
I've been living in the Eastlake community for 30+ years, and it seems to me that lately we've been treated with disrespect by downtown departments. Recently, hundreds of Eastlake residents signed a petition requesting a community meeting on some proposed development in our neighborhood. Under City rules, the Department of Planning and Development (DPD) must hold a community meeting, but instead of holding a meeting in our community, DPD has scheduled the meeting for Seattle University.
Many of my neighbors are older, rely on public transportation, hold multiple jobs, and/or cannot understand why a meeting about our community must be held in someone else's community. DPD knows perfectly well

that scheduling the meeting miles away from the Eastlake community will necessarily, greatly reduce attendance and frustrate the purpose of the meeting – to inform neighbors of the proposed development and answer community questions.

Lately, City departments seem to have decided that Eastlake is a corridor between communities, but is not a legitimate community in its own right. Some of us are beginning to resent that treatment. In a related study, SDOT refers to Eastlake as the "University District – South Lake Union" corridor (http://www.seattle.gov/transportation/transit_UdistrictDowntown.htm), and is promoting transportation changes that will greatly impact our Eastlake community for the good of the "corridor."

Eastlake is the home of the historic Seward Elementary School (now TOPS at Seward) where community meetings are held. The DPD Seattle University meeting is scheduled for April 2nd, and we would like it to be moved to TOPS. We are not a corridor, but are a proud, Seattle community established at the end of the nineteenth century. I ask that you intervene to make sure DPD holds our community-requested meeting in our community.

Thank you.

Respectfully,

Karen I. Appelman
2020 Yale Avenue East
206-323-7636
KIAppelman@aol.com

Herbaugh, Melinda

From: Jeff Eustis <eustis@aramburu-eustis.com>
Sent: Monday, March 30, 2015 3:11 PM
To: Bolser, Shelley
Cc: PRC
Subject: DRB Review of 3016024 -2203 Eastlake Ave E rezone
Attachments: 2015-3-30 Eustis letter regarding 2203 Eastlake..pdf

Shelley,

I have attached comments for distribution to the Design Review Board in response to the proposal for 2203 Eastlake Avenue East. I would also appreciate your listing me as a party of record.

Thank you,

Jeffrey Eustis
Aramburu & Eustis, LLP
720 Third Avenue, Ste 2000
Seattle WA 98104
Phone: (206)625-9515
Fax: (206)682-1376

This message may contain attorney-client or work-product protected information, which are not waived by this transmission. If you have received this message in error, please delete and discard it without forwarding it to others. Thank you.

2 April 2014

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Suite 2000
PO Box 34019
Seattle, WA 98124-4019

Re: Project #3016024 – 2203 and 2209 Eastlake Avenue East.

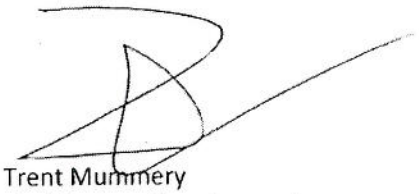
Dear Ms. King,

I am a former business owner tenant of the proposed development, and I write in support of the project at 2203 and 2209 Eastlake Avenue East – project #3016024. Furthermore, I support the proposed rezone of the project to NC2P-40. I believe the rezone would result in a much better building on what is currently an underutilized property.

I feel the proposed project improves both the current property and the neighbourhood by providing an attractive mixed use building, which encourages pedestrian activity along Eastlake and also creates additional and necessary parking for future residents. I believe the proposed project is consistent with the goals of the Eastlake Community as well as that of the City of Seattle's Comprehensive Plan to increase density, particularly along transit corridors.

I believe this area of Eastlake would benefit from a modest increase in residential density as well as more local neighbourhood retail, both of which would contribute to the growth of a dynamic Eastlake corridor.

Yours truly,



Trent Mummery
The Metropolitan Companies
206-234-6543

FOSTER PEPPER PLLC

April 1, 2015

Shelley Bolser
Department of Planning and Development
700 5th Avenue, Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: ***Response to 201 East Boston Condominium's Procedural Arguments***

Dear Ms. Bolser:

The procedural arguments submitted on behalf of 201 East Boston Condominium ("201 East Boston") fundamentally misunderstand the contract rezone entitlement process in the City of Seattle. Here, Barrientos' proposal is for a contract rezone of land from NC1P-30 and LR2 RC to NC2P-40. The associated project proposal requests that DPD issue a Master Use Permit ("MUP") for the construction of a mixed-use structure *following* rezone approval. The procedure used by DPD to review Barrientos' proposal is consistent with the Seattle Municipal Code and the Hearing Examiner's consistent application of the Seattle Municipal Code.

As an initial matter, 201 East Boston's citation to SMC 23.41.008.F.2 is misplaced. This Code provision does not exist. In contrast, SMC 23.76.040.G.2 expressly authorizes the procedure that DPD has routinely used to review project-specific contract rezone applications ("For Type IV Council land use decisions that include a design review component the Director shall provide notice of the application to the City Clerk promptly after the applicant submits a complete application to begin the early design guidance or the streamlined design review design guidance process.") DPD's process is Code compliant.[1]

201 East Boston seems to suggest that a contract rezone proposal should first undergo the rezone process. Then, following this lengthy process, the applicant should complete the design review and MUP entitlement process. This approach is not required by any Code provision; and the Hearing Examiner has concluded that this approach to rezoning property is not preferred. *See e.g., In the Matter of the Application of Hugh Bangasser,* CF 312973.[2]

---

[1] The City of Seattle's development regulations explicitly authorize project-specific contract rezone development, and Barrientos is applying for a project-specific rezone. Thus, RCW 36.70B.030(3) is inapplicable. *See* RCW 36.70B.030(5)("Nothing in this section limits the authority of a permitting agency to approve, condition, or deny a project as provided in its development regulations adopted under chapter 36.70A RCW ..."). Similarly, the City's comprehensive plan update does not suspend the City's adopted development regulations. The City of Seattle has not adopted a moratorium on development while it is updating its comprehensive plan.

[2] The procedure suggested by 201 East Boston also creates problems. For example, conditions attached to rezoned parcels could constrain the Design Review Board's flexibility to grant departures to create a better design. Alternatively, unconditioned rezones could create other unintended consequences that may adversely impact Seattle's neighborhoods.

DPD's existing procedure ensures that the City comprehensively reviews and, if necessary, conditions project-specific rezone applications to conform to all applicable code requirements and design priorities. For example, the Hearing Examiner considers project-specific design review guidance when reviewing project-specific contract rezone applications. This information allows the Hearing Examiner to make an informed rezone recommendation to the City Council. The Hearing Examiner's recommendation, in turn, allows the City Council to make an informed decision as it votes on the requested rezone and on any conditions included in the Public Use and Development Agreement. DPD does not issue a MUP until after action from the City Council.

The existing process creates better projects. This process is expressly authorized in the Seattle Municipal Code, and it is outlined in DPD TIP #228. The Hearing Examiner has repeatedly relied upon this process to review and condition projects. *See e.g., In the Matter of the Application of Kevin Cleary*, CF 312357; *In the Matter of the Application of Amanda Keating*, CF 312300; *In the Matter of the Application of Aegis Living*, CF 311813; *In the Matter of the Application of Scott Roberts*, CF 311812; *In the Matter of the Application of Lesley Bain*, CF 310211; *In the Mater of the Application of Roger Tucker*, CF 310179.

There is no merit to procedural issues raised by 201 East Boston. We encourage DPD to continue the Code-compliant and thoughtful review of the Barrientos' proposal. To avoid any confusion, we encourage DPD to provide the Design Review Board with a summary of this analysis if 201 East Boston attempts to misdirect the Design Review Board at next Wednesday's meeting.

Sincerely,

FOSTER PEPPER PLLC

Jeremy Eckert

cc: Jeffrey M. Eustis

Camacho, Rodolfo

From: Camacho, Rodolfo
Sent: Thursday, March 26, 2015 6:45 AM
To: Camacho, Rodolfo
Subject: RE: MUP 3016024

From: Karen Appelman [mailto:KIAppelman@aol.com]
Sent: Wednesday, March 25, 2015 9:24 AM
To: Murray, Edward; Clark, Sally; Burgess, Tim; Rasmussen, Tom; Godden, Jean; Sawant, Kshama; O'Brien, Mike; Harrell, Bruce; Licata, Nick; Bagshaw, Sally
Cc: Sugimura, Diane
Subject: EASTLAKE: A Community NOT a Corridor

Dear Mayor Murray and City Council members:

I've been living in the Eastlake community for 30+ years, and it seems to me that lately we've been treated with disrespect by downtown departments. Recently, hundreds of Eastlake residents signed a petition requesting a community meeting on some proposed development in our neighborhood. Under City rules, the Department of Planning and Development (DPD) must hold a community meeting, but instead of holding a meeting in our community, DPD has scheduled the meeting for Seattle University.

Many of my neighbors are older, rely on public transportation, hold multiple jobs, and/or cannot understand why a meeting about our community must be held in someone else's community. DPD knows perfectly well that scheduling the meeting miles away from the Eastlake community will necessarily, greatly reduce attendance and frustrate the purpose of the meeting – to inform neighbors of the proposed development and answer community questions.

Lately, City departments seem to have decided that Eastlake is a corridor between communities, but is not a legitimate community in its own right. Some of us are beginning to resent that treatment. In a related study, SDOT refers to Eastlake as the "University District – South Lake Union" corridor (http://www.seattle.gov/transportation/transit_UdistrictDowntown.htm), and is promoting transportation changes that will greatly impact our Eastlake community for the good of the "corridor."

Eastlake is the home of the historic Seward Elementary School (now TOPS at Seward) where community meetings are held. The DPD Seattle University meeting is scheduled for April 2nd, and we would like it to be moved to TOPS. We are not a corridor, but are a proud, Seattle community established at the end of the nineteenth century. I ask that you intervene to make sure DPD holds our community-requested meeting in our community.

Thank you.

Respectfully,

Karen I. Appelman

2020 Yale Avenue East

206-323-7636

KIAppelman@aol.com

Peli, Michael

From: King, Lindsay
Sent: Friday, March 20, 2015 10:56 AM
To: PRC
Subject: FW: 2203-2209 Eastlake Ave. E. Proposed project 3016024

From: John Hogan [mailto:JHogan@citationmgt.com]
Sent: Friday, March 20, 2015 10:49 AM
To: King, Lindsay
Subject: 2203-2209 Eastlake Ave. E. Proposed project

March 20, 2015

Lindsay King
Department of Planning and Development
700 Fifth Ave, Ste. 2000
Seattle, WA 98124

Re: Rezone Support Letter for Project 3016024
2203 & 2209 Eastlake Avenue East

Dear Ms. King,

My wife and I have been a unit owner in the Riva Condominium at 1550 Eastlake Avenue East for nearly ten years. Prior to Riva, we owned at the Mara Bella on Franklin Ave. E. and E. Edgar St. one block East of Eastlake. We have many friends that have lived in Eastlake, moved away, only to come back and live in the Eastlake community. I have been following this project through its design review process and have found the developer to be responsive and sensitive to the community's wants and needs. Maria Barrientos, the project developer, has an outstanding track record for engaging all parties to come to the best solution—which I think has been met. Her co-developer is John Links who is an Eastlake resident with a proven track record of successful projects in the Eastlake community.

The last thing we want, as an Eastlake stakeholder, is for the developer to scrap the project only to wait for the zoning to go to NC65 like many other districts in Seattle's urban core. The current zoning allows only two stories above street level retail and is underutilized. Three levels of residential is not unreasonable (we have five levels of residential in our building as well as the building adjacent to and behind us at 1550 Eastlake). I understand that the City in the next few years has to submit amendments to the state for their Growth Management update and is under pressure to increase density along major traffic corridors. I would consider Eastlake as a major traffic corridor, thus prefer "40 feet now versus 65 feet later." Many of us who cycle also acknowledge and welcome the loss of curb cuts this project would bring for residents and non-residents alike.

Sincerely,

John Hogan

1550 Eastlake Ave E. #100
Seattle, WA 98102

CORNELL
& ASSOCIATES

March 11, 2014

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East. I also support the proposed rezone of the project to NC2P-40 which is necessary to make this project feasible.

I am the owner of Eastlake Professional Center located at 2627 and 2633 Eastlake Ave. E. and the offices for my management company (Cornell and Associates, Inc.) are located there. We manage over 7,000 apartment units in the city and many in the Eastlake neighborhood.

The corridor from the University District to downtown is a key transportation route and the goal of increasing density along this rout is critical to the bigger goal of getting people to live in locations where public transit is easily accessible. This project fits the bill and increased density should be allowed. Although new apartments, condominiums and townhomes have been built recently the neighborhood still lacks retail space that will allow residents to shop in nearby locations within walking distance. This project will allow higher density and increased retail activity.

I am aware of other projects that John Links has been involved in and they have all been of high quality. I am hopeful you will seriously consider increasing the density through the requested rezone so that this project can move forward; it is a good thing for the Eastlake Neighborhood.

Sincerely,

Bart Flora

Herbaugh, Melinda

From: King, Lindsay
Sent: Thursday, March 12, 2015 10:19 AM
To: PRC
Subject: FW: 2203-09 Eastlake Ave. E.
Attachments: Rezone support letter.pdf

3016024

From: Bart Flora [mailto:BFlora@cornellandassociates.com]
Sent: Thursday, March 12, 2015 10:12 AM
To: King, Lindsay
Cc: john@equipacdev.com
Subject: 2203-09 Eastlake Ave. E.

Lindsay:

Attached is a letter of support for rezoning the property located at 2203-09 Eastlake Ave. E.

Best Regards,

Bart Flora
Cornell & Associates, Inc
(206) 329-0085 x 13
bflora@cornellandassociates.com

Herbaugh, Melinda

From: King, Lindsay
Sent: Thursday, March 12, 2015 10:09 AM
To: PRC
Subject: FW: letter of comment re: project 3016024

From: voxx coffee [mailto:voxxcoffee@gmail.com]
Sent: Thursday, March 12, 2015 9:17 AM
To: King, Lindsay
Subject: letter of comment re: project 3016024

Dear Mr. King,

I am the co-owner of Voxx Coffee, a coffee house on Eastlake Ave. near the proposed project i have referenced. Voxx has been part of the Eastlake neighborhood for almost 9 years now. We do not oppose this project and believe it will have a positive effect on our neighborhood. Eastlake could use more small businesses to serve our neighborhood, and i understand there will be 9 affordable units in this building. My employees could benefit from such a project, as they cannot currently afford the rents here near work.

I would also strongly request your action in shutting down the Eastlake Motel next door to this project. We have suffered for 8 years with drugs, violence, and prostitution spilling out from this motel. the police tell me the city must act. they are limited to just responding to the many incidents. Will you please follow up with me on this? Much appreciated.

Regards,

Michael Uetz
206-909-8815

January 20, 2015

RECEIVED
MAR 17 REC'D
BY:

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality.

The University of Washington – the 3rd largest employer in the start of Washington and one of the largest recipients of health grants in the United States – sits at the N end of the Eastlake corridor connecting South Lake Union, Fred Hutch, the biotech cluster and booming Amazon.

Eastlake Avenue East is an essential transportation corridor between these two vital hubs and a natural candidate for further housing density and related retail services. The corridor is served by Metro Bus Routes 66 and 67 including electric overhead trolley providing essential transportation to support increased living density in the neighborhood.

This increased density also is a fits well as part of the City of Seattle's and goal of contributing to the comprehensive plan which is part to the Washington State Growth Management Act.

Currently the Eastlake corridor is badly under-zoned with a puzzling array of inconsistent zoning ranging from low-rise 2 zoning to NC3- 65 zoning. The neighborhood is ripe for a complete up zone similar to those provided in South Lake Union, Broadway Avenue, Market Street in Ballard, University Way and several other major arterials in the University District and the likely proposed up-zoning in Uptown Queen Anne.

A rezoning of Eastlake Avenue E. will not change the charm, character and eclectic nature of the mostly single family, smaller, multi-plex and apartment inventory on Fairview, Minor, Yale, Franklin and Boylston Avenues and their East/West connecting side streets.

Sincerely,

Valeri
DBA HORIZON BUILDING INC
2825 80TH AVE SE #203
MERCER ISLAND WA 98040

6

March 11, 2014

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality.

The project will do nothing but enhance the neighborhood plan, attractiveness and livability. Eastlake needs more retail to service the growing urban density. I look forward to seeing this project become reality.

Sincerely,

John Downing, CCIM
Capstone Commercial Real Estate Advisors, LLC

PS - We own Bldg AT 2621 Eastlake E.

RECEIVED
MAR 18 REC'D
BY:

March 18, 2015

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality.

I am the current owner of three multi family projects further north on Eastlake Avenue E. All located in the 3200 block, on the east side of the street. The Union Bay Lofts, the Larson building (to be re-developed to 50 units starting this month) and finally the "original Red Robin" site, which is on Eastlake right next to the University Bridge. That project will become a 63 unit mixed use project. Thus, I have a large vested financial interest in this area, as well as I hope to continue to be a part of seeing the Eastlake corridor continue to be a great place for residents, retailer, pedestrians, joggers etc, to enjoy this wonderful neighborhood.

Eastlake Avenue East is an essential transportation corridor between these two vital hubs and a natural candidate for further housing density and related retail services. The corridor is served by Metro Bus Routes 66 and 67 including electric overhead trolley providing essential transportation to support increased living density in the neighborhood.

This increased density also is a fits well as part of the City of Seattle's and goal of contributing to the comprehensive plan which is part to the Washington State Growth Management Act.

Currently the Eastlake corridor is badly under-zoned with a puzzling array of inconsistent zoning ranging from low-rise 2 zoning to NC3- 65 zoning. The neighborhood is ripe for a complete up zone similar to those provided in South Lake Union and other in-city neighborhoods.

A rezoning of Eastlake Avenue E. will not change the charm and character of the neighborhood.

Sincerely,

Michael Heijer

Union Bay Lofts, LLC
GranCorp Larsson, LLC
Views at Portage Bay, LLC

Phone. (206) 399-4170

PRC

From: King, Lindsay
Sent: Wednesday, March 18, 2015 2:54 PM
To: PRC
Subject: FW: Eastlake & Boston 3016024

-----Original Message-----
From: David Benolielcomcas [mailto:benoliel@comcast.net]
Sent: Wednesday, March 18, 2015 12:44 PM
To: King, Lindsey
Subject: Eastlake & Boston

Hello Lindsey,

My name is David Benoliel. I am a 40 year owner of the Linda Vista apartments , a 1930 vintage building located at 92 E. Lynn St.

I love the Eastlake neighborhood and want to see more high quality development which compliments the area. The proposal for the Waterton development at Eastlake and Boston represents such development and should be entitled to the same height limit as the Lynn Street intersection. The variation in height allowed between the two corners makes no sense. We need to provide density which is consistent along this important corridor.

I support the developers request for a 40 foot height .

Thanks for your consideration.

Sent from my iPad

PRC

From: King, Lindsay
Sent: Wednesday, March 18, 2015 2:54 PM
To: PRC
Subject: FW: Eastlake & Boston 3016024

-----Original Message-----
From: David Benolielcomcas [mailto:benoliel@comcast.net]
Sent: Wednesday, March 18, 2015 12:44 PM
To: King, Lindsey
Subject: Eastlake & Boston

Hello Lindsey,

My name is David Benoliel. I am a 40 year owner of the Linda Vista apartments , a 1930 vintage building located at 92 E. Lynn St.

I love the Eastlake neighborhood and want to see more high quality development which compliments the area. The proposal for the Waterton development at Eastlake and Boston represents such development and should be entitled to the same height limit as the Lynn Street intersection. The variation in height allowed between the two corners makes no sense. We need to provide density which is consistent along this important corridor.

I support the developers request for a 40 foot height .

Thanks for your consideration.

Sent from my iPad

SoundEarth Strategies

SoundEarth Strategies, Inc.
2811 Fairview Avenue East, Suite 2000
Seattle, Washington 98102

March 19, 2015

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Suite 2000
PO Box 34019
Seattle, Washington 98124-4019

SUBJECT: REZONE SUPPORT LETTER
Project #3016024
2203 and 2209 Eastlake Avenue East, Seattle, Washington

Dear Ms. King:

I am sending this letter in support of the above-referenced proposed development. I know the development site, and the community very well.

I have worked as a professional environmental consultant in the Eastlake neighborhood for the past 18+ years, first in the Hart Crowser Building, and for the last several in an office building located at 2811 Fairview Avenue East. During this long period many new mixed-use buildings have been constructed. In my opinion, they have all helped revitalize the neighborhood; providing more housing (and offices) which in turn helps support more retail. There is no question that residents and office people today want to live and work within walking distance of shops, restaurants and entertainment within this neighborhood. I know that my 65 employees would welcome the planned development.

As you no doubt know, significant portions of Capitol Hill, Lower Queen Anne, Belltown and South Lake Union have height limits of 65 feet and even 85 feet. The Eastlake neighborhood lies between the University of Washington and South Lake Union. The community should welcome new development built to a 40-foot scale. Eventually there will be pressure for 60 or 65-foot height limits. Wherever they are built, today's 40-foot buildings will ensure low-rise development that will be in place for the next 100 years.

I encourage you to support the planned development, and help facilitate the requested rezone, which will bring needed amenities to the community.

Respectfully,
SoundEarth Strategies, Inc.

John R Funderburk

John R. Funderburk, MSPH
Principal

PRC

From: King, Lindsay
Sent: Friday, March 20, 2015 8:44 AM
To: PRC
Subject: FW: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

From: Bradley White [mailto:bwhite.design@gmail.com]
Sent: Thursday, March 19, 2015 5:30 PM
To: King, Lindsay
Subject: Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Dear Ms. King,

I am writing **in support** of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40 which I understand is necessary to make this project a reality.

I have been a resident of the Eastlake neighborhood, having been both a renter and home-owner, as well as business owner, since 1992. I have observed the ebb and flow of this community, for good and bad. While Eastlake is a very long neighborhood, spanning from the intersection of Fairview to the University bridge, I have watched a real community form over the past 20+ years. Businesses, restaurants and retail continue to emerge which helps this community remain a more walkable neighborhood, and residents and retailers have forged friendships and business relations, making this an outstanding place to live. What I love about this area is that is full of so much diversity combining apartments, condos, single family homes, businesses and mixed-use spaces. What I am not in favor of, are the projects that have been approved that do not provide parking; assuming the future residents will not own cars, or simply ride the over-loaded buses. Or those projects which are overbuilt for small side streets not truly improving the neighborhood, rather crowding it, taxing the zone 8 side street parking.

This project however, will improve the neighborhood by adding desirable homes with views and parking, as well as retail that will enhance and extend this end of the Eastlake community. It will benefit current nearby businesses and clean up an area occupied by deteriorated buildings and an unused parking lot. This part of Eastlake has lacked for years what the developer, John Links, is envisioning to create for the neighborhood. The esthetical improvement of a new commercial and residential building, and its surrounding landscape would invigorate the neighborhood, much like the project at the end of the same block did on the corner of Eastlake and Lynn. I believe John Links' vision and proposed development considers the best interest of the neighborhood by providing ample parking for its residents/retail, improving the streetscape, and contributing valuable new business and residential opportunity that supports urban density the right way. Thank you for considering your approval to better our Eastlake neighborhood.

Sincerely,
R. Bradley White

269 E. Boston St. #A
Seattle, WA 98102
206-322-1257
bwhite.design@gmail.com

MYERS & COMPANY, P.L.L.C.
A Professional Limited Liability Company

SCANNED
MAR 20 2015

March 19, 2015

RECEIVED
MAR 20 RECD
BY:

VIA U.S. MAIL

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: ***Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East***

Dear Ms. King:

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC1P-40.

The project as proposed advances the Eastlake Community's goals, vision and neighborhood plan. I have been a property owner in the Eastlake neighborhood for the past four years.

I look forward to seeing more local neighborhood retail and expect the project's planned streetscape will contribute to the revitalization of the Eastlake corridor. The project is contingent on the pending contract rezone to an NC1P-40, and I strongly urge the City of Seattle to approve the rezone.

Sincerely,

MYERS & COMPANY, P.L.L.C.

Mike

Michael David Myers

MDM:

1530 Eastlake Avenue East / Seattle, Washington 98102
telephone (206) 398-1188 / facsimile (206) 400-1112 / e-mail: mmyers@myers-company.com

City of Seattle
Department of Planning and Development
D. M. Sugimura, Director

PUBLIC COMMENT FORM

We welcome your comments on the proposed development located at 2203 Eastlake Ave E (DPD Project Number 3016024). Please add your comments to this sheet, or in any other written format of your choice. You may turn this in to any staff person this evening or mail or email to:

Mail: City of Seattle – Department of Planning and Development
Attn: Shelley Bolser
700 5th Avenue, Suite 1800
Seattle, WA 98124-4019

Email: PRC@seattle.gov

COMMENTS

Your Name: MARY LOU PEDERSON

Your Email: SAMMAR@AOL.COM

Your Address: 2727 FAIRVIEW AVE EAST #8

City, State, Zip: SEATTLE WA 98102

Your Comments: This exceptional Rezone is not fair or just nor does it honor our Neighborhood Plan. Please do not approve the rezone. Make the developer come back with designs that meets the current standards.

Please listen & act on the resident comments not the developer's selfish proposal that does not respect our neighborhood as a whole.

City of Seattle
Department of Planning and Development
D. M. Sugimura, Director

PUBLIC COMMENT FORM

We welcome your comments on the proposed development located at 2203 Eastlake Ave E (DPD Project Number 3016024). Please add your comments to this sheet, or in any other written format of your choice. You may turn this in to any staff person this evening or mail or email to:

Mail: City of Seattle – Department of Planning and Development
Attn: Shelley Bolser
700 5th Avenue, Suite 1800
Seattle, WA 98124-4019

Email: PRC@seattle.gov

COMMENTS

Your Name: Sarah Gudaitis

Your Email: sgudaitis@gmail.com

Your Address: 2215 Boylston Ave E Unit C

City, State, Zip: Seattle, WA 98102

Your Comments:

I do not support the rezoning for this project. Building above the code begins to take away the view of this Eastlake community. I purchased my home because of the view and it is not fair that someone can come in and take away this view. The scenic feel for this community is what makes Eastlake so great.

The congestion in Eastlake is getting extreme. It takes me at least 3 ~~to~~ ~~5~~ light cycles to make a turn to my house almost everyday. I can not have any visitors come because of parking issues. There is already ~~illegal~~ illegal parking in my alley.

City of Seattle
Department of Planning and Development
D. M. Sugimura, Director

PUBLIC COMMENT FORM

We welcome your comments on the proposed development located at 2203 Eastlake Ave E (DPD Project Number 3016024). Please add your comments to this sheet, or in any other written format of your choice. You may turn this in to any staff person this evening or mail or email to:

Mail: City of Seattle – Department of Planning and Development
Attn: Shelley Bolser
700 5th Avenue, Suite 1800
Seattle, WA 98124-4019

Email: PRC@seattle.gov

COMMENTS

Your Name: Stephen Nelson

Your Email: sanelson01@gmail.com

Your Address: 2223 Boylston Ave E

City, State, Zip: Seattle WA 98102

Your Comments: Size of project is too large for neighborhood. Zoning adopted & implemented in 1986 was agreed upon & needs to be maintained. Parking study must be conducted & must differentiate commerial & residential parking. Realistic parking ratio of one space per unit needs to be allowed. Exception to zone produces no public benefit. No exception should be allowed.

Public Comment
4-2-2015
3016024
SKB

4/2/15 Public
6.40 3016024 Comment Meeting Notes

1) Lydia Brennan
- Rezone concern - past rezone, all dev't was built to code. Why this can be built bigger? Whole area should be rezoned or none at all
- worried about precedent
- worried about destroying character of Eastlake

2) Julia Pederson lived here 2 yrs
- People moved here based on existing character + can't expect this
- It should stay the way it looks
- one person's rezone shouldn't take away the views of others
- parking + traffic problems

3) Sandra Wheeler
- condo on Eastlake + Boston (SE corner)
- worried it will create more rezones
- if changes, need to comprehensively review zoning of whole area, not just one site
- thoughtful rezones done in 1956, should be done as thoughtfully

4 Ira Appleman 2020 Yale (alley next to proposal)
- quasi-judicial, not legislative
- City Council considered rezoning this site

and rejected it in favor of existing zoning in 1986. Why criteria now different?
Quasi Judicial can't overturn legislative
- Eastlake is a community not a corridor
- Disagrees with applicant's response to rezone criteria
- Eastlake residents should be able to speak to City Council about this rezone.
- Proposal is a legislative rezone not a contract rezone
- Building is too massive compared to context
- Trolleys etc will reduce parking on Eastlake
- Density changes should be up to residents

5. Don Golden
- Floor Area Ratio - existing FAR much lower than proposed. Change = 55% more development and $700K of value.

6. Michael Haanen
- Moved here 2 yrs ago. Apartment destroyed Franklin Ave. More coming. Told zoned for 3 stories
- 5 story building will block his view
- Parking a problem. Illegal parking in alley
- Want beautiful restaurants and homes like Mission District

- This proposal will destroy neighborhood
- Need additional housing and units but this method is wrong

7. Gail Jensen
agree w/ what's been said
- decision by neighborhood not individual
- she owns similar property + wouldn't do that without neighborhood input
- 39 spaces for 45 units = not enough
- but also too much additional traffic
- transportation uncoordinated on Eastlake
- many developer letters for project, residents against it

8. Sarah Armstrong
- agree with all previous statements
- looked through 1985-1986 documents of Eastlake rezone. No expiration on that decision
- What has changed in the neighborhood to allow more height + density
- Land Use Committee reviewed 4 corners in detail.
- zoning not approved but proceeding as if rezoned

9. Michael Foreman
- lived here 2 yrs
- proposal out of scale w/ neighborhood

- parking a problem. He doesn't have parking and it's a problem. Households here have 1.5 cars on average
- need parking for commercial/tax
- room for 17 cars on Boston, additional demand a problem
- Slippery slope argument is true. This will lead to more rezones.

10. Joseph Buchta
- increased development a problem. Seratina workers park there.
- Nearby residents won't pay for parking so they park on street and illegally
- Not enough parking and it will be too expensive so they won't park there
- Cobblestone st on Boston
- Rezone should bring value to the community

---

11. Stephan Namisnar
- lived here 5 yrs
- residents of all ranges. Building a wide range as well, varied types
- variety reflects zoning
- people bought w/expectations. Private and public views. Less development zoned for corner lots to preserve views/light/air

- Development should be done according to existing zoning
- Proposal out of scale with surrounding; will dwarfed by proposal
- Eastlake lofts @ Eastlake + Lynn is less than half the size of proposal - not a comparable, although used as such by applicant
- 30' at the corner with 40' @ the center of the block would be better.
- Location should be lower to preserve light to Eastlake
- should build organically in the neighborhood rather than piecemeal
- 1980's plans set a neighborhood, should be honored
- Not in favor

12. Emily Wheeler
- No public benefit to the rezone. Should show public benefit for 10'.
- Drawings should show slope of East lake down to lake. Zoning should transition with slope.
- design review should consider 30' design

13. Mary Lou Pederson
- been on E. Lake Commy Council and Green Streets.
- Doesn't meet neighborhood plan criteria

- Density already beyond the plan
- buffer
- See letter from E.L. Commy Council
- height a serious concern
- need more time to review parking + traffic
- Exceptions to zoning should not happen
- Discouraging to hear it presented as done deal at design review meetings
- Residents need same considerations as developer
- Should consider impacts of proposal on community

Note comment period - can keep commenting

-

14. Tom Ardavany
- Should plan for families
- Money driving development

15. Chris Leman
- president of E.L Commy Council
- Supports zoning done following 1980's review
- 1990's Comp Plan + E Lake Neighborhood Plan 19 were opportunities to rezone. Also Comp Plan updates since then.
- DPD and applicant are avoiding coming to NH to discuss wider changes
- rezone not legitimate + See Arambarri + E Lk. Letters
- trying to boost rezone argument by acting like it approved

- DRB meetings should be in Eastlake, not Seattle U.
- TOPs has room in cafeteria + library
- existing zoning more important because of City Council changes to height + bulk now allowed
- Said municipal code stated a "pause" in development once targets were met, to re-examine parking, parks, streets. It was later repealed by City Council.

- P&G requirements eliminated in code
- Shouldn't upzone, should downzone because of impacts
- Deny rezone + reject design review
- If recommend a rezone, then Hearing Examiner and City Council should review before design review
- will w

16. Jules James

- Worked on E. Lake Comm Council in 1980's.
- Was looking at big office buildings. Now parking battle is a problem because no parking is required
- More transient residents result from low parking ratios. Need 1:1 ratio
- developer built nearby projects that are great and is a neighbor.

- rezone from 1980's. Additional rooftop HVAC for offices mean more height than
- supports rezone - residential; better parking means longer term residents - argue for that

17. Charles Wheeler
- Showed proposed development from REC packet. Too big, property line to property line

Second round of comments
- should orient the rooftop stair/elevator east-west to limit view blockage
- rezone history was city-wide and not specific to E lake
-

Public Comment
4-2-2015
3016024
SKB

4/2/15

6.40 3016024 Public Comment Meeting Notes

1) Lydia Brennan
- Rezone concern - past rezone, all dev't was built to code. Why this can be built bigger? Whole area should be rezoned or none at all
- worried about precedent
- worried about destroying character of Eastlake

2) Julia Pederson lived here 2 yrs
- People moved here based on existing character + can't expect this
- It should stay the way it looks
- one person's rezone shouldn't take away the views of others
- parking + traffic problems

3) Sandra Wheeler
- condo on Eastlake + Boston (SE corner)
- worried it will create more rezones
- if changes, need to comprehensively review zoning of whole area, not just one site
- thoughtful rezones done in 1986, should be done as thoughtfully

4 Ira Appleman 2020 Yale (alley next to proposal)
- quasi-judicial, not legislative
- City Council considered rezoning this site

and rejected it in favor of existing zoning in 1986. Why criteria now different? Quasi Judicial can't overturn legislative
- Eastlake is a community not a corridor
- Disagrees with applicant's response to rezone criteria
- Eastlake residents should be able to speak to City Council about this rezone.
- Proposal is a legislative rezone not a contract rezone
- Building is too massive compared to context
- Trolleys etc will reduce parking on Eastlake
- Density changes should be up to residents

5. Don Golden
- Floor Area Ratio - existing FAR much lower than proposed. Change = 55% more development and $700K of value.

6. Michael Haanen
- Moved here 2 yrs ago. Apartment destroyed Franklin Ave. More coming. Told zoned for 3 stories
- 5 story building will block his view
- Parking a problem. Illegal parking in alley
- Want beautiful restaurants and homes like Mission District

- This proposal will destroy neighborhood
- Need additional housing and units but this method is wrong

7. Gail Jensen
agree w/ what's been said
- decision by neighborhood not individual
- she owns similar property + wouldn't do that without neighborhood input
- 39 spaces for 45 units = not enough
- but also too much additional traffic
- transportation uncoordinated on Eastlake
- many developer letters for project, residents against it

8. Sarah Armstrong
- agree with all previous statements
- looked through 1985-1986 documents of Eastlake rezone. No expiration on that decision
- What has changed in the neighborhood to allow more height + density
- Land Use Committee reviewed 4 corners in detail.
- zoning not approved but proceeding as if rezoned

9. Michael Foreman
- lived here 2 yrs
- proposal out of scale w/ neighborhood

- parking a problem. He doesn't have parking and it's a problem. Households here have 1.5 cars on average
- need parking for commercial/tac
- room for 17 cars on Boston, additional demand a problem
- Slippery slope argument is true. This will lead to more rezones.

10. Joseph Buchta
- increased development a problem. Serafina workers park there.
- Nearby residents won't pay for parking so they park on street and illegally
- Not enough parking and it will be too expensive so they won't park there
- Cobblestone st on Boston
- Rezone should bring value to the community

11. Stephan Namisnar
- lived here 5 yrs
- residents of all ranges. Building a wide range as well, varied types
- variety reflects zoning
- people bought w/expectations. Private and public views. Less development zoned for corner lots to preserve views/light/air

- Development should be done according to existing zoning
- Proposal out of scale with surrounding; will dwarfed by proposal
- Eastlake lofts @ Eastlake + Lynn is less than half the size of proposal - not a comparable, although used as such by applicant
- 30' at the corner with 40' @ the center of the block would be better.
- Location should be lower to preserve light to Eastlake
- should build organically, in the neighborhood rather than piecemeal
- 1980's plans set a neighborhood, should be honored
- Not in favor

12. Emily Wheeler
- No public benefit to the rezone. Should show public benefit for 10'.
- Drawings should show slope of East lake down to lake. Zoning should transition with slope
- design review should consider 30' design

13. Mary Lou Pederson
- been on E. Lake Commy Council and Green Streets.
- Doesn't meet neighborhood plan criteria

- Density already beyond the plan
- buffer
- see letter from E.L. Commy Council
- height a serious concern
- need more time to review parking + traffic
- Exceptions to zoning shouldn't happen
- Discouraging to hear it presented as done deal at design review meetings
- Residents need same considerations as developer
- Should consider impacts of proposal on community

Note comment period - can keep commenting

-

---

14. ~~Tom Ardavany~~
- should plan for families
- Money during development

15. Chris Leman
- president of E.L Commy Council

- Supports zoning done following 1980's review
- 1990's Comp Plan + E Lake Neighborhood Plan 19 were opportunities to rezone. Also Comp Plan updates since then.
- DPD and applicant are avoiding coming to NH to discuss wider changes
- rezone not legitimate + See Arambarri + E Coh. letters
- trying to boost rezone argument by acting like it's approved

- DRB meetings should be in Eastlake, not Seattle U.
- TOPs has room in cafeteria + library
- existing zoning more important because of City Council changes to height + bulk now allowed
- ~~Said~~ municipal code stated a "pause" in development once targets were met, to re-examine parking, parks, streets. It was later repealed by City Council

---

- Pkg requirements eliminated in Code
- Shouldn't upzone, should downzone because of impacts
- Deny rezone + reject design review
- If recommend a rezone, then Hearing Examiner and City Council should review before design review
- will w

16. Jules James

- Worked on E. Lake Commty Council in 1980's.
- Was looking at big office buildings. Now parking battle is a problem because no parking is required
- More transient residents result from low parking ratios. Need 1:1 ratio
- developer built nearby projects that are great and is a neighbor.

- rezone from 1980's. Additional rooftop HVAC for offices mean more height than
- supports rezone - residential; better parking means longer term residents -- argue for that

17. Charles Wheeler
- Showed proposed development from REC packet. Too big, property line to property line

Second round of comments
- should orient the rooftop stair/elevator east-west to limit view blockage
- rezone history was city-wide and not specific to E lake
-

Herbaugh, Melinda

From:	Karen Appelman <KIAppelman@aol.com>
Sent:	Wednesday, April 08, 2015 6:59 PM
To:	Bolser, Shelley
Cc:	PRC; Sugimura, Diane
Subject:	Comments for Design Review Board Recommendation meeting, MUP 3016024, 4-8-15

Shelley Bolser, Land Use Planning Supervisor

City of Seattle Department of Planning and Development (DPD)

700 5th Avenue, Suite 2000

Seattle, WA 98124

RE: Design Review Board Recommendation meeting, MUP 3016024, 4-8-15

Dear Planning Supervisor Bolser and Design Review Board members:

I oppose design review approval of Project #3016024 at 2203-9 Eastlake Avenue East. The Design Review Board must at all times comply with state and local law. I offer the following procedural reasons and design guideline reasons to support my opposition:

Project #3016024 doesn't meet current zoning so this Design Review Board and DPD are prohibited from considering the project: State law makes a clear distinction between the procedures that lead to development regulations, like zoning, and the procedures that lead to local project approval such as the design review considered here. Local agencies, such as this Board and DPD, are prohibited from revisiting previous zoning decisions, and so cannot consider Project #3016024 because it doesn't meet current zoning.

RCW 36.70B governs local project review in this State. RCW 36.70B.030(1) requires that, "Fundamental land use planning choices made in adopted comprehensive plans and development regulations shall serve as the foundation for project review." "Shall" means that the direction is mandatory. These land use planning choices CANNOT be reexamined during project review. RCW 36.70B.030(3) explains that, "During project review, the local government or any subsequent reviewing board shall not reexamine alternatives…" on such issues as "type of land use permitted on the site" or "density of residential development."

The note to RCW 36.70B.030 explains the findings and intent of the Washington Legislature: "Given the extensive investment that public agencies and a broad spectrum of the public are making and will continue to make in comprehensive plans and development regulations for their communities, it is essential that project review start from the fundamental land use planning choices made in these plans and regulations… The project review process…should not reanalyze these land use planning decisions in making a permit decision."

Normally, the requirement that zoning PRECEDE local project review frustrates the public because, as non-professionals, the public has difficulty understanding the implications of zoning until local projects that comply with the zoning are proposed. Therefore, if a project is proposed that complies with zoning and the public objects, the public's objections are dismissed because state law prohibits revisiting zoning during local project review.

In the case of Project #3016024 however, in 1985/1986 there was an "extensive investment" that Eastlake neighbors made "in the development regulations for their community." The developer is prohibited from proposing a local project inconsistent with zoning and the Design Review Board and DPD are prohibited from considering a local project inconsistent with zoning. If the developer wants to propose a local project inconsistent with local zoning, which the developer admits in this case, the developer FIRST MUST OBTAIN A REZONE BEFORE proposing a local project, so the current Project #3016024 should be rejected by the Design Review Board and DPD.

Additionally, I object to the City holding this critically important Design Review Board Recommendation meeting miles away from the Eastlake community where this project is proposed. According to the City's manual, Seattle Design Guidelines: Design Review, the guidelines are supposed to support "a forum for the public to participate in discussions about new projects in their community..." Holding meetings miles away from the affected community of Eastlake frustrates the goal of public participation, especially since we have a local meeting location, TOPS at Seward School, where public participation would be more than double what it will be miles away at Seattle University.

Design Guidelines:

The main problem with the proposed building is that it is a massive box to maximize interior floor area. The design has nothing to do with Eastlake's history, location, topography, geography, architecture, or cultural uniqueness. This big box could be plopped down anywhere in Seattle (e.g. University District, Ballard, Capitol Hill) with the same mediocre result. In fact, the building looks like the architects have used this design somewhere else.

The Design Guidelines seek "design excellence." One measure of that design excellence is defined as "the ability of new buildings to fit seamlessly into" the current inventory of buildings. This building sticks out like a sore appendage.

Here are my comments on the Design Guidelines:

CS1 – Natural Systems and Site Features: The main feature of this massive slab building is that it blocks the sun and the wind. There has been no attempt to conform to sun and wind patterns by using corridors or anything else. The building doesn't appear to use solar or wind power. Installing window shades isn't a serious response to this design guideline.

CS2 – Urban Pattern and Form: The proposed building has a height, bulk, and scale that is completely out of character with the surrounding buildings and with the zoning for the surrounding properties. CS2.D4 suggests that the applicants should "lower the building height, break up the mass of the building, and/or match the scale of adjacent properties in building detailing, but that hasn't been done. The applicant hasl set something back a couple of feet and claims that un-noticeable change meets the design guidelines; it doesn't.

CS3 – Architectural Context and Character: The main characteristic of the neighborhood is that it is a small-scale niche neighborhood with views connecting it to the Seattle Center, Aurora Bridge, Lake Union, and the Olympic Mountain range with great access to the rest of Seattle. The massive structure blocks out the views and takes no advantage of Eastlake's location. The applicants clearly realize they don't meet this criteria since this building has absolutely no relationship to the architecture of Eastlake, so in their "final" design proposal they claim they will "explore ways to establish a positive and desirable context," and "the history of the site and neighborhood will be further explored as a potential place making opportunity." They were supposed to do that BEFORE they made their application, so their application isn't complete.

PL1 – Connectivity: The proposed building is basically a box to maximize floor area, and completely unconnected, with the exception of a small entrance in the southeast corner. The north side is basically an empty wall.

PL2 - Walkability: East Boston is somewhat steep on the south side of the building, but they haven't added "features to assist pedestrians in navigating sloped sites." The north side of the building is basically a blank wall without "transparency" at the street level. Virtually no "weather protection" is provided. The tiny canopy they provide at the main entrance is misplaced and won't help anybody wait for transportation since it is so far recessed from the street. The "canopy" under the east balcony is much smaller than depicted in the drawing; the plans show it at 3'3", but the drawing make it appear to cover almost half the sidewalk. Again, the applicants claim the design "will strive for an artful and people-friendly space between canopies," but that obviously hasn't happened yet and they are supposed to have designed according to the guidelines, not just promised to design according to the guidelines in the future.

PL3 – Street level interaction: The only significant street-level interaction occurs on Eastlake with the first floor retail.

PL4 – Active Transportation: The proposed building isn't properly designed to interact with transportation. The main residential entrance to the building is greatly recessed from Eastlake. Therefore, in cold or rainy weather, which happens often around here, residents will either have to wait within the building and not be able to see a bus, cab, or car arriving, or they must wait outside in the weather. The developer hasn't considered that rain and wind come from the W-SW so those waiting outside may be chilled and soaked.

DC1 – Project Uses and Activities: I may have missed it, but the applicants are depending on vibrant retail to connect their proposed building to the street. Where are retail customers going to park? It's certainly not clear from the drawings what retail "vehicular access and circulation" will look like. How will customers know where to park to access retail? Where is the commercial "wayfinding" plan?

DC2 – Architectural Concept: The applicants' massing study showing this proposed building to be more massive that anything in the vicinity makes clear this proposed building doesn't fit within this community. Recesses and indentations aren't going to fool anyone because this proposal is so out of scale with the surrounding buildings and zoning. They've also created a north wall that is near blank.

DC3 – Open Space Concept: The building is designed with a STERILE open space concept. There are no "green" areas. Planting a few trees and shrubs doesn't overcome sterility. It looks like a zero-lot-line factory or office building plopped down in a residential neighborhood. There's nothing relaxing about the experience of visiting this factory – no courtyard, no corridor, nothing to relieve the feeling of being "boxed."

DC4 – Exterior Elements and Finishes: The building has been designed so there is no landscaping, just cement-scaping. This building might fit better downtown or in a zone where grass and other green areas are prohibited.

These are my comments for now. Please consider them when reviewing Project #3016024

Thank you,

Karen Appelman

2020 Yale Avenue East

Seattle, WA 98102

KIAppelman@aol.com

206-323-7636

Herbaugh, Melinda

From: Bolser, Shelley
Sent: Thursday, April 09, 2015 8:46 AM
To: PRC
Subject: FW: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Public comment

From: ablanco002@aol.com [ablanco002@aol.com]
Sent: Thursday, April 09, 2015 12:02 AM
To: Bolser, Shelley
Subject: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

April 7, 2015

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality.

The project as proposed advances the Eastlake Community's goals, vision and neighborhood plan. Currently, the neighborhood lacks some crucial amenities and community-oriented retail activity with a few exceptions, the commercial space along Eastlake Avenue is largely occupied by traditional office-space and is in dire need of more engaging retail activity. The developer, John Links, is committed to energizing the streetscape along Eastlake Avenue with retail activity and an open-air atmosphere between the sidewalk and commercial spaces; and, consistent with the Seattle's overall plan to increase urban density, creating more residential apartment homes. I look forward to seeing more local neighborhood retail and expect the project's planned streetscape will contribute to the revitalization of the Eastlake corridor.

Sincerely,

Antolin Blanco, Chef/Owner of Pomodoro Ristorante in Eastlake

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality.

My name is Daniel and my family owns Sebi's Bistro a restaurant on the corner of fuhrman and eastlake. The proposed project would be a great addition to the eastlake corridor. The commercial space along Eastlake is occupied with office-spaces which is not what the general feel for what the Eastlake neighborhood wants. I believe John Links proposal is what the neighborhood really needs, more retail activity off the main street and more residential apartments to feed the need for the demand of people wanting to live in the eastlake community. There is a big need for residential apartments that are up to the standards of the rest of Seattle and that is what they are offering. As a business owner I can say the neighborhood is growing fast with people from all ages ranging from young professionals to families and they all want something that is more neighborhood friendly and not bland office space. The proposal that has been laid out by John links, the developer will fit most is not all the needs of the neighborhood. I am happy and looking forward to the transformation of Eastlake into one of the most desired neighborhoods of Seattle.

SIncerly,
Daniel Kanczugowski
Sebi's BIstro
3242 Eastlake Ave E

Camacho, Rodolfo

From: Bolser, Shelley
Sent: Tuesday, April 07, 2015 4:00 PM
To: PRC
Subject: 3016024 - Correction to Aramburu-Eustis letter of April 2, 2015

Public comment

From: Jeff Eustis [mailto:eustis@aramburu-eustis.com]
Sent: Tuesday, April 07, 2015 2:11 PM
To: Bolser, Shelley
Cc: 'Jeremy Eckert'; Sarah Armstrong
Subject: Project 3016024 - Correction to Aramburu-Eustis letter of April 2, 2015

Shelley,

Recognizing the horses usually precede carts, the second paragraph of my April 2, 2015 letter should have read that the Foster Pepper letter put the project review cart before the plan review horse.

Jeffrey Eustis
Aramburu & Eustis, LLP
720 Third Avenue, Ste 2000
Seattle WA 98104
Phone: (206)625-9515
Fax: (206)682-1376

34585 56th Ct S
Auburn, WA 98001

March 18, 2014

VIA EMAIL ONLY

Lindsay King
Lindsey.king@seattle.gov
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024, known commonly as "Waterton". I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality. The rezone will allow this project to develop and flourish in a neighborhood that provided an amazing home for 9 years, but that was still going through its renaissance to becoming what it can be.

The project as proposed advances the Eastlake Community's goals, vision and neighborhood plan. Currently, the neighborhood lacks some crucial amenities and community-oriented retail activity with a few exceptions, the commercial space along Eastlake Avenue is largely occupied by traditional office-space and is in dire need of more engaging retail activity. The developer, John Links, is committed to energizing the streetscape along Eastlake Avenue with retail activity and an open-air atmosphere between the sidewalk and commercial spaces; and, consistent with the Seattle's overall plan to increase urban density, creating more residential apartment homes. I look forward to seeing more local neighborhood retail and expect the project's planned streetscape will contribute to the revitalization of the Eastlake corridor.

As a young professional, I chose the Eastlake neighborhood to be my first home based upon the easy access into downtown and the University District. In my new home at the southend of Eastlake (Eastlake and Garfield) I quickly became involved in my building's HOA as well as the local political scene (even becoming an elected Democratic PCO). In the early years it was difficult to hold any community activity that wasn't at the Elementary School or Azeteca. As neighborhood development occurred, local businesses (such as Voxx Coffee) allowed for the communal gatherings. The issue that has arisen over the years of development is that the retail businesses were, for the most part, located on the north end of Eastlake. Louisa's and other locations further north on Eastlake may have technically been part of the neighborhood but, in reality, were too far to go without driving, riding the bus, or committing to a multi-hour visit.

The south end of Eastlake is in desperate need of projects like what John Links is proposing to truly allow the neighborhood experience to develop into a true urban experience where what you need is, truthfully, a short walk away. Being able to have choices beyond Siam Thai (which saw plenty of my business) for residents that occupy the south end of Eastlake is critical for further neighborhood development. The neighborhood has grown to include several biomedical office buildings, but the number of businesses offering the neighborhood retail were severely lacking. Even though I have moved into a single family home in Auburn, I often return to Eastlake to meet with my friends and support the businesses that made up my daily existence for so long. I look forward to the time when we can visit new locations and new businesses.

I appreciate your attention to my letter and would be happy to provide further information and supportive testimony should it be necessary.

Sincerely,

Brent Williams-Ruth

Brent Williams-Ruth

Herbaugh, Melinda

From: King, Lindsay
Sent: Monday, March 16, 2015 9:02 AM
To: PRC
Subject: FW: Support of ReZone project 3016024
Attachments: Project 3016024 Rezone Support.pdf

From: Dennis Helmick [mailto:dhelmick@excfac.com]
Sent: Saturday, March 14, 2015 4:43 PM
To: King, Lindsay
Subject: Support of ReZone project 3016024

Dear Ms. King: Attached is a copy of my letter of support for a rezone for project 3016024 for the property at 2203 and 2209 Eastlake Avenue East.

I support a rezone to NC2P-40.

Please do not hesitate to call me if you need any further information.

Dennis P. Helmick
President
Exchange Facilitator Corporation
2627 Eastlake Avenue E.
Seattle, WA. 98102
Cell Number 206-679-3070
Business number: 206-324-1350 Fax: 206-329-6802
email: dhelmick@excfac.com

Exchange Facilitator Corporation

2627 Eastlake Avenue East

Seattle, WA. 98102

206-324-1350 fax 206-329-6801 email: dhelmick@excfac.com

March 14, 2015

Ms. Lindsay King

Department of Planning and Development

700 Fifth Avenue, Ste. 2000

P.O. Box 34019

Seattle, WA. 98124-4019

RE: Support for Re-Zone for property at 2203 and 2209 Eastlake Avenue East—Project 3016024

Dear Ms. King:

As a business owner who has been in the Eastlake neighborhood for over 41 years, I have witnessed a lot of change come to Eastlake.

The area has become more vibrant and alive with more residents and neighborhood retail.

In keeping with the goal of more neighborhood residents and more neighborhood retail, I write in support of the re-zone for the above-referenced property project to NC2P-40.

Public transportation is excellent and can certainly support more residents. The project's retail usage enhances services for all in the Eastlake Community.

Increasing density on Eastlake Avenue does not detract from the neighborhood characteristics of the adjoining streets on either side of Eastlake.

In my opinion, this mixed-use 45- unit development will be a plus for the Eastlake neighborhood.

I therefore support a rezone to NC2P-40 to make this project a reality.

Very Truly Yours,

Dennis P. Helmick, President

Herbaugh, Melinda

From: King, Lindsay
Sent: Monday, March 16, 2015 9:02 AM
To: PRC
Subject: FW: 3016024
Attachments: john links Support Letter - Master.docx; john links rendering.pdf

From: Richard Kettlewell [mailto:surfingtoo@hotmail.com]
Sent: Saturday, March 14, 2015 2:36 PM
To: King, Lindsay
Subject:

Dear Ms. King,
I'm a property owner of a 16 unit apartment building located at 2800 Franklin Ave. E. and I am in favor of Mr. Links proposed development on Eastlake Ave E.
The design is cosmetically attractive and thank god it isn't Micro Housing. By the way, who was the genius who pushed for that????
They should have their heads examined. Totally screws street parking.
Sincerely,
Richard Kettlewell

Sent from Windows Mail

March 11, 2014

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

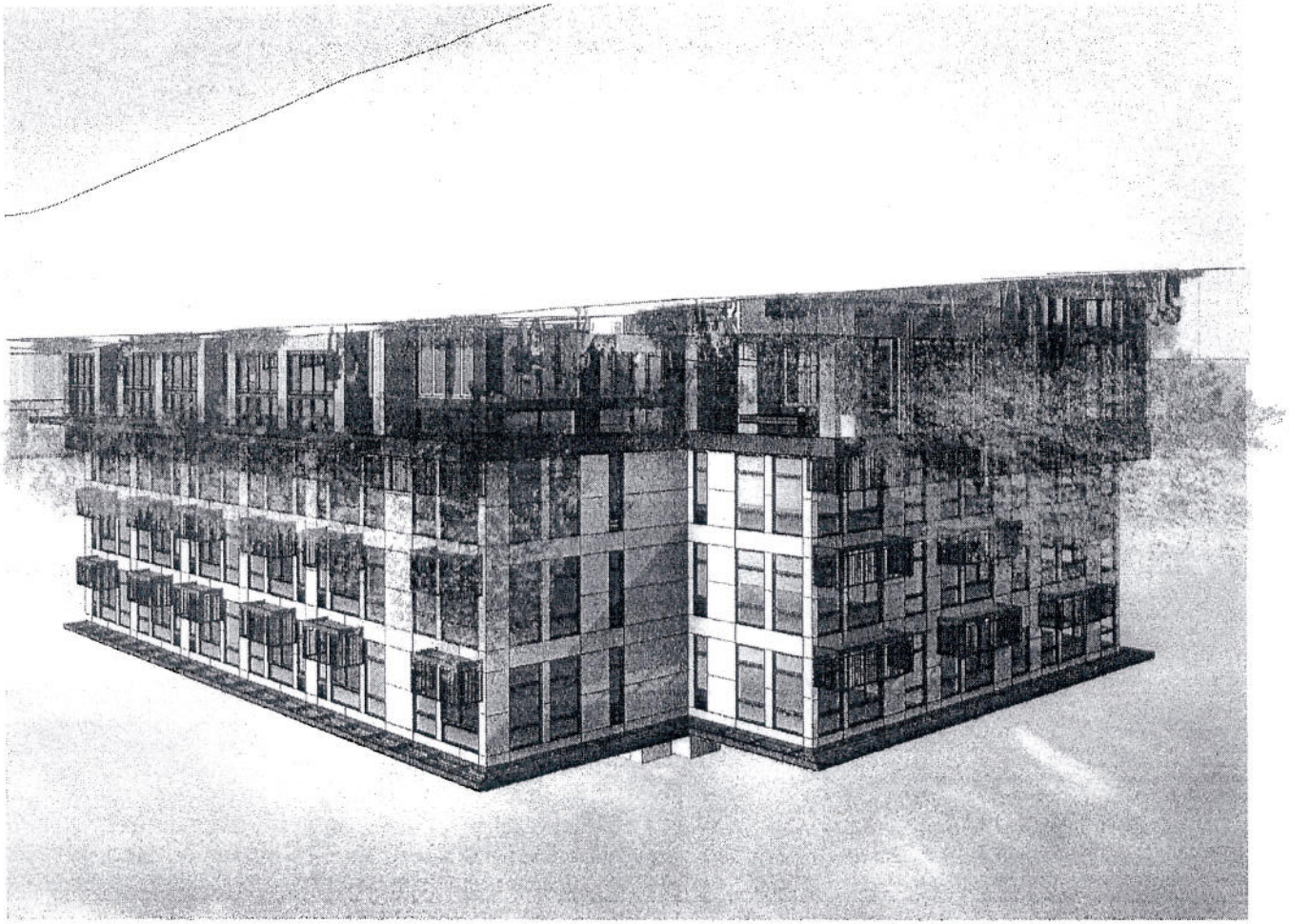
Dear Ms. King,

I am a landlord with a 16 unit on Franklin Ave. E. and I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality.

The project as proposed advances the Eastlake Community's goals, vision and neighborhood plan. Currently, the neighborhood lacks some crucial amenities and community-oriented retail activity with a few exceptions, the commercial space along Eastlake Avenue is largely occupied by traditional office-space and is in dire need of more engaging retail activity. The developer, John Links, is committed to energizing the streetscape along Eastlake Avenue with retail activity and an open-air atmosphere between the sidewalk and commercial spaces; and, consistent with the Seattle's overall plan to increase urban density, creating more residential apartment homes. I look forward to seeing more local neighborhood retail and expect the project's planned streetscape will contribute to the revitalization of the Eastlake corridor.

Sincerely,

Richard Kettlewell



ARAMBURU & EUSTIS, LLP

Attorneys at Law

J. Richard Aramburu
rick@aramburu-eustis.com
Jeffrey M. Eustis
eustis@aramburu-eustis.com

720 Third Avenue, Suite 2000
Seattle, WA 98104
Tel 206.625.9515
Fax 206.682.1376
www.aramburu-eustis.com

March 30, 2015

East Design Review Board
Attn: Shelley Bolser
Department of Planning and Development
700 5th Avenue, Ste 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: 3016024 – Barrientos rezone application

Dear Design Review Board Members:

On behalf of residents within the 201 East Boston Condominium, we request that you table action on review of the design for the above proposal until after the City Council has taken action on the rezone proposal. Until then, the application is premature in that the applicant seeks review of a development under a zoning classification that has not been, and may never be approved for the property.

The Board should suspend review of the current proposal.

Conducting design review on a proposal that does not meet current zoning standards is inappropriate for at least three reasons. First, apart from approved design departures, a decision on an application for design review must ultimately "meet all codes and regulatory requirements applicable to the subject site … ." SMC 23.41.008.F.2. That requirement cannot be met where the proposed design does not conform to current regulations, but is predicated upon approval of a change in zoning that may never be given.

The southerly portion of the proposed site is zoned NC-1, which allows the development of commercial use to a height of 30 feet; the northerly portion of the site is zoned LR 2, allowing residential use, also to a height of 30 feet, each with four foot allowances. The applicant's design fails to conform to either zoning classification, as it proposes commercial development over the entirety of the ground floor and it proposes a four story structure whose height off of Eastlake Avenue would be approximately 59 feet,[1] or nearly twice the base height allowed under current zoning. At the end of the

[1] See Waterton Plan Set V2 at page A301 (40' Base height elevation +4' bonus +4' parapet + 11'elevator)

design review process, the ultimate conclusion cannot be rendered, that the proposal complies with zoning regulations applicable to the site, because plainly it does not.

Rather than engaging in an academic exercise of determining conformance with non-existent zoning, the Board should simply table the application until after the City Council has acted upon the rezone request. If the rezone application is approved, then design review may proceed. In the meanwhile, the design review is simply being conducted on a hypothetical project.

Second, design review on a proposal not allowed by current zoning is premature. Currently, the City is revising its comprehensive plan. Rather than being considered in isolation, the proposal should be considered in the context of plan review. Among other design goals, the Eastlake Neighborhood Plan envisions:

> residential growth [that] is consistent with Eastlake's character, size, scale, infrastructure and public services, and occurs in locations appropriate for residential uses.[2]

The applicant's proposal is not consistent with the character, size and scale of development in its vicinity. The west side of Eastlake to the north of the site is developed in two and three story residential buildings, consistent with its LR 2 zoning.[3] The west side of Eastlake Avenue to the north of East Boston does not have a 4 story building until its intersection at East Lynn Street, at a site zoned NC2-P40, which transitions to more intensive zoning to the north.[4]

Moving south of East Boston Street across from the site, the west side of Eastlake holds a one story commercial use (the Serafina and Cicchetti restaurants), a three story apartment building, a 1½ story house, a three story apartment building, a two story house, a three story apartment and a two story motel.[5] Nothing exceeds three stories until one reaches the office building at East Blaine Street, three blocks south of the site.

If the Eastlake neighborhood goals concerning the scale of development are to be reconsidered, that should occur first in the context of comprehensive plan review and then through the adoption of zoning to implement changes in the comprehensive plan, which is the sequence mandated by the Growth Management Act.[6] The GMA further requires that any revisions to plans and zoning occur in the context of all other

---

[2] Eastlake Neighborhood Plan, Goal EL G-5.
[3] See photos of westside of Eastlake Avenue within Applicant's Early Design Guidance at 6.
[4] See zoning map contained within Applicant's Early Design Guidance at 2.
[5] See photos within Applicant's Early Design Guidance at 6.
[6] RCW 36.70A.040(3)(d)(GMA cities to adopt comprehensive plans and development regulations to implement those plans).

proposals so that their cumulative effects may be considered together, rather than on a piecemeal basis,[7] which is the approach inherent in the pending application.

Third, the Board's consideration of a design failing to conform to zoning and the Eastlake Neighborhood Plan conflicts with another important statute, the Local Project Review Act. At RCW 36.70B.030(3), this statute requires that during project review a local government not reexamine items already defined by development regulations, including the type of land use permitted and the density of residential development permitted. Yet that is what the proposal asks for, to expand retail uses and to intensify residential zoning. Even though the City allows contract rezones, the process here is backwards, as it potentially allows the review of a single development to influence the scale of development that should be determined on a broader scale.

The proposed design should be rejected as inconsistent with design guidelines.

If the Board continues with its review, the proposed design should be rejected on its merits because it fails to conform to a number of applicable design guidelines. Although conformance with each and every design strategy is not required, "all projects are expected to meet and address all of the guidelines[;]" further, attention should be given "in determining which approaches and strategies are particularly applicable to a given project[:]"

> While all projects are expected to meet and address all of the guidelines, they are not expected to apply all the approaches and strategies listed for each guideline. Not all of the approaches and strategies will be relevant to every project. Applicants, Design Review Boards, and other reviewers should use their judgment and discretion in determining which approaches and strategies are particularly applicable to a given project. [City Wide Guidelines at v.]

The proposed development does not meet all of the design guidelines and it does not meet the particular strategies applicable to this project.

The project fails to meet Design Guideline CS 2, which provides that "Urban Pattern and Form:"

> Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

Part D to this guideline lists five strategies to address height, bulk and scale, which are excerpted below:[8]

---

[7] RCW 36.70A.130(2)(b)(all proposals for updates, amendments or revisions of the comprehensive plan "shall be considered...concurrently so the cumulative effect of the various proposals can be ascertained.")

1. Existing Development and Zoning: Review the height, bulk, and scale of neighboring buildings as well as the scale of development anticipated by zoning for the area to determine an appropriate complement and/or transition. ...

2. Existing Site Features: Use changes in topography, site shape, and vegetation or structures to help make a successful fit with adjacent properties; ...

3. Zone Transitions: For projects located at the edge of different zones, provide an appropriate transition or complement to the adjacent zone(s). Projects should create a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zone and the proposed development. ...

4. Massing Choices: Strive for a successful transition between zones where a project abuts a less intense zone. In some areas, the best approach may be to lower the building height, break up the mass of the building, and/or match the scale of adjacent properties in building detailing. ...

5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy and outdoor activities of residents in adjacent buildings.

The proposal conforms to neither the CS 2 Guideline nor any of the strategies related to height bulk and scale:

Contrary to Guideline CS 2D-1, the proposal neither complements nor transitions to neighboring buildings. As shown by the photos of the westerly block face of Eastlake Avenue East set forth within the applicant's own Early Design Guidance document, the 59 foot height of the proposed building would contrast starkly to the one story development to the north of the site, to the one story development across East Boston Street to the south of the site, and to the one story apartment across the alley to the west of the site.

Contrary to Guideline CS 2D-2, the development does not use topography to make a successful fit with adjacent properties. Rather than stepping down the slope from Eastlake Avenue, the project carries its height across the site

[8] The Design Guidelines and strategies are excerpted here in the interest of space, and not to suggest that other provisions would not apply. The full text of the strategies is contained within the Citywide Guidelines and available on DPD's website at:
http://www.seattle.gov/dpd/cs/groups/pan/@pan/documents/web_informational/p2083771.pdf

reaching nearly 70 feet (69'10") at the alley to the west. See Plan Sheet A202. This contrasts to the one story height of the apartment building directly across the alley to the west and even to the three story apartment buildings along the west side of the alley farther to the north.

Contrary to Guideline CS 2D-3, the proposal lies at the edge of less intensive zones to the south, but fails to provide an appropriate transition or a step in perceived height, bulk and scale. The existing NC-1 and LR-2 zones were placed on the site to provide a transition between the more intensively zoned commercial area to the north of Boston Street and the residentially zoned areas to the south of Boston Street. By proposing development to NC-2 standards, the project removes that transition. The buildings to the south (the one story Serafina and Cicchetti restaurant building) and the apartments to the west are well established for which there is no anticipated redevelopment. As noted above, the height of the proposed building does not step down to the north, the south, or to the west.

Contrary to Guideline CS 2D-4, the project abuts less intense zones to the south and to the west, but does not follow the indicated strategies of lowering building height, breaking up its mass, or matching the scale of adjacent properties.

Contrary to Guideline CS 2D-5, the project does not respect adjacent properties and minimize disruption of privacy. To the contrary, it would block light, air and sunlight to the north and loom above properties to the south and west.

In sum, the proposal does not conform to Guideline CS2 or to any of its implementation strategies for height, bulk and scale. Based upon these inconsistencies the Board should not recommend approval of the proposed design.

The proposal also fails to conform to Guidelines CS3 and DC2 and their implementing strategies. Guideline CS3 requires the project to "[c]ontribute to the architectural character of the neighborhood." This guideline is implemented in part through the Strategy at CS3-A1:

1. Fitting Old and New Together: Create compatibility between new projects, and existing architectural context, including historic and modern designs, through building articulation, scale and proportion, roof forms, detailing, fenestration, and/or the use of complementary materials.

Guideline DC2 requires the project to:

Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

This guideline is implemented by a number of strategies, including those at DC2-C3:

> **3. Fit With Neighboring Buildings:** Use design elements to achieve a successful fit between a building and its neighbors, such as:
> a. considering aspects of neighboring buildings through architectural style, roof line, datum line detailing, fenestration, color or materials,
> b. using trees and landscaping to enhance the building design and fit with the surrounding context, and/or
> c. creating a well-proportioned base, middle and top to the building in locations where this might be appropriate. Consider how surrounding buildings have addressed base, middle, and top, and whether those solutions—or similar ones—might be a good fit for the project and its context.

The proposed building does not conform to Guidelines CS3 and DC2 or the above implementing guidelines because it is out of scale with neighboring buildings. Its design does not complement the one-story, brick Serafina building across Boston to the south, the Zema building across Eastlake to the east or the one and two story buildings within the same block to the north. At 60 feet in height above Eastlake Avenue, the proposed building would completely dwarf well-established buildings in the vicinity.

For these reasons we urge the Design Review Board to not recommend approval of the proposed design. The proposal is premature and the design fails to conform to numerous design guidelines and implementation strategies.

Thank you for your attention to this letter.

Sincerely yours,

ARAMBURU & EUSTIS, LLP

Jeffrey M. Eustis

cc: Residents of 201 East Boston

3016024
3/26/15
Public Comment
Bolser

RECEIVED
BY:

December 15, 2014

Lindsay King
Department of Planning and Development
700 Fifth Ave, Ste. 2000
Seattle, WA 98124

Re: Rezone Support Letter for Project 3016024
2203 & 2209 Eastlake Avenue East

Dear Ms. King,

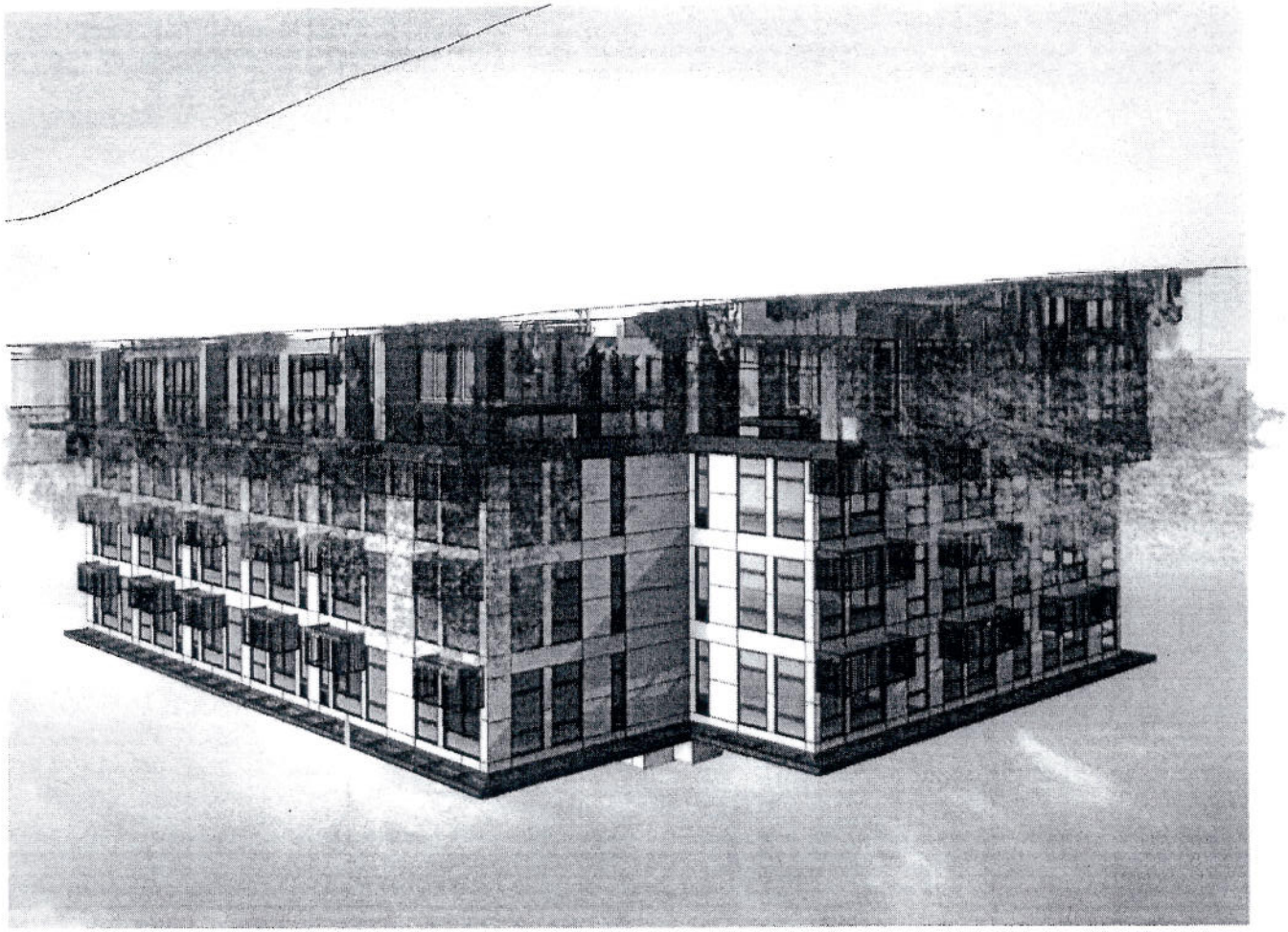
I support the above-referenced proposed development. I have worked in the Eastlake neighborhood for the past 14 years and know it well. Eastlake is one of the only neighborhoods that I know of in Seattle that does not have uniform zoning codes. For instance, on Eastlake Ave E north of Fred Hutch, there are NC 30, NC 40, LR, IG, and C1 zones and many of these different zones are adjacent to one another along Eastlake Ave E. In my opinion, all of these properties from Eastlake Ave E to their alleys should be NC 40 zoning or higher.

I know the developer John Links, both personally and professionally and can attest to the caliber of his developments; he not only builds aesthetically pleasing buildings, he creates cutting edge interiors that residents crave. The Eastlake Community should support this development.

Additionally, the Eastlake neighborhood needs more mixed use properties. Having more retail options would reduce the dependence on cars as Eastlake doesn't have the services residents deserve, especially compared to other nearby neighborhoods.

Sincerely,

ANTOLIN BLANCO
CHEF/OWNER OF
POMODORO RISTORANTE
2366 EASTLAKA AVE E.



Ramras Specialty Company
Real Estate Consulting

March 19, 2014

RECEIVED
MAR 3 0 REC'D
BY:

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality.

The project as proposed advances the Eastlake Community's goals, vision and neighborhood plan. Currently, the immediate neighborhood lacks some crucial amenities and community-oriented retail activity with a few exceptions, office users largely occupy many commercial spaces along Eastlake Avenue and Eastlake in general is in dire need of more engaging retail activity. The developer, John Links, whom I have know for decades, is committed to energizing the streetscape along Eastlake Avenue with retail activity and an open-air atmosphere between the sidewalk and commercial spaces; and, consistent with the Seattle's overall plan to increase urban density, creating more residential apartment homes. I look forward to seeing more local neighborhood retail and expect the project's planned streetscape will contribute to the revitalization of the Eastlake corridor.

A rezoning of this property will not change the charm, character and eclectic nature of the mostly single family, apartment inventory on Fairview, Minor, Yale, Franklin and Boylston Avenues and their East/West connecting side streets.

I was a long term resident of Eastlake and have continuing relations with residents and developers in this area. I developed the East Boston Townhomes project across the street and am still keenly interested to witness the evolution of this vibrant and unique community.

Sincerely,

Daniel M. Ramras
President

9032 –42ND Avenue N.E.
Seattle, Washington 98115
(206) 619-0560
Fax (206) 402-6848
dramras@comcast.net

Camacho, Rodolfo

From: Sarah Armstrong <sarah.armstrong@gmail.com>
Sent: Wednesday, March 11, 2015 1:08 PM
To: King, Lindsay
Cc: Bolser, Shelley; PRC
Subject: Re: Project 3016024 Next Steps

Hi Lindsay,

Thanks for your response, and congratulations! Enjoy your time with your little one.

Shelley, it's nice to meet you. Thanks for your efforts to schedule the public meeting.

With regard to your response about SEPA, I'm not sure I am looking at the right document. The notice posted on 12/4 says it may be the only opportunity to comment on the environmental impacts, but I can't find where it says there was already an early determination of non-significance. If you could point me in the right direction, that would be helpful.

Thank you!
Sarah

On Wed, Mar 11, 2015 at 9:20 AM, King, Lindsay <Lindsay.King@seattle.gov> wrote:

Sarah,

Thank you for your email and your patience. The Master Use Permit notice, issued most recently on December 4, 2014, included an Early Determination of Non-Significance. While our Environmental Review through SEPA is ongoing we do not anticipate issuing a Determination of Significance at this time.

The rezone application and review is also still ongoing. We continue to work through outstanding correction items and code criteria with the applicant. DPD has not yet drafted a Recommendation on the rezone application.

My supervisor, Shelley Bolser, will be taking over review of this project while I am away for maternity leave. She is currently in the process of scheduling a public meeting per the request. You will received notice of the public meeting once it is scheduled. The purpose of the public meeting will be to accept comments from interested citizens.

I hope this helps answer your questions. Please let me know if I missed anything.

Sincerely,

Lindsay King

Senior Land Use Planner

From: Sarah Armstrong [mailto:sarah.armstrong@gmail.com]
Sent: Thursday, March 05, 2015 11:29 AM

To: King, Lindsay
Subject: Re: Project 3016024 Next Steps

Thanks Lindsay. Sorry for the delay again in my response - I'm trying to consolidate responses from my neighbors so we're not all peppering you with questions. The group has asked if you can provide an update on the following:

1. the requested SEPA determination of non-significance.

2. the SEPA review if this proposal is determined to be significant.

3. the rezoning application itself.

On Mon, Mar 2, 2015 at 4:22 PM, King, Lindsay <Lindsay.King@seattle.gov> wrote:

Sarah,

Thank you for your email. The applicant has requested to postpone the Design Review Recommendation Meeting while additional studies are provided in response to the ongoing rezone analysis.

Sincerely,

Lindsay King

Senior Land Use Planner

From: Sarah Armstrong [mailto:sarah.armstrong@gmail.com]
Sent: Monday, March 02, 2015 2:04 PM
To: King, Lindsay

Subject: Re: Project 3016024 Next Steps

Hi Lindsay,

Thanks for responding. We have enough written signatures that we won't end up needing the online petition after all, but we may include it anyway.

I received notice this morning that this week's Design meeting has been postponed to April. Could you provide any context/explanation for the postponement?

Thank you,

Sarah

On Fri, Feb 27, 2015 at 2:11 PM, King, Lindsay <Lindsay.King@seattle.gov> wrote:

Hi Sarah,

Thank you for your email. We will accept a petition developed online provided it has the names, signatures, address and/or email of the people requesting the meeting. We will accept a printed version of this information.

I hope this helps.

Sincerely,

Lindsay King

From: Sarah Armstrong [mailto:sarah.armstrong@gmail.com]
Sent: Thursday, February 26, 2015 9:25 AM
To: King, Lindsay
Subject: Re: Project 3016024 Next Steps

Thanks Lindsay, and sorry for my delay in responding to you.

I don't have follow up questions to your response - all made sense - but I do have a question about something else. We will be gathering at least 100 signatures to request a public meeting with DPD, and I wanted to find out if these could be captured through a petition website such as change.org. I see a number of such petitions to DPD online, but do not know if the signatures were considered valid.

Thanks again,

Sarah

On Thu, Feb 19, 2015 at 11:51 AM, King, Lindsay <Lindsay.King@seattle.gov> wrote:

Hi Sarah,

Thank you for your email. I am happy to try and answer your questions.

At the March 4th meeting we will discuss how the project has responded to the City adopted Design Guidelines and the guidance provided by the Board at the 1st and 2nd EDG meeting. The Board can do one of two things at the end of that meeting. They can recommend the project for approval or request that it return for another Recommendation Meeting. There may be additional meetings required through the design review process.

Once the Board has recommended the project for approval, and the applicant has satisfied all remaining correction items through our Department, DPD will complete a recommendation on the rezone. We will also complete a SEPA decision. Once the recommendation decision is published a 2 week appeal period will begin.

The project then moves to the Hearing Examiner for a public hearing. The public hearing will include any appeals that were filed. Ultimately the Hearing Examiner will render a Recommendation, separate from DPD's Recommendation, based on the record and the analysis of the rezone criteria. An appeal period is offered once the Hearing Examiner renders the recommendation.

Finally, the project will move to Seattle City Council for review and approval.

The process is quite lengthy but it is laid out in SMC 23.76.050-23.76.060. These code sections are available through the following link:
https://www.municode.com/library/wa/seattle/codes/municipal_code?searchRequest=%7B%22searchText%22:%22SMC%2022.206.160%22,%22pageNum%22:1,%22resultsPerPage%22:25,%22booleanSearch%22:false,%22stemming%22:true,%22fuzzy%22:false,%22synonym%22:false,%22contentTypes%22:%5B%22CODES%22%5D,%22productIds%22:%5B%5D%7D&nodeId=TIT23LAUSCO

The examples of the rezone application I provided were to demonstrate an analysis of the rezone criteria. I did not track whether the rezones were ultimately approved by Council.

I hope this helps provide you with some direction. Please let me know if you have any other questions.

Sincerely,

Lindsay King
Senior Land Use Planner

From: Sarah Armstrong [mailto:sarah.armstrong@gmail.com]
Sent: Wednesday, February 18, 2015 3:53 PM
To: King, Lindsay
Subject: Project 3016024 Next Steps

Hi Lindsay,

I met last night with several of my Eastlake neighbors and the group posited a number of questions regarding possible next steps, timing of those steps, and whether there are rezone applications that have not been approved by the city council. Since you and I have already exchanged a few emails, I offered to send one message to you on behalf of the group.

We plan on attending the Design meeting on March 4. What next steps and meetings might follow? I noticed in the emails I received as part of my public records request that you had provided a rough timeline to the developer, but I couldn't piece together what each step was, and how much time each step could entail.

I also noticed that you had provided to the developer examples of successful rezone applications. Might you also be able to provide examples of unsuccessful rezone applications? Several of us are going to search project applications for this, but if you could point us in the right direction, we would definitely appreciate it.

Thank you!

Sarah

From: Minnerly, Denise
To: Bolser, Shelley
Subject: FW: Notice of Public Meeting & Notice of Design Review Board 2nd Recommendation Meeting - 3016024
Date: Thursday, March 19, 2015 10:28:18 AM

FYI

Denise R. Minnerly
City of Seattle, DPD
Administrative Specialist III
206-386-0098

From: Richard Kettlewell [mailto:surfingtoo@hotmail.com]
Sent: Thursday, March 19, 2015 10:24 AM
To: Minnerly, Denise
Subject: Re: Notice of Public Meeting & Notice of Design Review Board 2nd Recommendation Meeting - 3016024

As an apartment building owner at 2800 Franklin Ave. E., I am in favor of the proposed property located at the NW corner of Boston and Eastlake Ave. E. Richard Kettlewell

Sent from Windows Mail

From: Minnerly, Denise
Sent: Thursday, March 19, 2015 10:19 AM
To: Minnerly, Denise

You are being sent these notices as you either submitted comments or requested to be a party of record.

Please direct any comments to the planners listed on the notices.

Herbaugh, Melinda

From: Stephen Nelson <sanelson01@gmail.com>
Sent: Monday, April 13, 2015 10:00 PM
To: PRC
Subject: Public Comment on Project 3016024

I am writing about the proposed rezoning at 2203 and 2209 Eastlake Ave E in Eastlake.

Project should be redesigned to fit with in current zoning guidelines which were established by the City of Seattle in 1986. No other projects in the neighborhood have been given an exemption and the scope and size of this project is out of character for the neighborhood. If an exception is made, it should be for community benefit which this project does not provide.

Developer also needs to look at parking. Because the building is mixed use, we need to know exactly how many parking spots are dedicated to residential and to commercial use. Based on number of units and size of commercial space, there is not adequate parking for the building. Congestion is already bad in the area and this would only make it worse. Need to have at least one parking spot per unit for this project.

Transportation is already an issue in Eastlake. Busses are full, roads are congested, bicycles are plentiful. A project this large will only add to the problems of an already maxed out transportation system. Population growth has far exceeded any estimates of the neighborhood.

Project will impact views enjoyed by all residents of Eastlake which makes the neighborhood unique. Reducing the size and scope of building will maintain the views for public enjoyment.

I strongly oppose the request for rezoning and ask that the builder do the project within the current guidelines. Any exception should benefit the community. This exception would only benefit the developer.

Kind regards,

Stephen Nelson
Boylston Ave E
Seattle WA 98102

--
Stephen A. Nelson
Strategic Account Management
sanelson01@gmail.com
C: 802-380-3249

Peli, Michael

From: Bolser, Shelley
Sent: Monday, April 20, 2015 7:08 AM
To: PRC
Subject: FW: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

From: Amanda Startup [mandy.startup@gmail.com]
Sent: Tuesday, April 14, 2015 9:12 PM
To: Bolser, Shelley
Cc: john@equipacdev.com
Subject: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

April 14, 2015

Shelley Bolser
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. Bolser,
I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. Eastlake Avenue East is an essential central neighborhood connecting two vital adjacent employment centers – the University of Washington/U-District and South Lake Union – and a natural candidate for further housing density and related retail services built close to these major employment/medical clusters.
Thank you.
Amanda Startup
2021 Yale Avenue E. #302
Seattle WA 98012

RECEIVED
APR 17 REC'D
BY:

January 20, 2015

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality.

The University of Washington – the 3rd largest employer in the start of Washington and one of the largest recipients of health grants in the United States – sits at the N end of the Eastlake urban hub connecting South Lake Union, Fred Hutch, the biotech cluster and booming Amazon.

The Eastlake community connects two vital adjacent hubs and a natural candidate for further housing density and related retail services. The community is served by Metro Bus Routes 66 and 67 including electric overhead trolley providing essential transportation to support increased living density in the neighborhood.

This increased density also is a fits well as part of the City of Seattle's and goal of contributing to the comprehensive plan which is part to the Washington State Growth Management Act.

Currently the Eastlake community has inconsistent zoning ranging from low-rise 2 zoning to NC3- 65 zoning. The neighborhood is ripe for a complete up zone similar to those provided in South Lake Union, Broadway Avenue, Market Street in Ballard, University Way and several other major arterials in the University District and the likely proposed up-zoning in Uptown Queen Anne.

A rezoning of Eastlake Avenue E. will not change the charm, character and eclectic nature of the mostly single family, smaller, multi-plex and apartment inventory on Fairview, Minor, Yale, Franklin and Boylston Avenues and their East/West connecting side streets.

As a side note I live in the Eastlake neighborhood in a house boat, so I am not just making a pitch for a certain development that will not have some effect on my own life as to traffic and density, I am for apt. developers in the city but with one requirement and that is parking, they must have parking or no new project should happen.

Thank you.
Curtis L. Wolfe

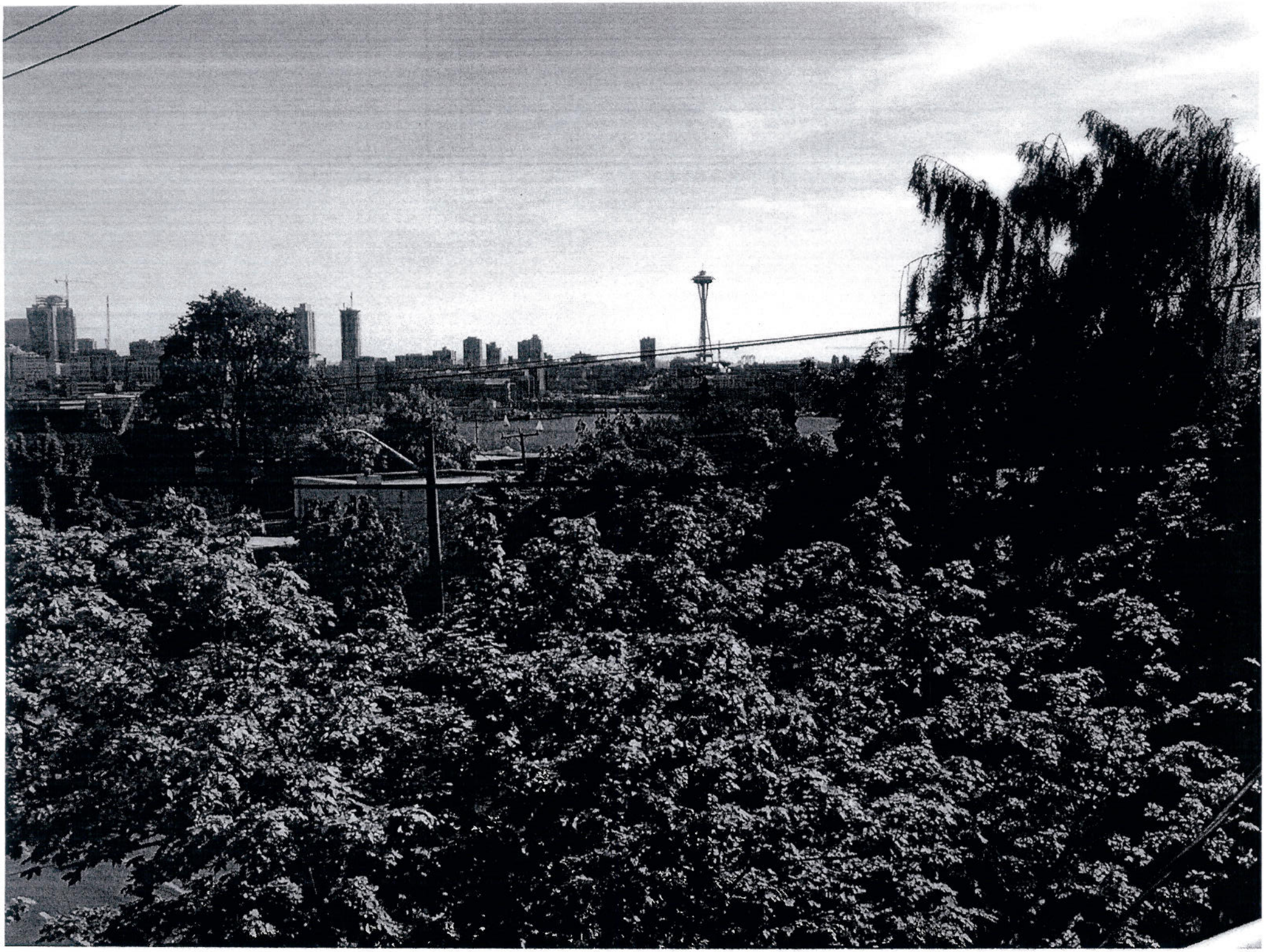
CURTIS L. WOLFE
2821 EASTLAKE AVE E #
SEATTLE, WA 98102

Harris, Johnny

From: Lydia Brennan <lydiafbrennan@hotmail.com>
Sent: Wednesday, May 20, 2015 4:56 PM
To: PRC
Subject: Project 3016024 2203 Eastlake Ave E
Attachments: IMG_0322.JPG; ATT00001.txt; IMG_0323.JPG; ATT00002.txt

To Ms. Shelley Bolser,

I am a resident and owner of 2228 Eastlake Ave East. Here is the current view from my unit which is also the view of other residents north of Boston on Eastlake. I have seen overlay renderings of the current 2203 building design from the southeast corner of Boston and Eastlake. I believe that someone should also review the building's footprint and the impact on other Eastlake residents using this vantage point.



Dept. of Planning & Development
Public Resource Center

JUN 11 2015

RECEIVED

June 5, 2015

Public Resource Center
700 Fifth Avenue, Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

RE: Project #3016024, 2203-2209 Eastlake Avenue East

Enclosed please find a flash drive with files of the video and audio recording of the East Design Review Board April 8, 2015 Final Recommendation meeting on design review of Project #3016024, the demolition of buildings at 2203 and 2209 Eastlake Avenue East and the construction of a mixed use building on the consolidated lot.

The files include (1) a video/audio recording made with a Canon PowerShot camera, consisting of two .MOV video/audio files; and (2) a separate audio recording made with a Sony IC recorder, consisting of one MP3 audio file.

Please enter these video and audio files into the record for Project #3016024.

Thank you,

Sincerely,

Ira B. Appelman
Karen I. Appelman

2226 Eastlake Avenue East, #304
Seattle, WA 98102
ibappelman@comcast.net
(206)235-4953

3016024
Pub Comment
~~SKB~~ Bolser

RECEIVED
BY:_____

RECEIVED
BY:_____

Design Review Board Recommendation Meeting

April 8, 2015

Re: Project 3016024

Sarah Armstrong

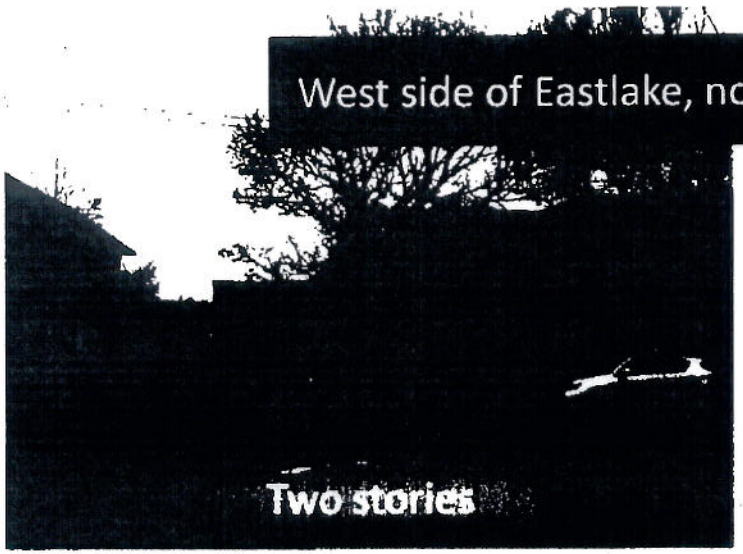
201 East Boston Street, Apt 3100 | Seattle, WA 98102

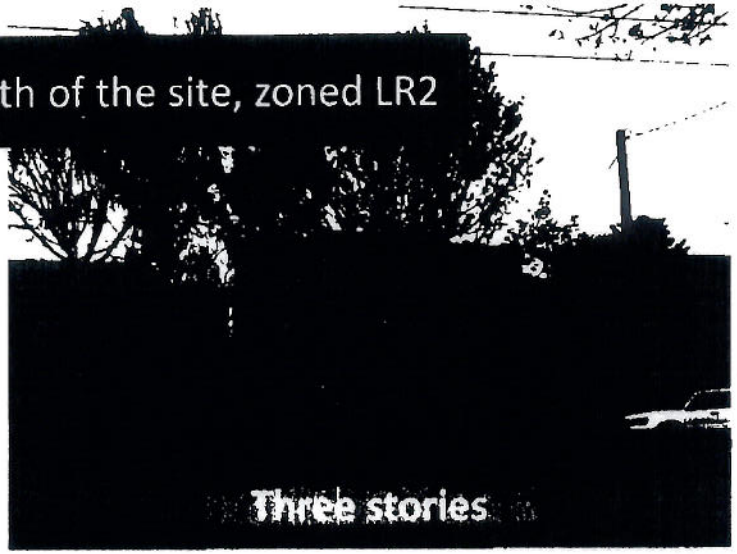
sarah.armstrong@gmail.com

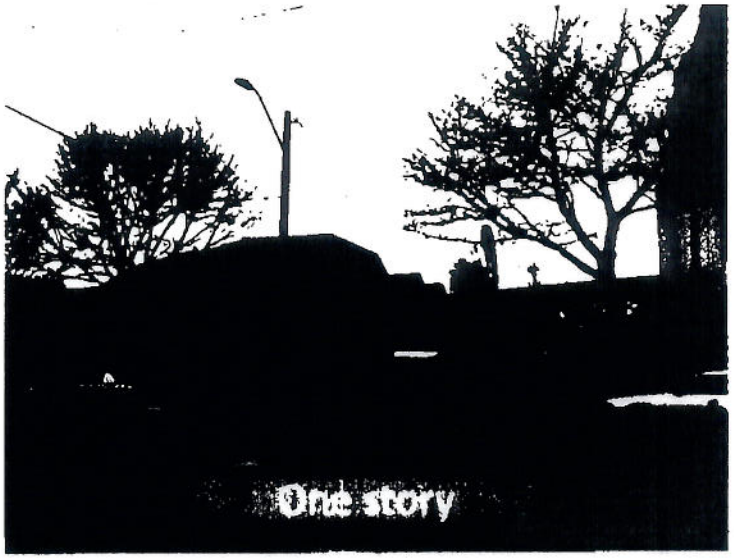
206.214.5969

The applicant's proposal is not consistent with the character, size and scale of development in its vicinity.

West side of Eastlake, north of the site, zoned LR2





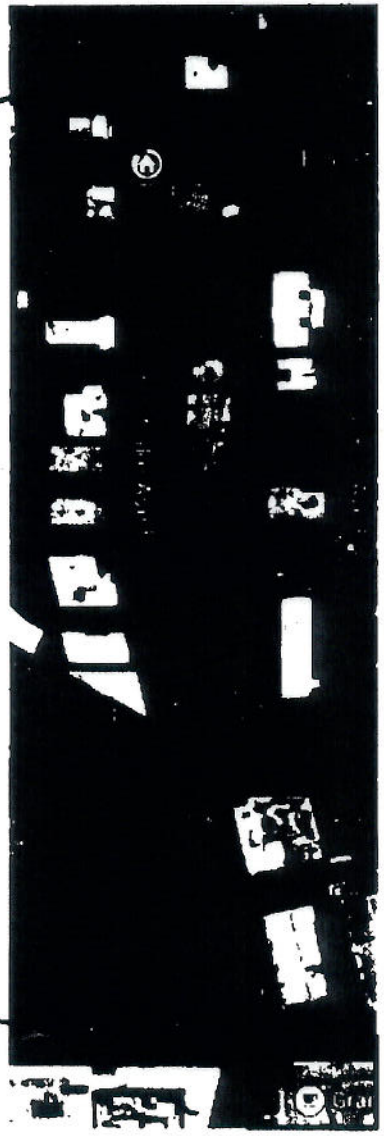


The applicant's proposal is not consistent with the character, size and scale of development in its vicinity.

Proposed Site

South of the site, the first building that exceeds three stories is a commercial building on the *east* side of the street, about a 5 minute walk.

First time building height exceeds three stories



The applicant's proposal is not consistent with the character, size and scale of development in its vicinity.

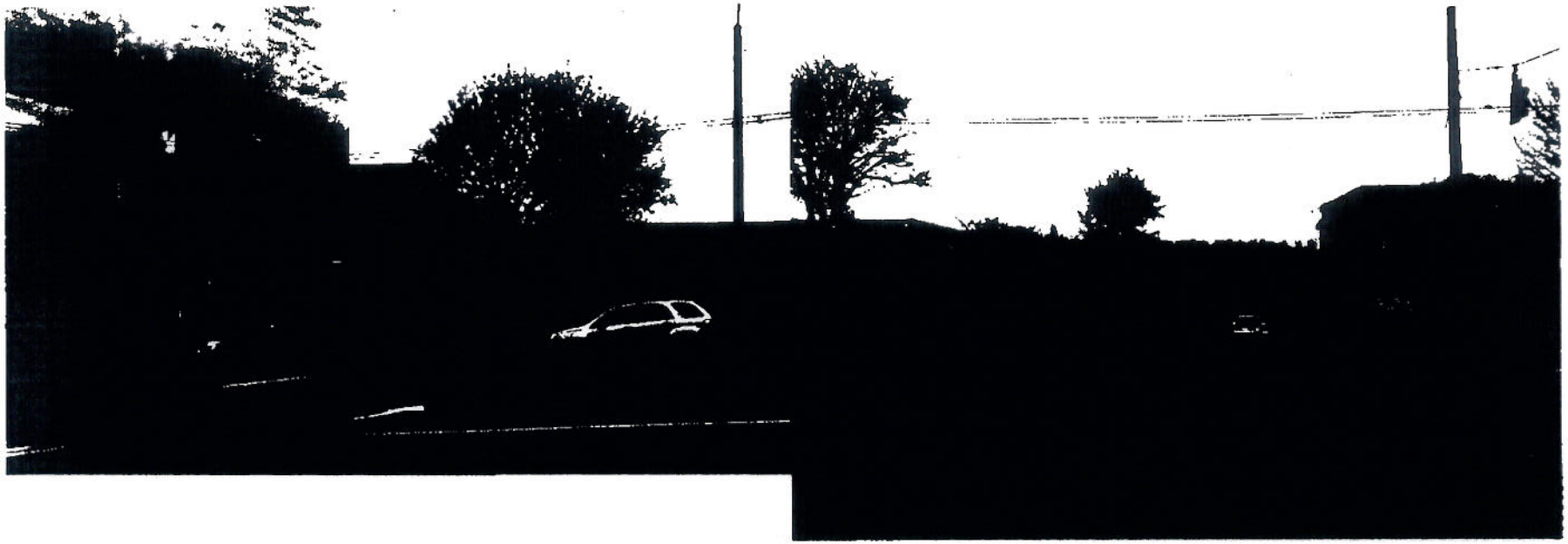
West side of Eastlake, south of the site, zoned LR3

The applicant's proposal is not consistent with the character, size and scale of development in its vicinity.

West side of Eastlake, south of the site, zoned LR3

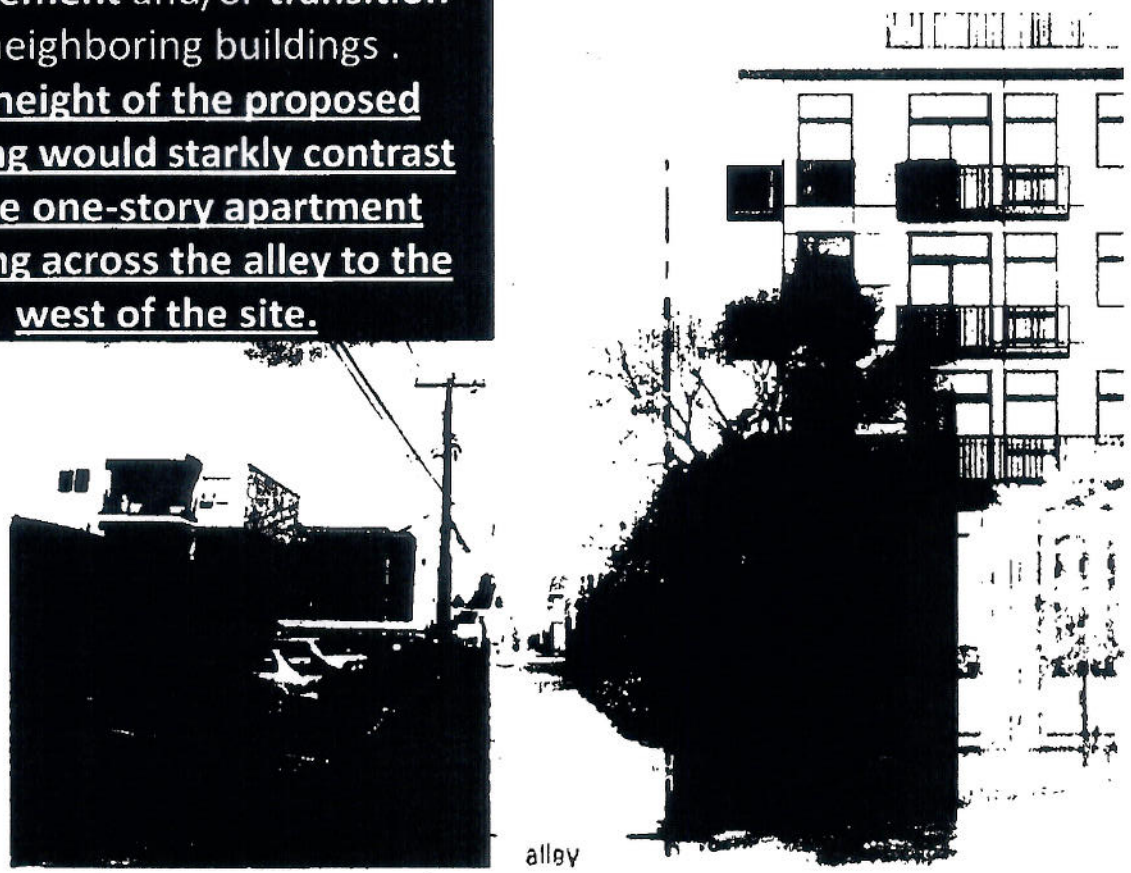
The applicant's proposal is not consistent with the character, size and scale of development in its vicinity.

West side of Eastlake, south of the site, zoned LR3 and NC1-40 (Serafina)



The applicant's proposal is not consistent with the character, size and scale of development in its vicinity.

Design Guideline Context and Site, 2 – Urban Pattern and Form D-1 requires that the proposal **complement** and/or **transition** to neighboring buildings . **The height of the proposed building would starkly contrast to the one-story apartment building across the alley to the west of the site.**



Design Guideline Context and Site, 2 – Urban Pattern and Form D-2 – requires the development use topography to make a successful fit with neighboring buildings. **This project carries its height across the site and is nearly 70 feet at the alley!**

[a-a] eastlake ave e east side

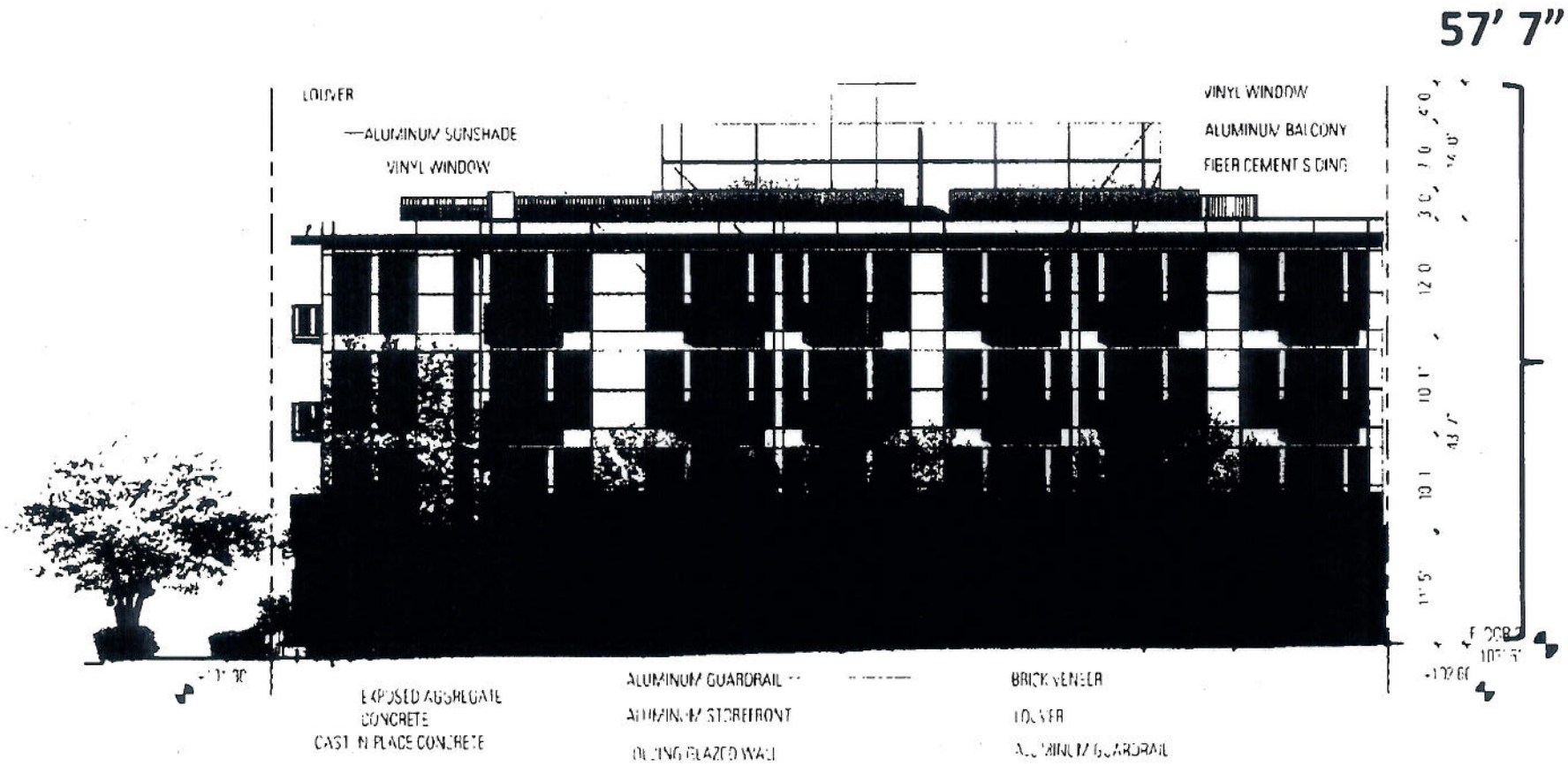
[b-b] east ake ave e west s de

Design Guideline Context and Site, 2D-3 requires that projects located at the edge of less intensive zones provide an appropriate transition or a step in perceived height, bulk and scale. **Development proposed to NC-2 standards removes that transition. At 60 feet in height above Eastlake, the proposed building would completely dwarf well-established buildings in the vicinity.**

Design Guideline Context and Site, 2D-4 requires that projects strive for a successful transition between zones where a project abuts a less intense zone. **The proposed development does not follow the indicated strategies of lowering building height, breaking up its mass, or matching the scale of adjacent properties.**

Design Guideline Context and Site, 2D-5 requires that projects respect adjacent properties and minimize disruption of primary. **The proposed building would block light, air and sunlight and loom above properties in the vicinity.**

I urge the Design Review Board to not recommend approval of the proposed design. The design fails to conform to numerous design guidelines and implementation strategies.



3016024
Pol Comment
Bolser

RECEIVED

BY:_____

Ira,

Please hand these comments in tonight at the DRB meeting.

Thanks,

Karen

Begin forwarded message:

From: Karen Appelman <KIAppelman@aol.com>
Subject: Comments for Design Review Board Recommendation meeting, MUP 3016024, 4-8-15
Date: April 8, 2015 at 6:59:06 PM PDT
To: Shelley.bolser@seattle.gov
Cc: PRC@Seattle.gov, diane.sugimura@seattle.gov

Shelley Bolser, Land Use Planning Supervisor

City of Seattle Department of Planning and Development (DPD)

700 5th Avenue, Suite 2000

Seattle, WA 98124

RE: Design Review Board Recommendation meeting, MUP 3016024, 4-8-15

Dear Planning Supervisor Bolser and Design Review Board members:

I oppose design review approval of Project #3016024 at 2203-9 Eastlake Avenue East. The Design Review Board must at all times comply with state and local law. I offer the following procedural reasons and design guideline reasons to support my opposition:

Project #3016024 doesn't meet current zoning so this Design Review Board and DPD are prohibited from considering the project: State law makes a clear distinction between the procedures that lead to development regulations, like zoning, and the procedures that lead to local project approval such as the design review considered here. Local agencies, such as this Board and DPD, are prohibited from revisiting previous zoning decisions, and so cannot consider Project #3016024 because it doesn't meet current zoning.

RCW 36.70B governs local project review in this State. RCW 36.70B.030(1) requires that, "Fundamental land use planning choices made in adopted comprehensive plans and development regulations shall serve as the foundation for project review." "Shall"means that the direction is mandatory. These land use planning choices CANNOT be reexamined during project review. RCW 36.70B.030(3) explains that, "During project review, the local government or any subsequent reviewing board shall not reexamine alternatives…" on such issues as "type of land use permitted on the site" or "density of residential development."

The note to RCW 36.70B.030 explains the findings and intent of the Washington Legislature: "Given the extensive investment that public agencies and a broad spectrum of the public are making and will continue to make in comprehensive plans and development regulations for their communities, it is essential that project review start from the fundamental land use planning choices made in these plans and regulations... The project review process...should not reanalyze these land use planning decisions in making a permit decision."

Normally, the requirement that zoning PRECEDE local project review frustrates the public because, as non-professionals, the public has difficulty understanding the implications of zoning until local projects that comply with the zoning are proposed. Therefore, if a project is proposed that complies with zoning and the public objects, the public's objections are dismissed because state law prohibits revisiting zoning during local project review.

In the case of Project #3016024 however, in 1985/1986 there was an "extensive investment" that Eastlake neighbors made "in the development regulations for their community." The developer is prohibited from proposing a local project inconsistent with zoning and the Design Review Board and DPD are prohibited from considering a local project inconsistent with zoning. If the developer wants to propose a local project inconsistent with local zoning, which the developer admits in this case, the developer FIRST MUST OBTAIN A REZONE BEFORE proposing a local project, so the current Project #3016024 should be rejected by the Design Review Board and DPD.

Additionally, I object to the City holding this critically important Design Review Board Recommendation meeting miles away from the Eastlake community where this project is proposed. According to the City's manual, Seattle Design Guidelines: Design Review, the guidelines are supposed to support "a forum for the public to participate in discussions about new projects in their community..." Holding meetings miles away from the affected community of Eastlake frustrates the goal of public participation, especially since we have a local meeting location, TOPS at Seward School, where public participation would be more than double what it will be miles away at Seattle University.

Design Guidelines:

The main problem with the proposed building is that it is a massive box to maximize interior floor area. The design has nothing to do with Eastlake's history, location, topography, geography, architecture, or cultural uniqueness. This big box could be plopped down anywhere in Seattle (e.g. University District, Ballard, Capitol Hill) with the same mediocre result. In fact, the building looks like the architects have used this design somewhere else.

The Design Guidelines seek "design excellence." One measure of that design excellence is defined as "the ability of new buildings to fit seamlessly into" the current inventory of buildings. This building sticks out like a sore appendage.

Here are my comments on the Design Guidelines:

CS1 –Natural Systems and Site Features: The main feature of this massive slab building is that it blocks the sun and the wind. There has been no attempt to conform to sun and wind patterns by using corridors or anything else. The building doesn't appear to use solar or wind power. Installing window shades isn't a serious response to this design guideline.

CS2 –Urban Pattern and Form: The proposed building has a height, bulk, and scale that is completely out of character with the surrounding buildings and with the zoning for the surrounding properties. CS2.D4 suggests that the applicants should "lower the building height, break up the mass of the building, and/or match the scale of adjacent properties in building detailing, but that hasn't been done. The applicant hasl set something back a couple of feet and claims that un-noticeable change meets the design guidelines; it doesn't.

CS3 –Architectural Context and Character: The main characteristic of the neighborhood is that it is a small-scale niche neighborhood with views connecting it to the Seattle Center, Aurora Bridge, Lake Union, and the Olympic Mountain range with great access to the rest of Seattle. The massive structure blocks out the views and takes no advantage of Eastlake's location. The applicants clearly realize they don't meet this criteria since this building has absolutely no relationship to the architecture of Eastlake, so in their "final" design proposal they claim they will "explore ways to establish a positive and desirable context," and "the history of the site and neighborhood will be further explored as a potential place making opportunity." They were supposed to do that BEFORE they made their application, so their application isn't complete.

PL1 –Connectivity: The proposed building is basically a box to maximize floor area, and completely unconnected, with the exception of a small entrance in the southeast corner. The north side is basically an empty wall.

PL2 - Walkability:East Boston is somewhat steep on the south side of the building, but they haven't added "features to assist pedestrians in navigating sloped sites." The north side of the building is basically a blank wall without "transparency" at the street level. Virtually no "weather protection" is provided. The tiny canopy they provide at the main entrance is misplaced and won't help anybody wait for transportation since it is so far recessed from the street. The"canopy" under the east balcony is much smaller than depicted in the drawing; the plans show it at 3'3", but the drawing make it appear to cover almost half the sidewalk. Again, the applicants claim the design "will strive for an artful and people-friendly space between canopies," but that obviously hasn't happened yet and they are supposed to have designed according to the guidelines, not just promised to design according to the guidelines in the future.

PL3 –Street level interaction: The only significant street-level interaction occurs on Eastlake with the first floor retail.

PL4 –Active Transportation: The proposed building isn't properly designed to interact with transportation. The main residential entrance to the building is greatly recessed from Eastlake. Therefore, in cold or rainy weather, which happens often around here, residents will either have to wait within the building and not be able to see a bus, cab, or car arriving, or they must wait outside in the weather. The developer hasn't considered that rain and wind come from the W-SW so those waiting outside may be chilled and soaked.

DC1 –Project Uses and Activities: I may have missed it, but the applicants are depending on vibrant retail to connect their proposed building to the street. Where are retail customers going to park? It's certainly not clear from the drawings what retail "vehicular access and circulation"

will look like. How will customers know where to park to access retail? Where is the commercial"wayfinding" plan?

DC2 –Architectural Concept: The applicants' massing study showing this proposed building to be more massive that anything in the vicinity makes clear this proposed building doesn't fit within this community. Recesses and indentations aren't going to fool anyone because this proposal is so out of scale with the surrounding buildings and zoning. They've also created a north wall that is near blank.

DC3 –Open Space Concept: The building is designed with a STERILE open space concept. There are no "green" areas. Planting a few trees and shrubs doesn't overcome sterility. It looks like a zero-lot-line factory or office building plopped down in a residential neighborhood. There's nothing relaxing about the experience of visiting this factory – no courtyard, no corridor, nothing to relieve the feeling of being "boxed."

DC4 –Exterior Elements and Finishes: The building has been designed so there is no landscaping, just cement-scaping. This building might fit better downtown or in a zone where grass and other green areas are prohibited.

These are my comments for now. Please consider them when reviewing Project #3016024

Thank you,

Karen Appelman

2020 Yale Avenue East

Seattle, WA 98102

KIAppelman@aol.com

3016024
Public Comment-
9/9/15
EPlan(Bolser)

September 3, 2015

Shelley Bolser, Land Use Planning Supervisor
City of Seattle Department of Planning and Development (DPD)
700 5th Avenue, Suite 2000
Seattle, WA 98124
Shelley.Bolser@seattle.gov

Dear Planning Supervisor Bolser:

Please consider and post on your website the enclosed comments associated with Project #3016024, 2203-2209 Eastlake Avenue East.

Thank you.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Avenue East, #304
Seattle, WA 98102
ibappelman@comcast.net
appelman@bmi.net
(206)235-4953

RECEIVED
SEP 09 2015
DEPT OF PLANNING
AND DEVELOPMENT

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Avenue East, #304
Seattle, WA 98102

September 3, 2015

Shelley Bolser, Land Use Planning Supervisor
City of Seattle Department of Planning and Development (DPD)
700 5th Avenue, Suite 2000
Seattle, WA 98124

RE: Summary of Legal & Procedural Issues, Project # 3016024

Dear Planning Supervisor Bolser:

The following comments summarize some of our legal and procedural issues concerning Project # 3016024. The project includes (a) the demolition of buildings at 2203-2209 Eastlake Avenue East; (b)the rezoning of the two lots of property from NC2/30 and LR2 RC to NC2/40; and (c) the rebuilding of a mixed use building, which is disallowed by the current zoning and so depends upon simultaneous rezoning and project review.

(1) Since Project #3016024 doesn't meet current zoning, the permit application must be denied because it is a violation of the Local Project Review Act, RCW 36.70B, to reconsider zoning once a project has been proposed. Simultaneous project review and rezoning is disallowed by the Act;

RCW 36.70B governs local project review in this State. RCW 36.70B.030(1) requires that, "Fundamental land use planning choices made in adopted comprehensive plans and development regulations shall serve as the foundation for project review." "Shall" means that the direction is mandatory. These land use planning choices CANNOT be reexamined during project review. RCW 36.70B.030(3) explains that, "During project review, the local government or any subsequent reviewing board shall not reexamine alternatives..." on such issues as "type of land use permitted on the site" or "density of residential development."

The note to RCW 36.70B.030 explains the findings and intent of the Washington Legislature: "Given the extensive investment that public agencies and a broad spectrum of the public are making and will continue to make in comprehensive plans and development regulations for their communities, it is essential that project review start from the fundamental land use planning choices made in these plans and regulations... The project review process...should not reanalyze these land use planning decisions in making a permit decision."

Normally, the requirement that zoning PRECEDE local project review frustrates the public because, as non-professionals, the public has difficulty understanding the implications of zoning until local projects that comply with the zoning are proposed. Therefore, if a project is proposed that complies with zoning and the public objects, the public's objections are dismissed because state law prohibits revisiting zoning during local project review.

In the case of Project #3016024 however, in 1985/1986 there was an "extensive investment" that Eastlake neighbors made "in the development regulations for their community." The developer is prohibited from proposing a local project inconsistent with zoning and DPD is prohibited from considering a local project inconsistent with zoning. If the developer wants to propose a local project inconsistent with local zoning, which the developer admits in this case, the developer FIRST MUST OBTAIN A REZONE BEFORE proposing a local project, so the current Project #3016024 must be rejected by DPD.

The Washington Administrative Code (WAC) further explains: "A basic principle of the Growth Management Act (GMA) and the Local Project Review Act is that land use decisions made in adopting a comprehensive plan and development regulations under chapter 36.70A RCW should not be revisited during project review (WAC 365-97-010).

(2) Since a quasi-judicial act cannot overturn a legislative act, this proposed rezone is disallowed. In 1985/86 when the City Council was establishing area-wide zoning for the Eastlake Community, rezoning this property to NC2/40, as is proposed here, was proposed then by the Mayor and specifically considered by the City Council. The City Council rejected the developer's proposed rezone showing legislative intent that the property remain NC2/30. That legislative act can only be reversed by a legislative act.

In 1985, the Mayor recommended that the corners of Eastlake Avenue East and Boston Street be rezoned to NC2/40. That Mayor's request included the 2203-2209 Eastlake Avenue East properties that are the subject of the current developer's NC2/40 rezone application (Exhibit 1).

The Eastlake Community Council opposed rezoning to NC2/40 claiming that an NC2/30 height limit would "result in structures of a more reasonable scale that will have less negative impact on the Eastlake Community in terms of parking, view blockage and streetscape, and will help to promote the types of neighborhood serving businesses desired for the community," and that would "help preserve and strengthen the residential neighborhood scale and character of Eastlake" (Exhibit 2 & 3).

The Eastlake Community Council continues to oppose the rezone for similar reasons that the City Council accepted when the property was last zoned. Exhibit 4 is the first two pages of a letter the Eastlake Community Council submitted opposing this rezone, which also explains the history of zoning on this property.

The City Council considered the rezoning in the developer's application back when the property was last rezoned. The City Council specifically considered and rejected zoning the property for 40-foot tall buildings, instead zoning the property for 30-foot tall buildings. Since legislative intent is to limit height of the buildings at 2203-2209 Eastlake Avenue East to 30 feet, the developer needs to seek a legislative rezone, not a contract rezone, to change the zoning.

(3) This project is an attempt to achieve an area-wide rezone improperly using a quasi-judicial process. The developer and supporters have made clear this application is a first step in building 40-foot tall buildings throughout the "Eastlake corridor." In order for the developer and

supporters to get the area-wide rezone they are seeking, they need to approach the City Council to pass and area-wide rezone, not a quasi-judicial spot rezone.

In the 8/23/13 Pre-submittal Conference Application (Exhibit 5), the developer indicates that the purpose of the application is to extend NC2-40 zoning throughout the "Eastlake corridor." On page 4 of 6, it reads, "Past Contract Rezone at 2234 Eastlake Ave E to NC2-40 (Vinemaple) sets precedence for the city to continue the NC2-40 zoning designation through the corridor." The notes show that during the pre-submittal conference the developer brought up this exact point about continuing the NC2-40 zoning throughout the corridor (Exhibit 6).

Most of the letters in support of the project are from businesses. A number of those letters make clear that what's being proposed is increased zoning height not just for the 2203-2209 parcels, but throughout the corridor. Here are a few of the letters specifically suggesting the project is rezoning the corridor:

A.L. Wahe of 2821 Eastlake Avenue E. writes: "Currently the Eastlake community has inconsistent zoning ranging from low-rise 2 zoning to NC3-65 zoning. The neighborhood is ripe for a complete up zone similar to those provided at South Lake Union, Broadway Avenue, Market Street in Ballard, University Way and several other major arterials in the University District and the likely proposed up-zoning in Uptown Queen Anne." (Exhibit 7)

Ross Candoo of Candoo Associates writes: "As more properties like the one proposed develop in the Eastlake neighborhood are finding that 40 to 65 ft development standards help attract the development dollars and type of iconic projects that transform neighborhoods in a positive way. Eastlake simply has not kept up with the rest of Seattle." (Exhibit 8)

And as Brian J. Bergman of 2810 Eastlake Avenue E. writes: "Eastlake is one of the only neighborhoods that I know in Seattle that does (sic) have uniform zoning codes. For instance, on Eastlake Ave E north of Fred Hutch, there are NC 30, NC 40, LR, IG, and C1 zones and many of these different zones are adjacent to one another along Eastlake Ave E. In my opinion, all of these properties from Eastlake Ave E to their alleys should be NC 40 zoning or higher." (Exhibit 9)

Though the developer and supporters have a right to seek higher density zoning through what they call the "Eastlake corridor," they don't have a right to use a quasi-judicial contract rezone to accomplish a legislative area-wide rezone. The area-wide rezone throughout some of the corridor was rejected in the earlier 1985/1986 zoning (Exhibit 1). This attempt to use a quasi-judicial rezone as a sort of creeping area-wise rezone must be rejected.

(4) City staff are blocking communications between citizens and Seattle City Councilmembers, who will make the ultimate decision in this rezone, in violation of RCW 42.36.060. This illegal blocking has prevented neighbors discussing the fairness and substance of this process with their elected officials.

City staff have blocked emails from neighbors going to councilmembers and falsely claimed that in a quasi-judicial process, there can be no communications between citizens and

councilmembers. RCW 42.36.060 provides for councilmember/citizen communications if those communications are placed on the record as follows:

> **42.36.060**
> **Quasi-judicial proceedings — Ex parte communications prohibited, exceptions.**
>
> **During the pendency of any quasi-judicial proceeding, no member of a decision-making body may engage in ex parte communications with opponents or proponents with respect to the proposal which is the subject of the proceeding unless that person:**
>
> **(1) Places on the record the substance of any written or oral ex parte communications concerning the decision of action; and**
>
> **(2) Provides that a public announcement of the content of the communication and of the parties' rights to rebut the substance of the communication shall be made at each hearing where action is considered or taken on the subject to which the communication related. This prohibition does not preclude a member of a decision-making body from seeking in a public hearing specific information or data from such parties relative to the decision if both the request and the results are a part of the record. Nor does such prohibition preclude correspondence between a citizen and his or her elected official if any such correspondence is made a part of the record when it pertains to the subject matter of a quasi-judicial proceeding.**
>
> **[1984 c 191 § 1; 1982 c 229 § 6.]**

The Municipal Research Service Center provides legal advice to cities and has posted on its website (http://mrsc.org/Home/Search.aspx?i=46&q=appearance%20of%20fairness) the answer to whether a councilmember can accept correspondence. The answer is Yes and is stated as follows: "Does the appearance of fairness doctrine prohibit a decision-maker from reviewing and considering written correspondence regarding matter...
No. Decision-makers can accept written correspondence from anyone provided that the correspondence is disclosed and made part of the record of the quasi-judicial proceeding. RCW 42.36.060"

(5) The main issue raised by this rezone application is whether a building that is completely incompatible with the neighborhood can be built in order to change the neighborhood to become compatible with the incompatible building?

Exhibit 10 shows the developer's "context analysis" of how the proposed building fits into the neighborhood. The proposed building dwarfs all surrounding buildings. But the developer and supporters claim the building fits right in to how the neighborhood is SUPPOSED to look. So whose judgment is used to determine the compatibility of the building?

Exhibit 11 is a petition signed by 124 Eastlake residents who oppose the expanded height, bulk, and scale of the building as not fitting into the neighborhood and request that the building to be redesigned to fit within the neighborhood using the current zoning.

SMC 23.34.008(B) "Match Between zone Criteria and Area Characteristics" provides that 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." Since the 30-foot limit to building height

in the current NC2/30 is higher than most of the surrounding buildings, surely NC2/30 is much more appropriate than NC2/40 as the great majority of neighbors have confirmed.

SMC 23.34.008(C)) "Zoning History and Precedential Effect" requires that "Previous and potential zoning changes both in and around the area proposed for rezone shall be examined." On examination, it is clear (Exhibits 1,2,3) that previous City Council zoning, including very substantial public involvement, rejected 40-foot tall buildings at this corner of Eastlake & Boston in favor of a 30-foot building height, which is the current zoning.

SMC 23.34.008(E)(1) "Zoning Principles" provides that, "A gradual transition between zoning categories, including height limits, is preferred. The proposed building doesn't transition to the considerably smaller surrounding buildings. The developer insisted on "big box" architecture to maximize floor area and rejected modulating building height to transition to the surrounding neighborhood.

SMC 23.34.008(G) "Changed Circumstances" requires that "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." The only changed circumstance is that this developer and business supporters want to create changed circumstances so they can claim circumstances have changed when they haven't. Circumstances haven't changed, NC2/40 zoning is inappropriate and the City must respect the judgment of the neighborhood of what's appropriate in the neighborhood.

SMC 23.34.009(C) "Height and Scale of the Area" requires that "The height limits established by current zoning in the area shall be given consideration," and "permitted height limits shall be compatible with the predominant height and scale of existing development..." A substantial number of neighbors believes that the proposed building is NOT compatible with surrounding height and scale.

SMC 23.34.009(D) "Compatibility with Surrounding Area" provides that "Height limits for an area shall be compatible with the actual and zoned heights in surrounding areas" and "a gradual transition in height and scale and level of activities between zones shall be provided..."

(6) Procedural irregularities suggest that DPD staff is much too close to the developer and that staff appears to be working for the developer rather than remaining neutral when answering questions arising from the development application. We provide the following example to illustrate this point.

Unbeknownst to the public, a permit related to the contract rezone was reviewed and approved without any public scrutiny. The permit was for Project #6378644, "Request for Relief from Prohibition on Steep Slope Development..." (Exhibit 12). The permit process appears to have begun by April 2015, but must have been known well before that by the developer and DPD, and was approved without any comments from a public that didn't know it existed (Exhibit 13).

The public SHOULD HAVE KNOWN about this steep slope permit because question A9 of the SEPA Checklist asks: "Do you know whether applications are pending for governmental

approvals of other proposals directly affecting the property covered by your proposal? If yes, explain."

The developer's original SEPA Checklist was posted on September 19, 2014. The developer answered, "None" to the question of related applications (Exhibit 14). I have only included in the exhibit page 2 from the SEPA Checklists, which contains the question of related applications. For an unspecified reason, the developer submitted an amended SEPA Checklist that was posted on May 28, 2015, weeks after the steep slope permit process had begun. The developer falsely answered, "None" to the question of related applications (Exhibit 15), which we know was false because the developer had already applied for relief from steep slope requirement.

Finally, months later on July 22, 2015, an apparent staff-amended SEPA Checklist (Exhibit 16) was posted revealing the existence of the related steep slope permit. The staff-amended SEPA Checklist was posted as an "annotated" checklist. Staff and the developer appear to have worked together to keep from the public the knowledge that steep slopes were a problem with the Project 3016024. Staff should have acted neutrally in dealing with the steep slope problem.

This has been a summary of some of our legal and procedural concerns. Additional comments may be forthcoming. Please consider these comments in deciding whether to recommend approval or disapproval of Project #3016024.

Thank you.

Sincerely,

Mid-Eastlake Neighbors:
Sandra Wheeler
Charles Wheeler
Sarah Armstrong,
Lydia Brennan
Scott Brennan
Ryan Brennan
Trevor Brennan
Donald Huang
Jing Huang
Karen Appelman
Ira Appelman
Kathy Jendrick
Michelle Solon
Stephan Namisnak
Carol Namisnak
Stephen Locke
MaryLou Pederson
Sam Pederson

Exhibit 1

L-3
L-3
L-3

Exhibit 2

Exhibit 3

Exhibit 4

117 E. Louisa St. #1
Seattle, WA 98102-3278

December 3, 2014

Director, Dept. of Planning and Development
701 Fifth Avenue, #2000
PO Box 34019
Seattle, WA 98124-4019

Public Resource Center
701 Fifth Avenue
PO Box 34019
Seattle, WA 98124-4019

REASONS WHY CITY MUST REJECT THE PROPOSED REZONE FOR THE PROJECT PROPOSED AT 2203 AND 2209 EASTLAKE AVENUE (MUP # 3016024)

To the DPD director and others responsible for review and action on applications:

Our Nov. 30, 2014 letter stated the Eastlake Community Council's opposition to the proposed rezone for the project proposed at 2203 and 2209 Eastlake Avenue East (MUP #3016024). The present letter details the reasons why City officials must reject this proposed rezone, which is so far from meeting the legal standard for a rezone that we believe it should not have been requested. At its end the letter also details problems and remedies in how this proposal is being considered.

ECC's authority to comment. Founded in 1971, the Eastlake Community Council is the neighborhood association for Eastlake; its membership is open to anyone who lives, works, or owns property in the Eastlake neighborhood (defined as the area between the Ship Canal and Mercer Street, and between I-5 and Lake Union). During the exercise in remapping of Seattle's commercial areas which led to the 1986 adoption of the present NC1 and L-2 zoning for these lots, ECC filed the original submissions proposing the zoning classifications that the City Council eventually adopted and that now apply to the property (more about this process below).

Under a memorandum of agreement with the City, the Eastlake Community Council also administered the City-funded process by which neighborhood stakeholders, in collaboration with DPD and other departments, produced the 1998 Eastlake Neighborhood Plan. The executive branch report to the City Council regarding this Plan stated that it was unexcelled among neighborhood plans for the quality and extent of its outreach efforts. The Eastlake Neighborhood Plan process considered and rejected zoning all changes, including at 2203 and 2209 Eastlake Ave.

Original rationale of the City Council for the current NC and L2 zoning. The current zoning for the lots at 2203 and 2209 Eastlake Avenue was adopted in the citywide commercial areas mapping process of the mid-1980s. At that time the Mayor had proposed NC2 (40 foot height) for both lots (the very zone that the applicant again proposes), but instead the City Council unanimously adopted the current

NC1 (30 foot height) for 2203 Eastlake Avenue and L2 (30 foot height) for 2209 Eastlake Avenue and adjoining lots. The rezone application acknowledges (p. 9) that this zoning decision was not the result of a mapping error. The Land Use Code does not allow the City Council to grant a rezone without a large number of other criteria being met. The current zoning for these lots should be presumed valid, with a heavy burden of proof upon anyone who proposes a rezone. Zoning should be done through citywide or neighborhood wide planning processes such as produced this particular zoning in the first place. Following is a legislative history of how the current zoning came to be, and then the rest of this letter sets forth reasons why the application to change this zoning lacks merit.

Reasons for City Council adoption of the L2 zone for the lot at 2209 Eastlake Avenue. In agreeing with the ECC request for the L2 zone for the mid-block east and west sides of Eastlake Avenue E. between E. Lynn Street and E. Boston Street, the City Council acted on the basis of the May 31, 1985 NCA Mapping Staff Report, Map Issue EL 11. This report gave the following summary of ECC's reasons for the request (quoted here verbatim):

- to downzone strip commercial areas which have not been extremely developed in commercial use
- lack of edges or buffer between residential and commercial uses
- insufficient parking in commercial zone results in parking spillover in residential streets, particularly Franklin and Yale
- concentrates commercial activity at several nodes along arterial to help eliminate the "strip" character of Eastlake
- provides for a more suitable pedestrian environment

The staff report, which the City Council evidently followed in adopting the recommended zoning, had the following analysis and recommendation (quoted here verbatim):

> To rezone from RM to L2/RC fits the following RC function statements: As a means to downzone small commercial areas which have not been extensively developed in commercial uses and where commercial services are available nearby. The area meets the criteria for physical factors favoring designations as RC, "lack of edges or buffer between residential and commercial uses and streets with adequate access and circulation." An RC designation would also break up the strip commercial areas on Eastlake. Staff recommends L2/RC for mid-block east and west of Eastlake Avenue E. between E. Lynn Street and E. Boston Street.

Reasons for City Council adoption of NC1 zoning for the lot at 2203 Eastlake Avenue. In a January 14, 1986 request (a letter to City Council land use committee chair Jim Street from ECC president Carol Eychaner and vice president Lynn Howell), ECC stated: "The four corners of Boston [are] the one area along Eastlake that legitimately qualifies for NC1 as it is characterized by very small scale, neighborhood serving businesses. The ECC believes that the scale of construction allowed by NC2 would destroy the character of this corner." The City Council evidently agreed with this reasoning, because it adopted NC1 zoning for the lots at this corner, despite the fact that the Mayor had recommended NC2.

Proposed rezone fails to meet Land Use Code requirements. Sections SMC 23.24.008 and 009 of the Land Use Code impose a high threshold for approval of a rezone, a threshold which this request does

Exhibit 5

City of Seattle
Department of Planning and Development (DPD)
700 Fifth Ave., Suite 2000, P.O. Box 34019
Seattle, WA 98124-4019
www.seattle.gov/dpd

Phone: 206-684-8850
Fax: 206-233-7866
Email: dpd_asc_support@seattle.gov

Pre-submittal Conference Application

RECEIVED
AUG 23 2013
DEPT OF PLANNING AND DEVELOPMENT

Project #: 3016024
Date: 08/23/2013

SECTION I
(Completed by applicant - fill out all sections that apply)

Contact Person for this project: Neal Thompson
Contact Address (include zip): c/o Roger H Newell, AIA 1102 19th Ave E, Seattle, WA 98112
Phone No: 206-322-1192 Fax No: 206-322-5161
Email: neal@rhnewellaia.com

PROJECT INFORMATION

Project Address: 2203 Eastlake Ave E

What is the Project Valuation (best guess, if necessary) $ 4,125,000

Check the box or boxes which most closely describe the type of questions you would like to address. See the explanations below for help in choosing a pre-submittal conference type. Construction Only and other conference types are scheduled separately and have separate fees. If you indicate a desire to schedule multiple conferences back-to-back, scheduling staff will try to accommodate you.

☐ **Construction Only Pre-submittal Conference:** An in-depth conference which primarily addresses specific issues as they relate to the technical aspects of the Building Code. Subject matter experts on the fire code, energy code, and geotechnical issues may also attend or have input. Specific questions must be submitted as part of the pre-submittal application along with the code citation. Conditions or alternatives may be approved, documented, and incorporated into the application package. Land Use and other City departments experts, will not be invited to attend this meeting.

☐ **Energy / Mechanical Questions?** If all questions are related to energy/mechanical please select Energy / Mechanical Pre-submittal Conference option below.

☐ **Geotechnical questions?** If all questions are related to geotechnical issues, a Geotechnical Coaching Appointment is needed instead of a construction pre-submittal conference. The coaching application is located @ http://www.seattle.gov/dpd/cms/groups/pan/@pan/@forms/documents/web_informational/dpdp022220.pdf

☐ **Energy / Mechanical Pre-submittal Conference:** An in-depth conference which will primarily address technical issues of the energy code and or mechanical code. Applicants who intend to comply with the energy code by other than the prescriptive requirements of the code are highly encouraged to discuss their approach with one of our technical experts prior to application submittal.

☐ **Sustainable Building Design Advice:** Check this option if you would like to talk with DPD experts about sustainable building design and related DPD programs, including:

- ☐ **Green Q** - An expedited permitting process for green single-family and townhome projects.
- ☐ **Priority Green Permitting** - A facilitated permitting process for projects incorporating innovative and sustainable design concepts.
- ☐ **Innovation Advisory Committee** - An advisory committee which works with applicants and DPD prior to construction application submittal to provide objective, technical input to reviewers regarding new and innovative technologies not currently recognized by technical code standards.
- ☐ **Living Building Pilot** - A demonstration program to assist developers seeking to meet the advanced sustainability standards set by the International Living Building Institute's Living Building Challenge.

☐ **Advice from other City Departments:** Check this option if you would like to talk with experts from SDOT, SCL or SPU about project design issues. Specific questions relating to other City department requirements must be submitted as part of the pre-submittal application along with the code citation where applicable. If you check this option, you must also check one of the Land Use Pre-submittal Options (Early Design Guidance, Streamlined Design Review or Land Use Pre-submittal Conference).

☐ **Early Design Guidance:** Check this option for required pre-submittal conference for Design Review projects.

☐ **Streamlined Design Review:** Check this option for townhouse and other projects in Lowrise zones required by the new Lowrise code.

☑ **Land Use Pre-submittal Conference:** A structured, in-depth conference which primarily addresses specific issues as they relate to the Master Use permits with written discretionary decisions such as SEPA, Design Review, Administrative Conditional Use, Variances, Rezones, etc. Specific questions must be submitted as part of the pre-submittal application along with the code citation.

Zoning Only Pre-submittal Conferences option is no longer available. To request a Zoning or Geotechnical Paid Coaching Appointment please see our Request for Paid Coaching Appointment form.

Please list all specific questions about your project that you would like to have answered, including the related code citations as applicable. If you have requested advice from other City Departments include any issues or questions for that City Department. The Conference Lead will evaluate the need for other agency participation in the meeting.

See the attached list of questions.

Is this a high-rise or atrium project?	☐ Yes	☑ No
If the project includes dwelling units, how many units are there?	35-40	
Does this project include demolition of any existing structure?	☑ Yes	☐ No
Is there new construction or remodel, or both?	☑ New	☐ Remodel
What is the gross floor area (square footage) of the proposed project? What is the existing floor area, if any?	Existing: 2700	Proposed: 44,522
How many parking spaces?	22-38	
Will you be requesting phasing of this project?	☐ Yes	☑ No
Is this project over 50,000 sf. or is it expected to use a larger amount of electrical usage?	☐ Yes	☑ No

Will you be pursuing green certification for your proposal such as BuiltGreen or LEED? ☐ Yes ☑ No

Identify any existing project numbers that may be associated with this project:

PROJECT DESCRIPTION:

Please provide a brief description of the project (example: "To Build a 4-story mixed-use building with 20 residential units and ground floor commercial space") followed by a more detailed narrative on the scope of the proposal. List questions about your project that you would like answered. Attach additional sheets as needed.

Establish use for a 4 story, 40 unit, mixed use building with 1800 sf of commercial and below grade parking for 22 vehicles. The site is split zoned NC1P-30 on the south 60 feet and LR2-RC on the north 20 feet of the property. The proposed project would include an application for a contract rezone from NC1P-30 and LR2-RC to NC1-40 for the whole site.

1. Verify that live-work, not listed as a use in 23.47A.005 D.1, is limited to 20% of the street-facing, street-level facade on Eastlake. If the work portion of the live-work unit, between the sidewalk and the residential area of the unit, is designated as one of the uses listed in 23.47A.005 D.1 can live-work units occupy more than 20% of the facade on Eastlake?

2. Verify that E Boston is not required to meet the street-facing, street-level use and pedestrian requirements (23.47A.005) and development standards (23.47A.008) because it is not a principal street and a sloping site makes street-level commercial unlikely.

3. Verify that LR2 and LR3 zones qualify as residential zones that require a commercial setback per 23.47A.014.

4. Discuss the possibility and process for a contract rezone from split zone of NC1P-30/LR2-RC to NC1-40 (Remove P Designation). There is no P designation directly to the north, until you get to the next block which is a continuous overlay. This property/intersection is isolated from the other P designated properties. There are no properties designated as pedestrian south of here. Talking Points:

- Predominance of NC2P-40 and NC3P-40 along the Eastlake Ave E corridor, especially the west side of Eastlake.
- Past Contract Rezone at 2234 Eastlake Ave E to NC2-40 (Vinemaple) sets precedence for the city to continue the NC2-40 zoning designation through the corridor.
- The proposal is consistent with development in the area.

SECTION II

(DPD STAFF ONLY – completed by Conference Lead)

Does it look like the project will be substantial alterations? ☐ Yes ☐ No

Does this project require applicant to complete City Light's form for Energy Consumption? ☐ Yes ☐ No

Potential MUP Components: _____

Within SESRA or other Overlay? ☐ Yes ☐ No

A designated Historic Landmark? ☐ Yes ☐ No

Is this project next to a designated Historic Landmark? ☐ Yes ☐ No

Does this project include a system analysis? ☐ Yes ☐ No

Other Information: _____

Zone: _____ Shoreline Environment: _____

GIS: _____ Overlays: _____

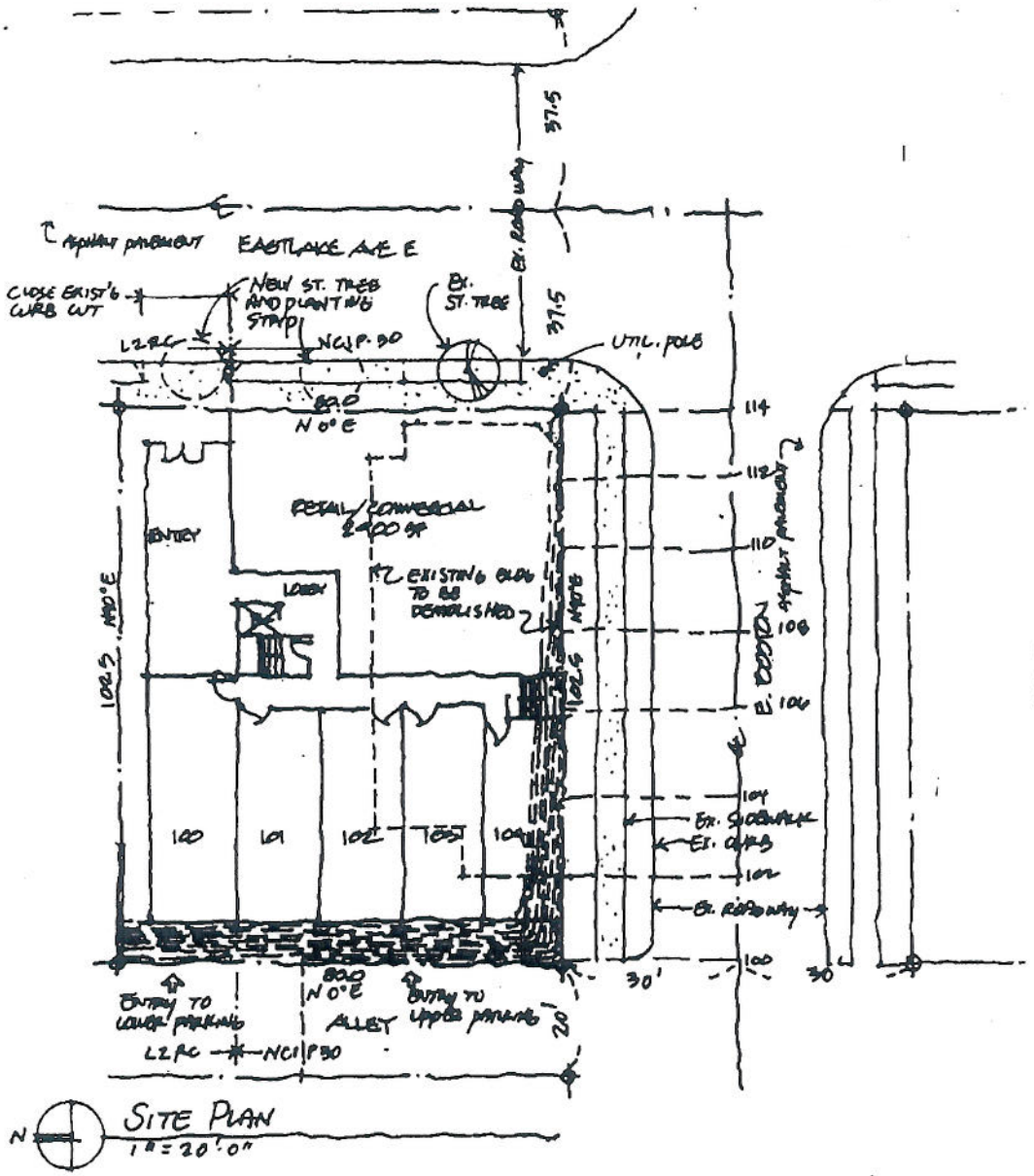
ECA (describe): _____

Will you pursue Priority Green or the Green Q on this project? ☐ Yes ☐ No

Are you seeking advice from the Innovative Advisory Committee on this project? ☐ Yes ☐ No

Pre-submittal Conference Notes (For DPD staff use only)

Meeting Date: _____ Attendees: _____



ADDRESS: 2203 EASTLAKE AVE E
OWNER: METROPOLITAN HOMES LLC
LEGAL: LOT 1, BLOCK 8, BREEAE'S ADDITION
APN: 2902200490

Exhibit 6

3016024
11-15-2013
PRE-APPLICATION

Approved Notes
LMK 11/25/13

November 15, 2013

Lindsay King
City of Seattle, DPD
700 – 5th Avenue, Suite 2000
Seattle, WA 98104

Re:	2203 Eastlake Ave E Pre-Submittal Conference Notes
Project No.:	3016024
DPD approved date:	11/17/2013 (BMW)

Dear Ms. King:

The notes below are a record of the Pre-Submittal Conference held on September 28th, 2013, for the above referenced project. The people in attendance were: Bradley Wilburn and Lindsay King from DPD; Ketil Freeman from Council Central Staff; a representative from SPU; Trent Mummery and John Links from Metropolitan Homes (owners); Lee Michaelis from R. W. Thorpe & Associates (planning consultants); and Neal Thompson from Roger H. Newell, AIA.

The project consists of a split zoned parcel with the south 60 feet zoned NC1P-30 and the north 20 feet zoned LR2 RC. The owners desire to rezone the parcel to NC2P-40 was discussed at the conference. Towards the end of the meeting, the possibility of adding the adjacent parcel to the north at 2209 Eastlake Ave E to the contract rezone was discussed. Since the conference date of 9-26-13, that parcel has been added to the project scope with DPD. The new legal description for the parcel is: Lot 1 and 2, Block 8, Greene's Addition to the City of Seattle, Vol. 2 of Plats, Page 73, King County, WA. The parcel measures 120 feet along Eastlake Ave and 102.5 feet deep from Eastlake to the alley.

I Ketil Freeman, Legislative Analyst from City Council Central Staff discussed the rezone process.

1. Contract rezones are a quasi-judicial decision of the city council.
2. A flow chart of the quasi-judicial rezone process was submitted to the applicant.
3. "Appearance of fairness" requires there is no communication with Council members or staff after the MUP application.
4. DPD makes a recommendation to the Hearing Examiner on the rezone.
5. The Hearing Examiner takes information for the record on the rezone and gives a recommendation to Council.
6. Council Committee prepares decision and ordinance for full Council vote.
7. Mr. Freeman was not aware of a comprehensive plan to rezone the multi-family zones along Eastlake to commercial. The applicant should check with the appropriate DPD planning department to verify this.
8. The rezone for 2203 Eastlake will have a good chance of approval if it can meet the rezone criteria in Sec. 23.34.

II. SPU made note of the following permit requirements:

1 If greater than 2000 SF of new or replaced impervious surface is proposed then GSI (green stormwater infrastructure) is required.

III. Bradley Wilburn (Zoning) and Lindsay King (Land Use): The following items 1 through 6 in quotations are zoning questions or statements made by the applicant in the pre-submittal conference application. The response by DPD follows in italics.

The responses below are reflective of securing a zoning designation of NC2P-40

1. "Verify that live-work, not listed as a use in 23.47A.005 D.1, is limited to 20% of the street-facing, street-level façade on Eastlake If the work portion of the live-work unit, between the sidewalk and the residential area of the unit, is

designated as one of the uses listed in 23.47A.005 D.1 can live-work units occupy more than 20% of the façade on Eastlake?"

Both live-work and residential units are limited to 20% of the street-facing, street-level façade on Eastlake per Sec. 23.47A.004 G and 23.47A.005 D.

2. "Verify that E Boston is not required to meet the street-facing, street-level use and pedestrian requirements (23.47A.005) and development standards (23.47A.008) because it is not a principal street and a sloping site makes street-level commercial unlikely."

Residential or live-work uses are not limited to 20% of the street-facing, street-level façade on E Boston because it is not a principal pedestrian street in a pedestrian designated zone. Development on Boston is required to meet street-level standards per 23.47A.008. Note how building floor levels should step down on Boston per Sec. 23.86.023

3. "Verify that LR2 RC and LR3 zones qualify as residential zones that require a commercial setback per 23.47A.014."

Yes, the 15 foot triangular setback at Eastlake per 23.47A.014 B.1 and the side and rear yard setbacks in 014 B.3.a and B.4 apply to this property. The RC commercial designation for the adjacent LR2 property does not remove the need for a setback from residential property.

4. "Discuss the possibility and process for a contract rezone from split zone of NC1P-30/LR2-RC to NC1-40 (Remove P Designation). There is no P designation directly to the north, until you get to the next block which is a continuous overlay. This property / intersection is isolated from the other P designated properties. There are no properties designated as pedestrian south of here. Talking points for the meeting: a) Predominance of NC2P-40 and NC3P-40 along the Eastlake Ave E corridor, especially the west side of Eastlake; b) Past Contract Rezone at 2234 Eastlake Ave E (Vinemaple property) to NC2-40 sets precedence for the city to continue the NC2-40 zoning designation through the corridor; c) The proposal is consistent with development in the area."

- *Taking the pedestrian designation off during the rezone may be difficult for DPD to support There was some staff feedback that the pedestrian designation on Eastlake should stay.*
- *The 20% live-work / residential unit limit for street-facing, street-level uses could be increased as a design deviation through Design Review. Instead of removing the P designation from the zone, work through the issues using design departures. For the Design Review Board, it's important for the applicant to identify what the live-work unit would look like and it's relationship to the sidewalk on Eastlake.*
- *Contact Tom Hauger, DPD Comprehensive Planning, regarding whether there is any long-range plan to up-zone the LR2 on Eastlake. Also verify there are no changes necessary to the Comprehensive Plan for this site in order to review a Rezone application.*
- *Take advantage of the area's topography when looking at the impacts of increasing height from 30 to 40 feet Buildings on the east side of Eastlake will have a height advantage over your site due to topography*
- *DPD is not put off by the proposal, but we're inclined to keep the pedestrian designation.*
- *At the time of MUP submittal a thorough analysis of all rezone critera in SMC 23.34 will be necessary.*

This concludes the meeting notes for the Pre-Submittal Conference.

Sincerely,

Neal Thompson
Roger H. Newell, AIA

Exhibit 7

RECEIVED
APR 17 REC'D
BY:

January 20, 2015

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality.

The University of Washington – the 3rd largest employer in the start of Washington and one of the largest recipients of health grants in the United States – sits at the N end of the Eastlake urban hub connecting South Lake Union, Fred Hutch, the biotech cluster and booming Amazon.

The Eastlake community connects two vital adjacent hubs and a natural candidate for further housing density and related retail services. The community is served by Metro Bus Routes 66 and 67 including electric overhead trolley providing essential transportation to support increased living density in the neighborhood.

This increased density also is a fits well as part of the City of Seattle's and goal of contributing to the comprehensive plan which is part to the Washington State Growth Management Act.

Currently the Eastlake community has inconsistent zoning ranging from low-rise 2 zoning to NC3- 65 zoning. The neighborhood is ripe for a complete up zone similar to those provided in South Lake Union, Broadway Avenue, Market Street in Ballard, University Way and several other major arterials in the University District and the likely proposed up-zoning in Uptown Queen Anne.

A rezoning of Eastlake Avenue E. will not change the charm, character and eclectic nature of the mostly single family, smaller, multi-plex and apartment inventory on Fairview, Minor, Yale, Franklin and Boylston Avenues and their East/West connecting side streets.

As a side note I live in the Eastlake neighborhood in a house boat, so I am not just making a pitch for a certain development that will not have some effect on my own life as to traffic and density, I am for apt. developers in the city but with one requirement and that is parking, they must have parking or no new project should happen.

Thank you.
Gillian L. Walls
Gillian L. Walls
2821 Eastlake Ave E #
Seattle, Wash
98102

Exhibit 8

December, 17, 2014

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: **Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.**

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC1P-40. The rezone is necessary to make this project a reality and allow and will help the Eastlake Community achieve its vision and neighborhood plan.

Up until 18 months ago I conducted my commercial real estate business from an office in the Eastlake neighborhood. Currently I am working in the Greenlake neighborhood and was drawn here largely due to the walkability and convenient services that are provided in the new upscale mixed-use properties that had recently been built in the area.

As more properties like the one proposed develop in the Eastlake neighborhood it will become a more pedestrian friendly and commercially vibrant neighborhood. Many other neighborhoods are finding that 40 to 65 ft development standards help attract the development dollars and type of iconic projects that transform neighborhoods in a positive way. Eastlake simply has not kept up with the rest of Seattle.

John Links has already addressed neighborhood concerns through the Early Design Guidance process and has a long standing reputation in Seattle as a high quality developer who creates structures that stand the test of time.

In sum, the proposed development at 2203 and 2209 Eastlake Avenue East will benefit the neighborhood. The project is contingent on the pending contract rezone to an NC1P-40, and I strongly urge the City of Seattle to approve the rezone.

Sincerely,

Ross Candoo
206.818.4715

Exhibit 9

Brian J. Bergman
2810 Eastlake Ave E
Seattle WA 98102
206-799-7799

December 15, 2014

Ms. Lindsay King
Department of Planning and Development
700 Fifth Ave, Ste. 2000
Seattle, WA 98124

Re: Rezone Support Letter for Project 3016024
2203 & 2209 Eastlake Avenue East

Dear Ms. King,

I support the above-referenced proposed development. I have worked in the Eastlake neighborhood for the past 14 years and know it well. Eastlake is one of the only neighborhoods that I know of in Seattle that does have uniform zoning codes. For instance, on Eastlake Ave E north of Fred Hutch, there are NC 30, NC 40, LR, IG, and C1 zones and many of these different zones are adjacent to one another along Eastlake Ave E. In my opinion, all of these properties from Eastlake Ave E to their alleys should be NC 40 zoning or higher.

I know the developer John Links, both personally and professionally and can attest to the caliber of his developments; he not only builds aesthetically pleasing buildings, he creates cutting edge interiors that residents crave. The Eastlake Community should support this development.

Additionally, the Eastlake neighborhood needs more mixed use properties. Having more retail options would reduce the dependence on cars as Eastlake doesn't have the services residents deserve, especially compared to other nearby neighborhoods.

Sincerely,

Brian J. Bergman

RECEIVED
DEC 19 REC'D
BY:

Exhibit 10

2.0 summary context analysis | axonometric

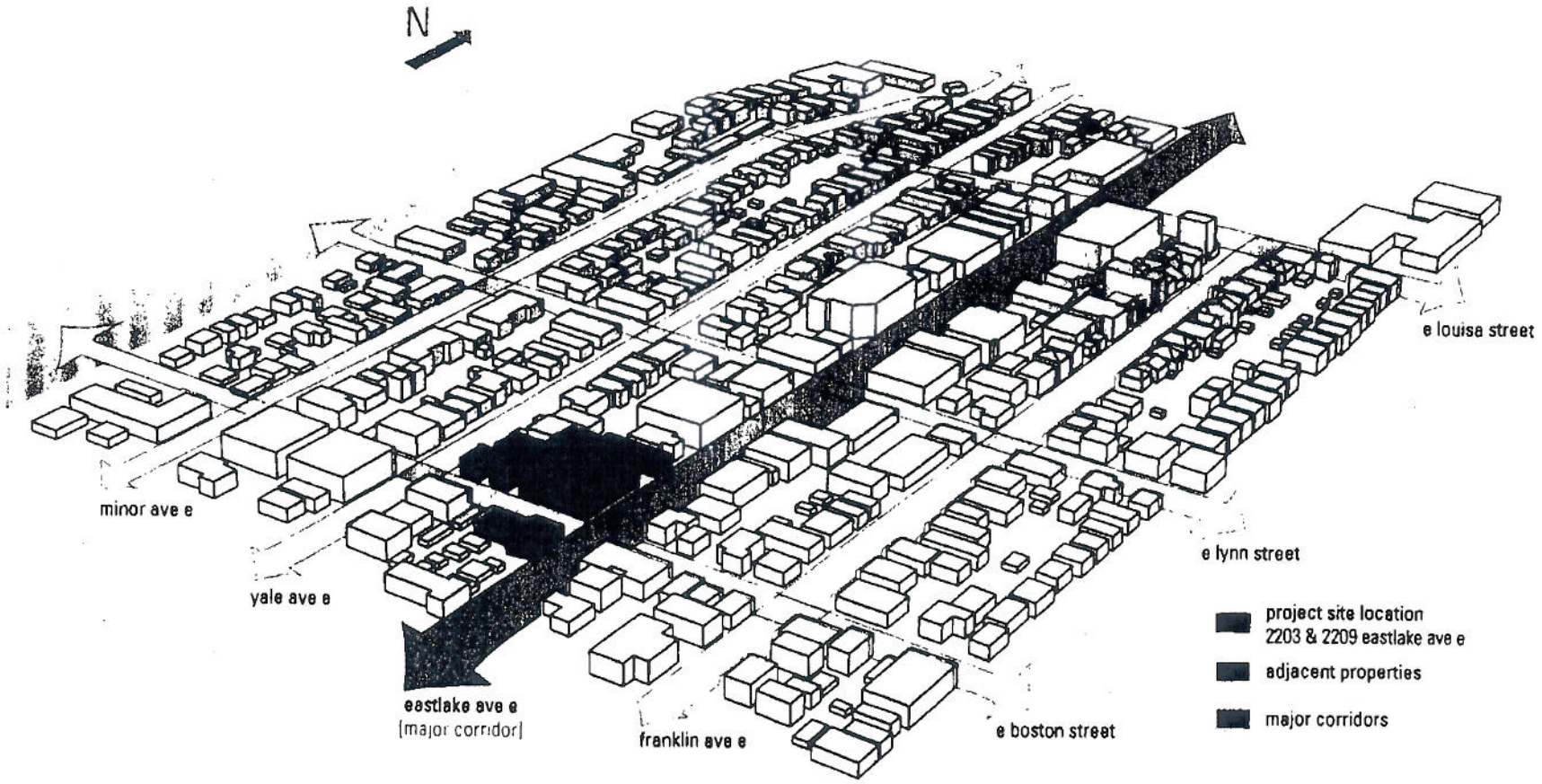


Exhibit 11

March 3, 2015

Director, Dept. of Planning and Development
701 Fifth Avenue, #1900
PO Box 34019
Seattle, WA 98124-4019

Public Resource Center
700 Fifth Avenue #2000
PO Box 34019
Seattle, WA 98124-4996

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVENUE AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

To the DPD director and the DPD Public Resource Center:

Attached to this letter, the Eastlake Community Council provides petitions with 124 signatures of people who have endorsed the following position and request, which ECC also endorses:

> We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

Please note that the requested public meeting is separate from any meeting of the Design Review Board. The DRB meetings should also be held in the Eastlake neighborhood, just as they were in the founding years of the design review program. As ECC has often pointed out to DPD: with so many large projects being proposed in Eastlake, it is harmful to public participation and to a good land use process for the DRB meetings about Eastlake neighborhood projects to be held at Seattle University, on the other side of I-5 and of Capitol Hill and farther even from Eastlake than downtown.

Sincerely,

Christopher K. Leman, President
Eastlake Community Council
info@eastlakeseattle.org
(206) 322-5463

117 E. Louisa #1 • Seattle, WA 98102

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
JOHANN WASSERMANN	jgwasserm[illegible]@gmail.com	2507 MINOR AVE E	206.778.6571
Sandra C Wheeler	sandracwheeler@gmail.com	201 E BOSTON ST 98102	301.247.1728
Supriya Mitkemath	sup.mit@gmail.	1135 18TH AVE E Seattle 98112	206.349.9033
Caitlin Heermans	caitlinrosepea@gmail.com	1017 BOREN AVE	206-604-3057
Preethi Ravvani	ravvani.preethi@gmail.com	1135 18th AVE E SEATTLE WA 98112	425-269-7331
Emily Wheeler	egwheeler@gmail.com	1123 18th Ave E Seattle	206.384.2312
CHRIS PATTERSON	chpatterson@gmail.com	1123 18TH AVE E SEATTLE	206 3842309
Charles Wheeler	cbw@charleswheeler.net	201 E Boston St Seattle, WA 98102	301 247 0400
Daniel Duch	[illegible]	21318 9th Pl West Lynnwood WA 98036	425-226-4802
David Mallad	jmm45@comcast.net	5703 25th Ave NE Seattle, WA 98105	- none -
David C Campbell	- none -	716 N. 49th 98103 Seattle Wa	206-632-8775
Gerald West	GWEST@BRC-USA.com	1 Wes[illegible]	[illegible]
Nate Kelldorf	Nik4bey@all.com	1229 Taylor ave N	206.301.8416
Cameron Lusegar	cameron[illegible]@gmail.com	201 Boston Ave E	[illegible]
Scott Monk	—	2209 Eastlake Ave E Seattle, WA	—
James Campbell	—	94 E Newton 98102	—
MARK PORTMAN	—	11 E. Allison St. #3	206-719-5549
DAVID WILLIAMSON	tmp@commandcreate	2497 31ST AVE NE	415.254.2772
NICK CURTIS	nick.curtis	850 NE 91ST ST.	(604) 679-6

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
STEPHAN NAMISNAK	THECOLONELSCHICKEN@YAHOO	201 E BOSTON #400 98102	
Carol H. Namisnak	CHAMISNAK@	201 E. Boston #100 98102	
Calm Smith	dragonfly@houseboatd.net	2017 Eastlake Ave E	206-518-8087
RYAN MURPHY	INFO@VYBEHUB.COM	2226 EASTLAKE AVE. E.	206-795-0160
JIM KOOLICK	TYEECHUCK-YAHOO	2123 NW 86TH ST	206 784 1761
Matthew Burnett	mattyburnett@hotmail	100 E. Edgar Seattle	360-305-6999
Tim Haddox		117 E. Louisa St.	206-226-2976
Annie Lyman	Annielyman1230@Yahoo.	2044 Yale Ave E SEATTLE	
Kurt Abe		KMASAOABE@gmail.com	
Michael Garrett	skybot2@hotmail.com	214 E. Edgar	206-328-0327
Jack Bergman	jmbergman43@comcast.net	614 E Lynn 98102	360-204-6750
LOU DAVIS	LOUDAVIS@icloud.com	2220 Portage Bay Pl. E. 98102	206-324-3260
Bruce Davis	Kings70436@comcast.net	117 E Louisa #1 Seattle, WA 98102	
Janet Yoder	JanetLYoder@gmail.com		
Robert Rudine	robertrudine@gmail.com	2127 Fair View (206)	325-6645
Mary Lou Anderson	SAMMARC@ACM.COM	AVE E. #B 98102	206-709-1453
Carolyn Krall	Krall@[illegible].net	2370 Yale Ave E 98102	206-779-9132
Chris Leman	cleman84.oo.net	2370 Yale Ave 98102	206-322-5463
CHRIS LEMAN			

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Lydia Brennan	lydiafbrennan@hotmail.com	2228 Eastlake Ave E #b Seattle 98102	303-549-1414
Ryan Brennan	ryanjbrennan@msn.com	2228 Eastlake Ave E Seattle 9810	303-552-1269
Trevor Brennan	trevorjbrennan@msn.com	2228 Eastlake Ave E Seattle 9810	303-552-1269
Scott M Brennan	scottmbrennan@msn.com	2228 EASTLAKE AVE EAST APT# SEATTLE WA 98102	303-907-1466
Alejandra Tavares	alix_tavares@hotmail.com	2228 Eastlake Ave E Apt 3. Seattle WA 98102	206-4992089
Nanette Castro	nanarube@gmail.com	2228 Eastlake Ave E Apt 3 Seattle WA 98102	206-951-7596
Sarah Quill	sarahquill@gmail.com	2228 Eastlake Ave E Apt 4 Seattle WA 98102	808-485-6979
Cheryl Dietrich	cherrydt@yahoo.com	2228 Eastlake Ave E Apt 4 Seattle, WA 98102	910-818-6943
Donald Ewing	donjing@comcast.net	2228 Eastlake Ave. E.	206-542-2397
Kathleen Carney	KathleenCarney@hotmail	2422 1st Ave W Seattle, WA. 98119	206-769-9047
Clare Kanazawa	Kanazawa@gmail.com	"	206-351-3510
Paula Szlosy	pszlosy@me.com	3118A Portage Bay Pl E	206-325-2108
Don Brownlee	brownlee@astro.washington.edu	3118A Portage Bay Pl E	206-325-2108
Gail Jensen	gailjcoos@gmail.com	1924 Fairview E #303	206-323-6005
Don Gulden	dcgulden24@comcast.net	2624 W Viewmont Way W	206-286-8131
Liz Barbee	lizbarbee@hotmail.com	3100 Fairview Ave E #208	206-320-0810
Jan Boxer	"	3100 Fairview E #208	206-320-0810
Linsday Mayer		3703 Eastlake Ave E	206-300-8622

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVENUE AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 B. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature) e-mail address U.S. mail address Phone

1 Janice Schindler janice.schindler@comcast.net
1519 229th Ave SE · Sammamish 98074 · 425-681-6303 (work in 98012)

2 Alexandra Bailey allie.bowman@gmail.com
201 E Boston St #3206
Seattle, WA 98102 585-434-8594

3 Calvin Chan 206-458-4790 Calvin9175@gmail.com

4 Kelly Rowe 206-715-0190 rowe.kellyj@gmail.com

5 Chris Gan 253-632-9536 brainburnPS@gmail.com

6 Kurt Pfaff 206-790-8351 SEWARD SCHOOL - TOITS

7 Alix Wandesforde-Smith alixws@msn.com

8 Randee Churchill 2065713651 randichurch@gmail.com

9 Sam Newbold snewbold@gmail.com

10 Grace Reyer gracereyer@gmail.com

11 Brittany Holdaas brittneyholdaas@gmail

12 Jeff Sorensen jpsoren@gmail.com

13 Shantau Fellows shantaufellows@outlook.com

14 Kevin Klein KevinaKlein@gmail.com

15 Laurie Thomas tgoldbar@gte.net

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1. Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Callie Chestnut		2234 Eastlake AVE #201	
Emilie Kimball			
Jacob May	mayjacob@gmail.com	2334 Eastlake Ave	
[redacted]			
Travis White			
Curtis Black			
Ben Veman		2234 Eastlake Ave E	
Jordan Peters		2234 Eastlake Ave E	
Dana Erickson		2234 Eastlake AVE E	
John Markle	johnmarkle@uw.edu	2234 Eastlake Ave #201	
Katherine Polak	katester@gmail.com	2234 Eastlake Ave E #201 (206) 841-8433	
Lauren Sleezer	lauren.sleezer@gmail.com	2234 Eastlake AVE E	
Jeff Tinkelpaugh	jtinkle@gmail.com	2234 Eastlake Ave E	
John Burke	johnjburke@gmail.com	2234 Eastlake Ave. E	

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Sarah Armstrong Sarah Armstrong	sarah.armstrong@gmail.com	201 E Boston St #3107 Seattle, WA 98102	206.214.5969
LISA TEMPOSKY	temposky@hotmail.com	10501 - 8th Ave NE #225 Seattle, WA 98125	206-290-3734
Gina Hart	Gnaelyse@gmail.com	2907 NE 52nd St., #101 Seattle, WA 98105	206-819-2222
ANDREW JACKSON	ANDREW.JACKSON@COMCAST.NET	SEATTLE, WA 98122	206-320-5912
Marianne Gendy Marianne Gendy	mgendy@seattle.org	6909 Weedin Pl. NE Seattle, WA 98115	386-473-0089
Farnaz Dormanesh	sdormanesh@gmail.com	98118	408-854-6025
Sharon San Jose	ssanjose@seattle.org	98185	206 370 4689
LUCY LU	lucylu91@gmail.com	98102	520 204 6682
Emily Walkworth	emilywalkworth@gmail.com	98118	206 288 6289
Alysha Duran	alyshaduran@hotmail.com	98199	206-999-4498
Kim Reilly Bixler		98102	206-329-1111
Reilly Pittman	reillypw@gmail.com	2312 3rd Ave #533	206-999-0840

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

- **We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.**

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Eugene Y. Son	[illegible]@gmail.com	5106 Greenlake Way N#B	206-375-5072
Will Eliggett	[illegible]	5552 Woodlawn Ave N	206 547 9591
Thuy Nguyen	tina.nguyen1027@live.com	825 NE 66th St.	509-438-8421
Kiley Koehler	Kileykoehler@[illegible]	825 NE 66th St	5095213384
Kimberly Ong	kimberly.ong92@gmail.com	825 NE 66th St	626-241-8930
Chris Clark	Chrisbuilds@[illegible]	9313 23rd st	(425)2864746
Calvin Cline	C.Cline@[illegible]	4227 [illegible]	[illegible]358-8980
Santa Velazquez	Sallmer4900@Yahoo.com	9509 24th St	206.816.9439
Christian Gonzalez	christiango[illegible]@Yahoo.com	1915 Linden Ave N.	206-756-1404

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
KAREN I. APPELMAN Karen I Appelman	kiappelman@aol.com	2020 YALE AVE E #201 SEATTLE WA 98102	206-323-7676
Kathleen W. Jendrick Kathleen W Jendrick	kwjendrick@yahoo.com	2022 yale Ave E #202 Seattle WA 98102	206-329-3065
EITA K. CHAMBERS Eita K Chambers	—	2014 YALE AVE. E, SEATTLE, WA. 98102	206-323-8286
Michelle A Solon Michelle A Solon	masolon@me.com	2020 yale Ave E. #201 Seattle, WA 98102	206-329-7689
LAURIE D. KOHLI Laurie D Kohli	lkohli@porterkohli.com	2020 YALE Ave E. #301 Seattle, WA 98102	206-682-0224
PAULA McKINNON Paula McKinnon	paulamckinnon@man.com	2022 YALE AVE E SEATTLE WA. #202	206 528 7227

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Stephen Locke	STEPHENLOCKE@COMCAST.NET	1501 SW BRANDON ST 98106	206-651-5061
ELAINE LOCKE Elaine Locke	elainelocke@comcast.net	1506 SW BRANDON ST	206-651-5061
Timothy Locke Timothy Locke	tim.locke.m@gmail.com	1506 SW Brandon St	206-607-7293

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Elizabeth O'Donohue	lizafonuhue68@gmail	104 E Newton St	206-683-5626
Dan Schultz	dansing@gmail	12359 76th Ct. NE Kirkland	484-213-8008
EDWINA CHOUNG	echoung@uw.edu	4719 C 21st AVE NE, Seattle, WA 98105	206-719-9773
Alyson Hatsukami	hatsukami@comcast.com	4629 22nd Ave NE Apt C Seattle	(206) 719-9995
Jen Maiesta	jen@dagsh.com	2208 Eastlake Ave E #2 Seattle	206.909.9759
Mark J Price	Mark@coyotes.org	2228 Eastlake Ave E #2 Seattle, WA 98102	747-777-2189

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
William M. Waring	4127 SW Kenyon		
William M. Waring	urbanarc@hotmail.com	Seattle WA 98136	206-933-0885
Douglas Donohue	dougbd@comcast.net	118 6th Ave N Seattle WA 98109	253-458-0718
Sharon Donohue	sharonkd@comcast.net	118 6th Ave N Seattle WA	253 458 0716

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVENUE ANDREQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle,WA 98102. Must have original signatures and contact information for each.Can have as few as onesigner. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on thelots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it beredesigned and resubmitted to be built within the existing zoning. We urgently request that the SeattleDept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear publiccomment regarding the proposed project and rezone.

name (print & signature)	e-mail address	U.S. mail address	Phone
(1) ADAM DREW	adamdrew@gmail.com	2037 Franklin AVE E apt 101 Seattle Wa 98102	206-949-9062
(2) Descie Svennungsen	descie@gmail.com	2037 Franklin AVE E #101 Seattle Wa. 98102	206-462-0658
(3)			
(4)			
(5)			
(6)			

Exhibit 12

City of Seattle
Department of Planning & Development
700 Fifth Avenue, Suite 2000, P.O. Box 34019, Seattle, WA 98124-4019

DPD Project No. [redacted]

REQUEST FOR RELIEF FROM PROHIBITION ON STEEP SLOPE DEVELOPMENT OR MODIFICATION TO ECA SUBMITTAL REQUIREMENTS

TO BE COMPLETED BY APPLICANT

ECAS AND/OR BUFFERS MAPPED OR IDENTIFIED ON SITE

Geologic Hazard Areas

☒ Steep Slope ☒ Potential Slide due to Geologic Conditions ☐ Known Slide
☐ Liquefaction-prone ☐ Peat Settlement-prone

Fish and Wildlife Habitat Conservation Areas

☐ Shoreline Habitat* ☐ Riparian Corridor (Includes Riparian Management Area)
☐ Shoreline Habitat Buffer* ☐ Other Fish and Wildlife Habitat Area

Other

☐ Wetland ☐ Wetland Buffer ☐ Flood-prone ☐ Abandoned landfill

TYPE OF APPLICATION

☒ *Relief from Prohibition on Steep Slope Development under Section [redacted]. Choose any that apply (Not an ECA exception. Project subject to ECA review**):*

☐ Proposed development is located where existing development is located, with no increase in impact on the steep slope [23a]

☒ Proposed development is located on steep slope areas created through previous legal grading activities [23b]

☒ Proposed development is located on steep slope areas that are less than 20 feet in vertical rise and that are 30 feet or more from other steep slope areas, and no adverse impacts on the ECA will occur [23c]

☐ Application of development standards would prevent necessary stabilization of a landslide prone area [23d]

☐ Modification to submittal requirements (not an ECA exception. Project subject to ECA review**). Request for modification to application submittal requirements per Director's Rule 3-2007. If more than one ECA is mapped or identified on the site, indicate applicable ECA for which modified submittal requirements are requested.

_____

_____

_____

*For Shoreline Habitat and buffer, provisions in SMC 23.60 also apply. A Shoreline Substantial Development Permit (SSDP) or Exemption may be required. See SMC 23.60 for information about exemptions from SSDP.

**Development may also be subject to SEPA. See SMC 25, Environmental Review in Regulations for the City of Seattle.

FORM CONTINUED

SITE, PROJECT, AND OWNER/AGENT INFORMATION

Site Address: 2208 EASTLAKE AVE. E.

Description of proposed project:

DEMOLITION OF AN EXISTING SINGLE FAMILY RESIDENCE AND AN EXISTING COMMERCIAL BUILDING, AND CONSTRUCTION OF A 6 STORY MIXED USE STRUCTURE OVER 1 LEVEL OF UNDERGROUND PARKING, WITH 48 DWELLING UNITS

Please describe the reasons for your request:

THE STEEP SLOPE AREA IN QUESTION IS ADJACENT TO E. BOSTON STREET AND WAS CREATED THROUGH GRADING FOR THE ROADWAY. IN ADDITION, THE EXISTING STEEP SLOPE WILL BE REMOVED AS PART OF THE PROPOSED PROJECT.

Request must be part of a specific development proposal submitted for DPD review and apply only to that proposal. Please provide the assigned DPD project number for the proposal:

3018944

Property Owner's Name: [illegible] 2203 Eastlake Ave E LLC

Residence Address: 117 E Louisa St. Unit #143

City/State/Zip Code: Seattle, WA 98102

Telephone: 206-914-8130

Agent's Name: John Links

Address: 2803 Western Ave #610

City/State/Zip Code: Seattle, WA 98121

Telephone: 206-728-1912

Applicant's Signature: [signature]

Date of Application: 5-19-15

TO BE COMPLETED BY DPD STAFF

☐ Meets Criteria ☐ Does Not Meet Criteria

Reviewer _____ Date _____

Explanation or Conditions:

To obtain review of a decision on an application under SMC 23.53.100, an interpretation must be requested under SMC 23.88.020.

Exhibit 13

seattle.gov

GO

DEPARTMENT OF PLANNING AND DEVELOPMENT

DEPARTMENT OF PLANNING & DEVELOPMENT

Project #	Address	Document	Format	Size	Document Date	Capture Date
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Waste Diversion Plan	pdf	000169231 165 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Ordinance/Structural Correction Response: Ordinance/Structural Correction ResponseV2	pdf	000060977 59 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Ordinance/Structural Correction Response	pdf	000155242 151 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Geotechnical Correction Response	pdf	000058562 57 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Drainage Correction Response	pdf	000039043 38 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for DRAINAGE	pdf	000049835 48 KB		05/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for CONVEYANCE	pdf	000049704 48 KB		05/06/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for Engineering Services	pdf	000057108 55 KB		05/12/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for ENERGY & MECHANICAL	pdf	000045491 44 KB		05/11/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for STRUCT ENG	pdf	000056572 55 KB		06/18/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 2 corrections for STRUCT ENG	pdf	000052678 51 KB		08/19/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 2 corrections for DRAINAGE	pdf	000053461 52 KB		08/27/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for Applicant Services	pdf	000052843 51 KB		08/20/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: SDOT Shoring Review Comment	pdf	000145269 141 KB		05/15/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for ZONING	pdf	000049140 47 KB		05/22/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for ORDINANCE	pdf	000052349 51 KB		06/09/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Contractor Disclosure	pdf	000573864 560 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Contractor Disclosure: Contractor DisclosureV2	pdf	000188469 184 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Owner's Authorization	pdf	000407528 397 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Geotechnical Report	pdf	002367966 2 MB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Screening & Submittal Checklist	pdf	001327038 1295 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Cover Sheet	pdf	001404120 1371 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Cooling and Heating Calculations	pdf	000080920 79 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Structural Calculations	pdf	052088968 49 MB		04/13/15
6378644	EASTLAKE AVE E 02203	Site Plan	tif	012953092 12		08/15/13

Project #	Address	Document	Format	Size	Document Date	Capture Date
	2203 Eastlake Ave E			MB		
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Shoring Calculations	pdf	004412487 4 MB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Drainage Report	pdf	002089050 2040 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Energy Code Forms	pdf	000381175 372 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Pre-Submittal Meeting Notes	pdf	000077779 75 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: PAR	pdf	000086417 84 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Geotech Inspections Schedule	pdf	000331810 324 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Supplemental Structural Calculations	pdf	002295267 2 MB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Potential Landslide Area Covenant	pdf	000961358 352 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Geotechnical Review Letter	pdf	000068890 67 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Residential Electric Heater Sizing	pdf	000080920 79 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Results Request for Relief From Prohibition on Development in Steep Slopes and Buffer	pdf	000051689 50 KB		07/02/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Statement of Structural Special Inspection	pdf	000302713 295 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: ECA Relief Request	pdf	000089828 87 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Construction Permit Authorization Letter	pdf	000118865 116 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Shoring Commitment Letter	pdf	000041662 40 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Recorded Easement	pdf	000554170 541 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Energy Code Forms	pdf	000348189 340 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Energy Correction Response	pdf	000052284 51 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Shoring Correction Response	pdf	000053348 52 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Conveyance Correction Response	pdf	000056424 55 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Fire Correction Response	pdf	000063169 61 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Intake Transmittal	docx	000043393 42 KB		04/15/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Approval Letter: Fire Department Plan Review	pdf	000036778 35 KB		05/14/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Construction: Exemption	pdf	000050323 49 KB	05/19/15	07/17/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Legal: Covenant Potential Landslide	pdf	000317248 309 KB	06/09/15	07/15/15

50 documents found

Bottom of Form

DEPARTMENT OF PLANNING & DEVELOPMENT

Exhibit 14

LEFT COLUMN TO BE COMPLETED BY APPLICANT.
RIGHT COLUMN FOR DPD USE ONLY.

A. BACKGROUND

1. **Name of proposed project, if applicable:**

   2203 & 2209 Eastlake Ave E Seattle, WA 98102

2. **Name of applicant:**

   Maria Barrientos, Barrientos, LLC

3. **Address and phone number of applicant and contact person:**

   2003 Western Ave #610

   Seattle, WA 98121

   Maria Barrientos – (206) 728-1912

4. **Date checklist prepared:**

   July 9, 2014

5. **Agency requesting checklist:**

   Department of Planning and Development (DPD)

6. **Proposed timing or schedule (including phasing, if applicable):**

   Construction anticipated to begin: August 2015 (on or before)

7. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**

   None

8. **List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**

   Phase I Environmental, dated September 5, 2013

9. **Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.**

   None

10. **List any government approvals or permits that will be needed for your proposal, if known.**

    Land Use (Master Use Permit – MUP)

    Building Permit

    Tenant Relocation Assistance Ordinance Permit

11. **Give brief, complete description of your proposal, including the proposed uses and the size of the project. There are several**

Exhibit 15

4. Date checklist prepared: [help] Jun 9, 2014

5. Agency requesting checklist: [help] DPD

6. Proposed timing or schedule (including phasing, if applicable): [help]

Construction anticipated to begin in Fall 2015

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [help]

None

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [help]

Phase 1 Environmental, Dated September 5, 2013

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [help]

None

Exhibit 16

4. Date checklist prepared: [help] Jun 9, 2014

5. Agency requesting checklist: [help] DPD

6. Proposed timing or schedule (including phasing, if applicable): [help]

Construction anticipated to begin in Fall 2015

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [help]

None

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [help]

Phase 1 Environmental, Dated September 5, 2013

Traffic and parking studies

Geotechnical Study

View Analysis

Property history

SKB

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [help]

None

Building permit application 6378644
SKB

PRC

From: Ray Baalman <raybetsy@charter.net>
Sent: Wednesday, May 14, 2014 3:46 PM
To: PRC
Subject: Project 3016024 - 2203 & 2209 Eastlast Ave. east

We are resending this email because we omitted the project number on our first email.

-------- Begin forwarded message --------
Subject: 2203 & 2209 Eastlake Avenue East
Date: 5/14/14 11:07:35 AM
From: "Ray Baalman"
To: prc@seattle.gov

We are writing to express three concerns about the new residential/commercial building proposed for the corner of Eastlake Avenue East and East Boston Street:

1. The size and height of the building, which appear from the schematics to be larger and higher than any of the surrounding properties, will have an adverse effect on the view from our condo at 201 East Boston, unit 3200. It will, it appears, completely block our view of Gas Works Park and will replace some of our lake and Olympic mountain view with an eyesore. The proposed structure not only mars our current views but, of course, lessens the value of our property.

2. Ample parking is certainly not in the plan. This neighborhood already suffers from a lack of adequate parking. Allowing residential units (to say nothing of commercial space) to be built without each having its own parking space makes no sense whatever. Each unit will no doubt have at least one vehicle, and many will have two. However, all three schemes provide parking for only 92% to 72% of them to have a place to park, unless, of course, the parking is already occupied by the commercial-space users since the schemes appear to show that the limited parking is to be shared by both residential and commercial occupants.

3. The height of the proposed development will also have an impact on the sunlight available to the surrounding area. While not affecting our building specifically, decreased sunlight will certainly lessen the open feeling the Eastlake neighborhood now enjoys.

We hope that you will take our concerns into account while you consider whether to approve this new construction or not. Surely the height of the building could be reduced and the number of parking spaces increased.

Raymond W. Baalman, Jr.
Elizabeth Baxter-Baalman

PRC

From: Charles Wheeler <cbw@charleswheeler.net>
Sent: Wednesday, May 14, 2014 10:54 AM
To: PRC
Cc: EBSCA@yahoogroups.com
Subject: 2203 EASTLAKE AVE E

The proposal is way out of scale to the area. Look at the proposed briefing charts for scheme 2 and 3. In the lower right of a slide is a scale shot of building next to a scale of the motel, which is the next building north on Eastlake. The motel is dwarfed, as well as all other bldg., in the area.
Scheme 1 as a 4 story bldg. is more acceptable.

I'm across the street on the corner at 201 East Boston or 2044 Eastlake as it is known to you. I can see the Motel which is large for this area. Also, this 2 unit wide bldg. which is replacing 2 single unit bldg. is just too large for the area.

My building is not shown on the elevation views but it will be dwarfed also. Parking is an issue and scheme 1 matches parking to the residence number.

Charles Wheeler
201 East Boston St. Apt 2200

PRC

From: Ray Baalman <raybetsy@charter.net>
Sent: Wednesday, May 14, 2014 11:08 AM
To: PRC
Subject: 2203 & 2209 Eastlake Avenue East

We are writing to express three concerns about the new residential/commercial building proposed for the corner of Eastlake Avenue East and East Boston Street:

1. The size and height of the building, which appear from the schematics to be larger and higher than any of the surrounding properties, will have an adverse effect on the view from our condo at 201 East Boston, unit 3200. It will, it appears, completely block our view of Gas Works Park and will replace some of our lake and Olympic mountain view with an eyesore. The proposed structure not only mars our current views but, of course, lessens the value of our property.

2. Ample parking is certainly not in the plan. This neighborhood already suffers from a lack of adequate parking. Allowing residential units (to say nothing of commercial space) to be built without each having its own parking space makes no sense whatever. Each unit will no doubt have at least one vehicle, and many will have two. However, all three schemes provide parking for only 92% to 72% of them to have a place to park, unless, of course, the parking is already occupied by the commercial-space users since the schemes appear to show that the limited parking is to be shared by both residential and commercial occupants.

3. The height of the proposed development will also have an impact on the sunlight available to the surrounding area. While not affecting our building specifically, decreased sunlight will certainly lessen the open feeling the Eastlake neighborhood now enjoys.

We hope that you will take our concerns into account while you consider whether to approve this new construction or not. Surely the height of the building could be reduced and the number of parking spaces increased.

Raymond W. Baalman, Jr.
Elizabeth Baxter-Baalman

Sarah Armstrong
201 East Boston Street, Unit 3100
Seattle, WA 98102

May 14, 2014

Lindsay King
Seattle Department of Planning and Development – PRC
700 5th Avenue, Suite 2000
Seattle, WA 98104

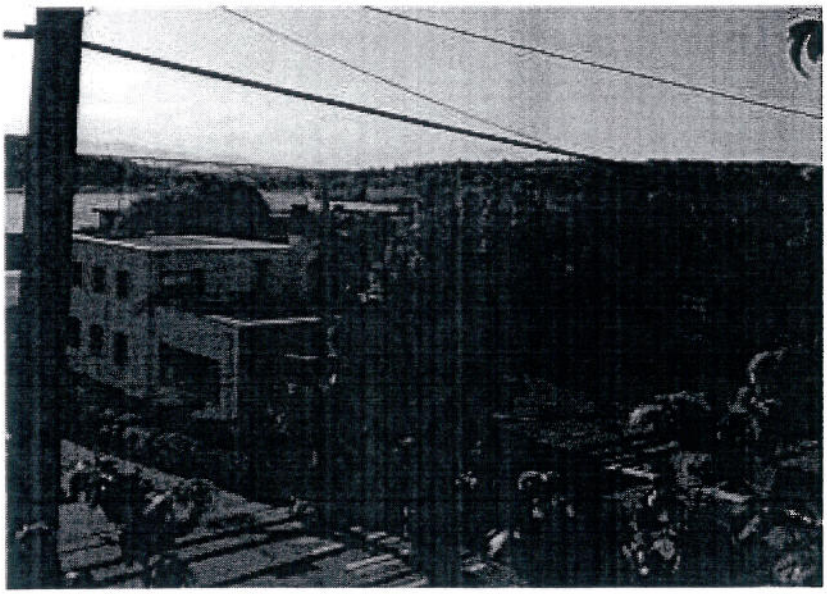
Dear Lindsay,

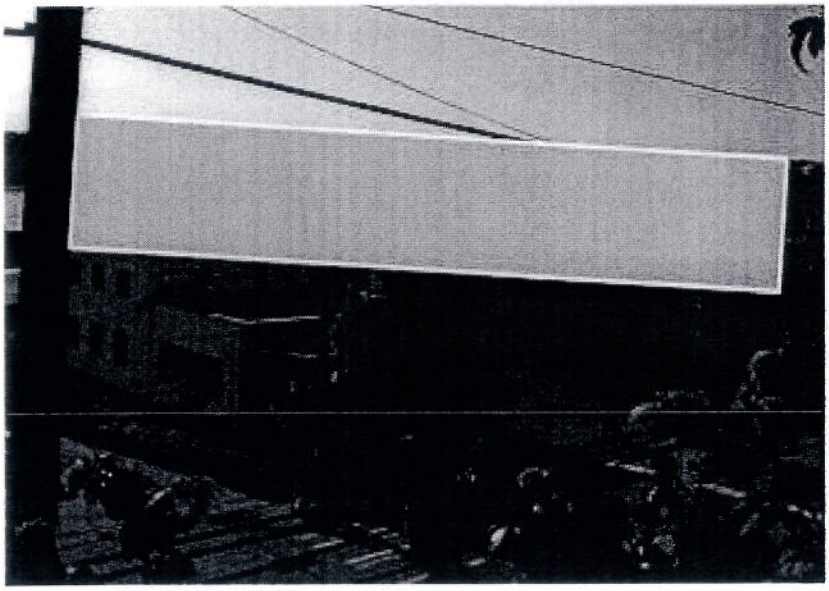
Thank you for the opportunity to provide comments regarding the design of the proposed development at 2203 Eastlake Avenue East (Project 3016024). I have a work conflict the evening of May 14 and will be unable to attend the meeting in person, so I appreciate you accepting my written comments.

I am a longtime Seattle resident who just purchased my first home in August, a top floor condo with a beautiful view of Lake Union and the Olympic Mountains. My building at 201 East Boston Street sits on the southeast corner opposite the proposed development.

I will be the first to acknowledge that no one has a right to a view. However, since the design has not been approved, I want to give feedback in the hopes of preserving the view I love so much. It is my understanding that when my building was constructed in the late 1980s, we scaled back our plans to preserve the view of our neighbor's home to our east; I would greatly appreciate if the city and the developers did the same.

I am a visual person and think it is easier to make suggestions if you know what I see from my home. Below is a picture of the proposed development site today (the white building housing the dry cleaner and a few apartments, the parking lot, and the house on the right). Below this photo, I used poor photo editing skills to mock up what I think a 44' building might look like.

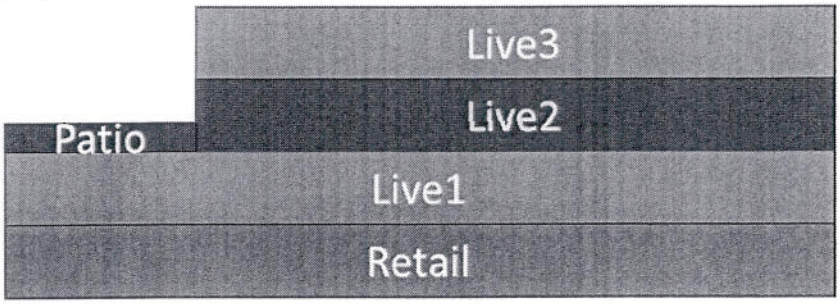




As you can see, the 44' tall building would barely obstruct the mountain view. The reduction of building height by even just a few feet would make a world of difference to me. I offer four ideas for consideration:

1. **Reduce the building height by one floor** – The building designs indicate the proposed development complies with height restrictions, but because that site and my building are on an even plane and not on a slope, like so many Eastlake properties, the height restriction does not benefit my building.
2. **Build the retail spaces partially below sidewalk level** – This would reduce the building's impact but preserve its height. Below is a photo of 3-story + high roofed building to the southwest of my condo. As you can see, they constructed a height-compliant building that preserved the views of Seattle.

3. **Put a patio on the south side of the building** – Consider building the retail space across the entire property, and possibly a floor of units too, but indent the building the width of the dry cleaner building so the 3rd and 4th floors do not run the entire length of the property. Another fantastic drawing for you:



4. **Widen the green space between the sidewalk and the south side of the building** – If height reduction is not an option, how about placing the structure north of where the dry cleaner sits today? This would at least preserve a peekaboo view of the Olympics.

Thank you for considering these suggestions, Lindsay. I wish to receive a notice of the decision. On the back of the form I received in the mail, it requests the following information:

Name: Sarah Armstrong

Project: #3016024 – Lindsay King, 22nd Floor

Address: 201 E Boston Street, Unit 3100 | Seattle, WA 98102

Email: sarah.armstrong@gmail.com

Please let me know if you have questions or if I can be further involved in the conversation.

Thank you,
Sarah

Peli, Michael

From: King, Lindsay
Sent: Thursday, September 25, 2014 5:42 AM
To: PRC
Subject: FW: Project Number 3016024

From: Ray Baalman [mailto:raybetsy@charter.net]
Sent: Wednesday, September 24, 2014 11:58 AM
To: King, Lindsay
Subject: Project Number 3016024

Dear Lindsay King:

We are writing to protest the zoning variance sought by the developers of project #3016024 in the Eastlake neighborhood. The current zoning regulations, developed after considerable study, limit the height of buildings to 30 feet. This zoning requirement has been respected up to now by builders and has helped create the attractive neighborhood Eastlake now enjoys. It permits many residents to have views of Lake Union and the Olympic mountains, an amenity that contributes significantly to the desirability of the properties and to their sustained values.

Changing the zoning site to a NC2-P40 will cause a number of undesirable effects for Eastlake's residents:

First, the views from surrounding buildings will be marred, if not completely cut off. The 40-foot limit to the building will actually permit a complex that is 50 or 60 feet high once the elevator and other roof-top structures are in place.

Second, light to the street and surrounding landscaping will be reduced, pointing the way to eventual "tunnels" down Eastlake Avenue, which would destroy the attractive boulevard-like street it is currently.

Third, such a variance will set a precedent for not only other 40- to 60-foot structures all along Eastlake and its surrounding streets, but will encourage other developers to ask for further variances allowing even higher designs. It may be hard not to justify such requests once this precedent is set.

To summarize, we strongly believe that the developer should be required to build within the current zoning regulations and keep project #3016024 at a height of 30 feet. This will preserve the views of the project's neighbors and will help maintain the Eastlake neighborhood's unique and desirable character.

Sincerely,

Ray & Elizabeth Baalman

PRC

From: Michael <donfidelio@hotmail.com>
Sent: Thursday, April 24, 2014 11:29 AM
To: PRC
Subject: Re: 2203 Eastlake AVE E Design

3016024

Sent from my iPhone

On Apr 24, 2014, at 9:25 AM, "PRC" <PRC@seattle.gov> wrote:

Could you please provide the project number, so we can forward your comments to the appropriate planner?

Thank you,
PRC Staff

Department of Planning and Development
Public Resource Center
700 Fifth Avenue, Ste. 2000
P. O. Box 34019
Seattle, WA 98124-4019

PRC@seattle.gov
Tel: 206-684-8467 (message line)
Fax: 206-233-7901

Hours of Operation:
Public Resource Center
M/ W/ F: 8:00am – 4:00pm
Tu/ Th: 10:30am - 4:00pm

Microfilm Library
M/ W/ F: 8:00am - 4:00pm
Tu/ Th: 10:30am - 4:00pm
DPD_microfilm@seattle.gov
Tel: 206-233-5180 (message line)

From: Michael [mailto:donfidelio@hotmail.com]
Sent: Wednesday, April 23, 2014 5:06 PM

To: PRC
Subject: 2203 Eastlake AVE E Design

This proposal, should it be approved, will significantly and detrimentally affect parking in our neighborhood.

The proposal calls for 46 residential units and 4 "live-work" units as well as commercial space, yet it only includes parking for 36 vehicles. This already represents a shortfall of 14 spots. Yes, not every occupant will have a car, but in this zip code (98102), there are 1.5 vehicles per household
(see http://www.clrsearch.com/Seattle-Demographics/WA/Number-of-Vehicles-per-Household?compare=98102). If the households inhabiting this building fall within the mean for the area, and there is no reason to think they will not, the actual shortfall could be as high as 39. Even the conservative estimate of adding 14 vehicles to the existing street parking poses a serious problem. There is, effectively, no parking for residents on Eastlake Ave East and, by my estimate, only about 20 cars can be parked on Boston Ave between Eastlake and Yale Ave. Typically, these spots are always filled, especially since there are two restaurants on the southeast corner of Eastlake and Boston.

Please do not allow this design to make parking even more difficult in our area.

Sincerely,

Michael Forman
2311 Yale Ave E (Apt. A)

PRC

From: Jann <jann-sid1@comcast.net>
Sent: Thursday, May 01, 2014 10:42 AM
To: PRC
Subject: Proposed project at 2203 Eastlake Avenue E

Once again there is not nearly enough parking for this project. The neighborhood is already saturated with park-and-ride people and others who live here but have no parking where they live. You don't seem to realize that we no longer can go to restaurants, or give businesses in the neighborhood our money because you keep letting more and more people park on the street instead of on-site parking. You guys need to try to live here and see what it is like. This neighborhood has sketchy bus service some don't even stop here –are express-- and no grocery store or drugstore/pharmacy is in this neighborhood. Most people have to own a car that live here. Most of the developer transportation and parking studies are totally inaccurate. Please start being responsible for the people who already live in our neighborhoods and quit imposing structures without parking and over crowded projects like the microhousing that you wouldn't want in your own backyard.
Thank you
Jann & Sid McFarland
2025 Fairview Ave E, Unit G
Seattle. WA 98102

PRC

From: Annie Lyman <annielyman1230@yahoo.com>
Sent: Thursday, May 08, 2014 3:33 PM
To: PRC
Subject: Design Review Early Design project 3016024
Attachments: Response to Early Design review..Eastlake.rtf

Dear Ms. Maria Barrientos,
Please find attached my comments and questions about the proposed project on 2203 and 2209 Eastlake Ave E.
I am not able to attend the meeting at Seattle U on the evening of May 14, 2014. I have attempted to look at the applicants proposal but am not able to get a very clear picture of plans, nor is the language used for permit approval very understandable to me. Please bear with me and if you can answer my questions as easily as possible, I would greatly appreciate it.

thank you
Annie Lyman
2044 Yale Ave E #301

DESIGN REVIEW EARLY DESIGN
Project 3016024 Zone Low rise- 2

ATTEN: Maria Barrientos

Dear Planner:

I am unable to attend the Design Guidance Meeting on May 14 @6:30 on the Seattle U campus. Please accept the following input with my questions and suggestions.

Please submit the following to be made party of record for site planning issues for the project to be located at 2203 and 2209 Eastlake Ave E. (project 3016024)

Thank you for sending out the notice and revised maps site location to our neighborhood. Allowing us to comment at this early stage is important for our community.

SITE:

1. How will this 4 story structure be aligned on the property? Will entries be facing N, S or E? or all ?

2. Is there sufficient sewer and water infrastructure in place to support these additional residential units and commercial spaces? This is one of the oldest neighborhoods in the city and having the water and sewer utilities installed in the mid 1920's is being stretched to the maximum. Micro housing especially and mixed use spaces are creating a huge burden on the aging systems.

3. Will the current driveway(facing east) entering onto Eastlake at 2203 be eliminated in the proposed design? Pedestrian safety along sidewalks and alley ways is a big concern for this neighborhood. Our neighborhood has become impacted by the recent acceleration of apartment and condo building in this immediate area. Driveways are especially hazardous with drivers trying to get onto busy streets and not paying attention to pedestrians and cyclists.

4. Will the building height and design set back from streets edge and curbing effect visibility of drivers approaching Eastlake from the west on Boston? How wide will the sidewalk be in front of this project... 2203 and 2209?

5. What is the projected $ cost per square foot? Has the applicant built other projects in the city? If so where are some of these buildings?

6. Parking is a very big problem in zone 8 and the planning department allowing the building of 5 new mixed used micro housing is only complicating and increasing the difficulties. Our neighborhood council has been trying to help solve the neighborhood parking issues, but with rushed projects such as this, only makes the task seem impossible.

7. Rent control is becoming a very hot topic in the city. Developers charging impossibly high rent fees for the smallest of living spaces is creating a huge inequity in many neighborhoods, Capital HIll, Ballard and our own Eastlake have been hit hard by these price increases. Putting long time residents at risk of losing their family homes and older apartments to make room for these "new" micro housing units. It appears that the city is bending to the developers -contractors needs and ignoring the residents and their economic needs. I personally don't want to see our neighborhood turned into the getaway spot "sleeping pads" for overnight city visits for the affluent eastsiders in Bellevue and Mercer Island.

DESIGN:

1. 46 residential units on two small properties indicate small compact living units. What will be the square foot footprint for each unit?
2 Safety concerns-- 46 residential units need at least 2 egresses/ exits on each floor. Will there be an elevator? How many staircases? Will the units be outfitted with a sprinkling system throughout whole structure or just for commercial spaces?
3. Surface parking. Will these spaces (36) be accessed from alley or from street(s). 36 spaces are too few for 46 residences and 4-6 commercial spaces. Can the proposed design accommodate more spaces than 36?
4. HOw does contractor propose to provide streetscapes, plantings, signs and lighting that will enhance the historical character of our neighborhood? the last few projects in this area don't seem compatible with the craftsman NW style that we associate as Eastlake style. I would like to see this project incorporate a design similar to those built in the last 15 years on Yale, Minor, one and two blocks north west of this proposed project The new projects being built on Franklin and 2200 Yale are more in the style of modern downtown inner city-- We are losing the great craftsman character too quickly.
It is hard to see that any design review process was ever used for these rushed glass and faux steel buildings. the building materials appear to be cheap and of lower quality. What assurances do we have that a quality, long lasting product will be built?

I would like to request a copy of the Early Design Guidance report summarizing the meeting. This document can be sent to me at this email or sent regular postal delivery to:

Annie Lyman
2044 Yale Ave E #301
Seattle WA 98102
email: Annielyman1230@yahoo.com

Again, thank you for this opportunity to give input.

Respectfully submitted

Annie Lyman

Camacho, Rodolfo

From: King, Lindsay
Sent: Wednesday, June 25, 2014 8:26 AM
To: Charles Wheeler
Cc: PRC
Subject: RE: 2203 Eastlake 3016024

Mr. Wheeler,

Thank you for your comments. I will have the comments and your contact information added to the project file. With regards to your first question. We are very early in the rezone review process. In fact until the applicant submits a Master Use Permit that includes a response to the rezone criteria found in SMC 23.34 we will not begin the review. The rezone analysis and recommendation from DPD will come near the end of the project review. After which the Seattle Hearing Examiner and ultimately Seattle City Council will decide whether a rezone is appropriate at this location.

I hope this helps clarify.

Sincerely,

Lindsay King
Senior Land Use Planner

From: Charles Wheeler [mailto:cbw@charleswheeler.net]
Sent: Wednesday, June 25, 2014 6:53 AM
To: King, Lindsay
Cc: 'Stephan Namisnak'
Subject: RE: 2203 Eastlake

Lindsey, at the meeting will a determination be made on the building height. One part is zoned 2 story, it would be great if this was the limit on this section.

The intersection on Eastlake and East Boston is about the smallest on Eastlake. The street all has an on demand walk light. My concern is the placement of utilities at this building. There isn't any room. Surely an easement needs to be used for utilities. The metro has two lines on this part of Eastlake and the current building has parking at the surface level. The street is very small, and there is no room for more utility poles.
Thanks. Charles

From: King, Lindsay [mailto:Lindsay.King@seattle.gov]
Sent: Tuesday, June 3, 2014 8:40 AM
To: Charles Wheeler
Subject: RE: 2203 Eastlake

Charles,

Thank you for your email. We have reserved the 7/23 date for a second Early Design Guidance Meeting. The applicant may choose to return to the Board to discuss changes to massing. I hope this helps answer your question.,

Sincerely,

Lindsay King

From: Charles Wheeler [mailto:cbw@charleswheeler.net]
Sent: Monday, June 02, 2014 7:49 PM
To: King, Lindsay
Subject: 2203 Eastlake

Lindsey, what is meeting on 23 July. Charles Wheeler

Review Meeting: July 23, 2014

Camacho, Rodolfo

From: Michael Rowe <mkpacific@comcast.net>
Sent: Wednesday, July 23, 2014 12:10 PM
To: PRC
Subject: Project 3016024

Design Review/Seattle Planning-

I have the following questions I would like to submit regarding the design review process on project #3016024.

Clearly the developers are requesting variances to current building and/or land use codes to complete a profitable development. My questions relate to the overall challenge of balancing what the developer is asking for, meeting the long term plans of the City, maintaining the livability of the neighborhood and resolving negative impacts to adjacent properties.

1. Is the City proposing to grant the developer a variance from the parking requirements that are required as part of current code? If so, why and what is the city's plan to mitigate the impact on current residents? What is the developer giving up to gain that valuable consideration?
2. It is clear that the developer is requesting a variance from the current height limitation. Why would the city grant that given that the negative impact to adjacent property owners is obvious? If there are conditions in which the city would not grant that variance, what would those conditions be?
3. I believe the scale of the building would have a detrimental impact on the street scape in that natural light, something that is critical in this city, will be blocked from street level.

Mike Rowe
201 Eastlake Ave.
206-406-7637

Camacho, Rodolfo

From: Stephan Namisnak <thecolonelschicken@yahoo.com>
Sent: Wednesday, July 23, 2014 4:29 PM
To: PRC
Subject: Public comment on Project #3016024
Attachments: Early Design Guidance Project #3016024.pdf

Lindsay King
City of Seattle – DPD – PRC
700 5th Avenue, Suite 2000
PO Box 34019
Seattle WA 98124-4109

22 July 2014
Re: Project #3016024

Planner King,

As you heard at the first public meeting for Early Design Guidance on the development under consideration for 2203 Eastlake Ave E, the members of the East Boston Street Condominium Association at 201 E Boston St. have very real reservations about the project as proposed.

As individual owners and residents, we have varying concerns about the effect the intended massing of the proposed building will have on our property values as well as our enjoyment of domicile; as an Association, we share mutual concerns about the impact of the project on the streetscape and the neighborhood at large. In my capacity as President of our Association, I would like to reassert the validity of those reservations previously expressed as well as to add my own to the record.

The proposal indicates a 4-story building in an area designated for structures not to exceed 30 feet, does this mean that a variance is being granted? If so, what benefits will the neighborhood receive in return for such an exception being made?

The deficits in this location of a 4-story structure, which rises still higher when roof pitch is taken into consideration and whose setbacks extend to within only 5 feet of property lines, are not difficult to envision. Looking out my own windows, one can see that there will be much less sunlight coming into our home and onto our streets. It is also plain that one will no longer be able to see either Lake Union or the Olympic Mountains, the very features for which the plot in question was designated as having a "scenic view within 100 feet" and precisely the kind of public as well as private vistas which are prized in Eastlake for creating a modicum of open visual space in an otherwise closely confined area.

A corridor of similarly scaled and styled developments as currently contemplated along Eastlake Avenue is likewise at odds with the architectural heterogeneity that has long been a

hallmark of the neighborhood. In this light, the similarities between the development being considered for 2203 Eastlake Avenue and the one already completed at 2245 Eastlake Avenue begin to seem less like bookends and more like the straps of a straitjacket.

Concerned,
Stephan Namisnak
EBSCA President
201 E. Boston St.
Seattle WA 98102

This letter is intended for submission to the public record of comment on this project and can also be found attached as a pdf. Please include me in upcoming notifications regarding this project. Thank you.

Herbaugh, Melinda

From: King, Lindsay
Sent: Monday, September 22, 2014 10:19 AM
To: PRC
Subject: FW: Project #3016024 Public Comment
Attachments: Waterton Support Letter.pdf

From: John Links [mailto:john@mbarrientos.com]
Sent: Tuesday, September 16, 2014 2:10 PM
To: King, Lindsay
Subject: Project #3016024 Public Comment

Hi Lindsay,

Another letter of support for the 2203/2209 Eastlake Ave East project (P# 3016024) attached.

Thanks,

JP Links
barrientos LLC
(206) 914-8130

September 8, 2014

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality.

The project as proposed advances the Eastlake Community's goals, vision and neighborhood plan. Currently, the neighborhood lacks some crucial amenities and community-oriented retail activity with a few exceptions, the commercial space along Eastlake Avenue is largely occupied by traditional office-space and is in dire need of more engaging retail activity. The developer, John Links, is committed to energizing the streetscape along Eastlake Avenue with retail activity and an open-air atmosphere between the sidewalk and commercial spaces; and, consistent with the Seattle's overall plan to increase urban density, creating more residential apartment homes. I look forward to seeing more local neighborhood retail and expect the project's planned streetscape will contribute to the revitalization of the Eastlake corridor.

Sincerely,

Katherine Drews

14 Carrot Cafe
2305 Eastlake Ave E.

Herbaugh, Melinda

From: King, Lindsay
Sent: Monday, September 22, 2014 11:50 AM
To: PRC
Subject: FW: #3016024 Zoning

From: Charles Wheeler [mailto:cbw@charleswheeler.net]
Sent: Monday, September 08, 2014 3:08 PM
To: King, Lindsay
Subject: #3016024 Zoning

Subject: #3016024 Zoning

Lindsay, the building located at 2203 Eastlake Ave E is currently zoned at 30ft. The zoning should remain at 30' or not exceed 30'. I am located across the street from this project and cannot see any need for a taller building. I have seen the buildings at the corner of Lynn and Eastlake and do not see any need to repeat them at the corner of East Boston and Eastlake.

Charles Wheeler
201 E Boston St.

Herbaugh, Melinda

From: King, Lindsay
Sent: Monday, September 22, 2014 9:59 AM
To: PRC
Subject: FW: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East
Attachments: Support Letter for Project 3016024 - GGrant.pdf

From: Gabriel Grant [mailto:gabrielfgrant@gmail.com]
Sent: Monday, September 08, 2014 5:26 PM
To: King, Lindsay
Subject: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East

Dear Ms. King,
Please see the attached letter.
Thank you,
Gabriel Grant

September 8, 2014

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

My wife and I are long-time residents of the Eastlake neighborhood. One of the things we love about the neighborhood is the eclectic mix of buildings and businesses, but we need more thoughtful development.

Currently, the neighborhood lacks some crucial amenities and community-oriented retail activity with a few exceptions, the commercial space along Eastlake Avenue is largely occupied by traditional office-space and is in dire need of more engaging retail activity.

That is why I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality. The project as proposed advances the Eastlake Community's goals, vision and neighborhood plan. I just wish there were more projects like this one being proposed!

The development team behind this project has an excellent track record of projects that add to the community, with attractive buildings, well-conceived retail, and thoughtful positioning on the site. The developer, John Links, is committed to energizing the streetscape along Eastlake Avenue with retail activity and an open-air atmosphere between the sidewalk and commercial spaces; and, consistent with the Seattle's overall plan to increase urban density, creating more residential apartment homes. I look forward to seeing more local neighborhood retail and expect the project's planned streetscape will contribute to the revitalization of the Eastlake corridor.

Sincerely,

Gabriel Grant
2004 Yale Ave E
Seattle, WA 98102
206-388-7393

Herbaugh, Melinda

From: King, Lindsay
Sent: Monday, September 22, 2014 10:20 AM
To: PRC
Subject: FW: Project #: 3016024 2203 Eastlake Avenue E

From: Sandra [mailto:sandracwheeler@gmail.com]
Sent: Tuesday, September 16, 2014 4:52 PM
To: King, Lindsay
Subject: Project #: 3016024 2203 Eastlake Avenue E

From: Sandra [mailto:sandracwheeler@gmail.com]
Sent: Tuesday, September 16, 2014 3:05 PM
To: Lindsay King
Subject: Project #: 3016024 2203 Eastlake Avenue E

September 16, 2014

Dear Ms. King:

The purpose of this e-mail is to submit an objection for the record about the construction of the a new building on 2203 Eastlake Avenue E.

My main concern is the proposed height of the building. This corner is currently zoned NC1-P30. The developer is asking for a rezone to NC2-P40 . This change is unnecessary and unacceptable. Below are my concerns about granting a zoning change for this project:

- In reality, the proposed building would be more than 40', more like 50'-60', with the rooftop components (stairwells, elevator shaft, parapets, etc.). A building of this size significantly changes the neighborhood and the look of the community. The neighborhood buildings respected with current zone regulations thus they are appropriately sized and fit nicely in with the community.
- While I recognize that residents are not entitled to a view of Lake Union, those of us who elected to reside here did so because of Lake Union. This proposed 40'+ building would be a major obstruction to a view of Lake Union and its surroundings.
- Once an exception to the current zoning rules is granted, other developers will be lining up to request similar re-zone changes. The current zoning regulations were instituted after comprehensive community study and should continue to be respected unless there is another comprehensive study to allow zoning changes.

Thank you,
Sandra Wheeler
201 E Boston St. #2200
Seattle, WA 98102
301.247.1728

Jules James & Alex

2616 Franklin Ave. E
Seattle, WA 98102

(206) 329-1885

September 12th 2014

Lindsay King, DPD Plans Reviewer
Seattle City Hall
P.O. Box 34019
Seattle, WA 98124

RE: MUP #3016024
2203 Eastlake Avenue East

Ms King:

I am writing in support of this project's proposed re-zone.

I am one of the neighbors involved during the 1980s in recommending the original concept of stepping down the NC zoning at block ends in Eastlake. My opinion on the step-down strategy is reversed only for this particular corner because of its location at the crown of Eastlake Avenue. Looking up the hill, this building will be imposing and dominant at most any height. So the neighborhood benefits more from the security and personality of prominent windows and balconies than it does by an incremental zoning change set-back. If this were a one-lot project, my re-zone opinion might be different.

Overall: I'm strongly in favor of this project. Developer John Links has a long and respected history in the Eastlake neighborhood. He has engaged neighbors early and explored some good ideas such as 3 BR/2 BA child/shared/elderly-compatible floor plans, segregated retail parking, bay windows, attic turrets and sidewalk-focused surveillance security. Most of the good ideas fell to the forces of economics. But we all tried our best and that is good enough to cause better next time around.

Jules James

RECEIVED
SEP 15 REC'D
BY:

117 E. Louisa St. #1
Seattle, WA 98102-3278

December 3, 2014

Director, Dept. of Planning and Development
701 Fifth Avenue, #2000
PO Box 34019
Seattle, WA 98124-4019

Public Resource Center
701 Fifth Avenue
PO Box 34019
Seattle, WA 98124-4019

REASONS WHY CITY MUST REJECT THE PROPOSED REZONE FOR THE PROJECT PROPOSED AT 2203 AND 2209 EASTLAKE AVENUE (MUP # 3016024)

To the DPD director and others responsible for review and action on applications:

Our Nov. 30, 2014 letter stated the Eastlake Community Council's opposition to the proposed rezone for the project proposed at 2203 and 2209 Eastlake Avenue East (MUP #3016024). The present letter details the reasons why City officials must reject this proposed rezone, which is so far from meeting the legal standard for a rezone that we believe it should not have been requested. At its end the letter also details problems and remedies in how this proposal is being considered.

ECC's authority to comment. Founded in 1971, the Eastlake Community Council is the neighborhood association for Eastlake; its membership is open to anyone who lives, works, or owns property in the Eastlake neighborhood (defined as the area between the Ship Canal and Mercer Street, and between I-5 and Lake Union). During the exercise in remapping of Seattle's commercial areas which led to the 1986 adoption of the present NC1 and L-2 zoning for these lots, ECC filed the original submissions proposing the zoning classifications that the City Council eventually adopted and that now apply to the property (more about this process below).

Under a memorandum of agreement with the City, the Eastlake Community Council also administered the City-funded process by which neighborhood stakeholders, in collaboration with DPD and other departments, produced the 1998 Eastlake Neighborhood Plan. The executive branch report to the City Council regarding this Plan stated that it was unexcelled among neighborhood plans for the quality and extent of its outreach efforts. The Eastlake Neighborhood Plan process considered and rejected zoning all changes, including at 2203 and 2209 Eastlake Ave.

Original rationale of the City Council for the current NC and L2 zoning. The current zoning for the lots at 2203 and 2209 Eastlake Avenue was adopted in the citywide commercial areas mapping process of the mid-1980s. At that time the Mayor had proposed NC2 (40 foot height) for both lots (the very zone that the applicant again proposes), but instead the City Council unanimously adopted the current

NC1 (30 foot height) for 2203 Eastlake Avenue and L2 (30 foot height) for 2209 Eastlake Avenue and adjoining lots. The rezone application acknowledges (p. 9) that this zoning decision was not the result of a mapping error. The Land Use Code does not allow the City Council to grant a rezone without a large number of other criteria being met. The current zoning for these lots should be presumed valid, with a heavy burden of proof upon anyone who proposes a rezone. Zoning should be done through citywide or neighborhood wide planning processes such as produced this particular zoning in the first place. Following is a legislative history of how the current zoning came to be, and then the rest of this letter sets forth reasons why the application to change this zoning lacks merit.

Reasons for City Council adoption of the L2 zone for the lot at 2209 Eastlake Avenue. In agreeing with the ECC request for the L2 zone for the mid-block east and west sides of Eastlake Avenue E. between E. Lynn Street and E. Boston Street, the City Council acted on the basis of the May 31, 1985 NCA Mapping Staff Report, Map Issue EL 11. This report gave the following summary of ECC's reasons for the request (quoted here verbatim):

- to downzone strip commercial areas which have not been extremely developed in commercial use
- lack of edges or buffer between residential and commercial uses
- insufficient parking in commercial zone results in parking spillover in residential streets, particularly Franklin and Yale
- concentrates commercial activity at several nodes along arterial to help eliminate the "strip" character of Eastlake
- provides for a more suitable pedestrian environment

The staff report, which the City Council evidently followed in adopting the recommended zoning, had the following analysis and recommendation (quoted here verbatim):

> To rezone from RM to L2/RC fits the following RC function statements: As a means to downzone small commercial areas which have not been extensively developed in commercial uses and where commercial services are available nearby. The area meets the criteria for physical factors favoring designations as RC, "lack of edges or buffer between residential and commercial uses and streets with adequate access and circulation." An RC designation would also break up the strip commercial areas on Eastlake. Staff recommends L2/RC for mid-block east and west of Eastlake Avenue E. between E. Lynn Street and E. Boston Street.

Reasons for City Council adoption of NC1 zoning for the lot at 2203 Eastlake Avenue. In a January 14, 1986 request (a letter to City Council land use committee chair Jim Street from ECC president Carol Eychaner and vice president Lynn Howell), ECC stated: "The four corners of Boston [are] the one area along Eastlake that legitimately qualifies for NC1 as it is characterized by very small scale, neighborhood serving businesses. The ECC believes that the scale of construction allowed by NC2 would destroy the character of this corner." The City Council evidently agreed with this reasoning, because it adopted NC1 zoning for the lots at this corner, despite the fact that the Mayor had recommended NC2.

Proposed rezone fails to meet Land Use Code requirements. Sections SMC 23.24.008 and 009 of the Land Use Code impose a high threshold for approval of a rezone, a threshold which this request does

not come anywhere near meeting. Consider its lack of responsiveness to the following five requirements (in italics, and paraphrased unless also in quotation marks):

SMC 23.34.004(A). *A rezone proposed for an urban village or center must be in one whose zoned development capacity is 125% or more of the village or centers growth target.* In relation to the Eastlake Neighborhood Plan, the rezone application states (p. 14) that the project "will assist in accommodating projected comprehensive plan growth." The problem with this reasoning is that Eastlake's residential growth is already far ahead of the growth targets that were set for it in the Comprehensive Plan. The white-hot development market is continuing to push Eastlake's housing production far ahead of the growth targets and also, it appears, far beyond what the neighborhood's infrastructure can sustain (see below, for example, the section on traffic and parking).

SMC 23.34.008(B). *Must match the area to be rezoned better than any other designation, including the current one; and* SMC 23.34.008(C). *Must respect the zoning history and precedential effect.* The rezone proposal fails the test of these two provisions of the Land Use Code, as the current zoning was carefully selected to best match the area characteristics. The application (pp. 11, 20n) incorrectly describes as "rezoning" the 1986 classification of the lot at 2203 Eastlake Ave. as NC1 and of the lot at 2209 as L2. Actually, these changes were not rezones under the SMC 23.323.008, but rather part of a citywide commercial zone "remapping" project. The current zone classifications for 2203 and 2209 Eastlake Avenue were adopted through a process that involved far more analysis and public involvement than is occurring in the current case. Moreover, the City Council assigned to these lots their current zoning classifications in unanimous preference over NC2—the latter being the very classification that this rezone application now seeks.

The rezone application also fails to provide any analysis of the precedential effect if the rezone were approved. In fact, the rezone would establish a disastrous precedent, as the zoning it would overturn on these lots emerged from the same thorough process in the 1980s as the zoning elsewhere in Eastlake and elsewhere in Seattle, all of which would seem in jeopardy from the precedent, were this rezone to be granted.

SMC 23.34.0008(G). "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."* No changes in the criteria for the relevant zone or overlay designations give support for the proposed rezone. In fact, an examination of the 1985-6 legislative history of the current zoning reflects the same topics of discussion that are present today.

The rezone application states (pp. 20-21, 23) that because the current zoning was established in 1986, its appropriateness has been overtaken by subsequent adoption of the Washington Growth Management Act, the Seattle Comprehensive Plan, and the Eastlake Neighborhood Plan. But the adoptions of these plans did nothing to undermine the current zoning. Unlike the present rezone petition, these plans would have been the appropriate vehicle for any change in zoning, had there been a desire for it—which there was not.

Fortunately, the Land Use Code does not allow a rezone to be approved just because the current zoning classification was not adopted recently or before the most recent plan was adopted. Under

that logic, all zoning in Eastlake, and for that matter in the entire City, would be up for grabs--but of course it is not, and cannot be, under the Land Use Code.

The rezone application appears to have applied an inappropriately broad definition of "changed circumstances," which are not applicable in this case. The applicant has not shown that there are changed circumstances regarding the criteria for determining whether either 2203 or 2209 Eastlake Avenue should become NC2.

SMC 23.34.008(D): *Consideration must be taken of the neighborhood plan as well as any rezone policies in it;* and SMC 23.34.009(E): *"Particular attention shall be given to height recommendations in business district plans or neighborhood plans."* The applicant strains to portray some portions of the 1998 Eastlake Neighborhood Plan as seeming to support the proposed rezone. Yet the applicant fails to acknowledge the Neighborhood Plan's specific endorsement of the current zoning with its associated height and scale, and the Plan's opposition to rezones that would expand the height and scale of building projects.

The rezone application does not put into context its project's actual height, stating (p. 12, in response to the Neighborhood Plan's goal to "preserve the traditional diversity and scale of Eastlake development") that "the project was scaled so that the project has similar height and bulk of other structures and planned structures for Eastlake Avenue E." On the contrary, the project would have substantially greater height, bulk, and scale than most of the nearby buildings in existence or planned.

SMC 23.34.008(E). *Any rezone must include buffers to protect residential areas from the rezoned development.* As documented above, the current zoning was adopted in part for the express purpose of protecting the abutting residential areas from taller neighbors, and the proposed rezone would remove that protection.

The rezone criteria in the Land Use Code allows only the following to be "considered as buffers" that are required of a rezone:

- "natural features such as topographic breaks, lakes, rivers, streams, ravines, and shorelines"
- "freeways, expressways, other major traffic arterials, and railroad tracks"
- "distinct change in street layout and block orientation"
- "open space and green spaces"

The proposed project includes none of these buffers which the rezone criteria require. The rezone application erroneously states (p. 17; see also p. 29) that the alley to the west of the project "serves as a physical buffer" between the project and the nearby residences; and that such buffering is offered also by parking lots (pp. 17, 18). While SMC 23.34.008(E) does require that any rezone provide a buffer, please note that it does not allow an alley or a parking lot to serve as that buffer. In a similar error, on page 17 the application has an aerial photo with the caption, "Image Showing Buffers." Contrary to the caption, the photo contains none of the buffers that a rezone is required to have under the Land Use Code.

The rezone application acknowledges (p. 17) that there is no topographic change and therefore no topographic protection for properties to the north and south of the project. However, the rezone application attempts to argue that the downsloped topography provides a buffer between the project and the residences to its west. This might be true if the residences were above and the project were below them. But as the residences are **below** and the project is **above** them, the topography actually worsens the impact of the project on nearby residences by presenting them with a high and intrusive wall, exactly the wall that the City Council sought to prevent by adopting the current zoning.

Topography refutes the rezone application's statement at several points (e.g. p. 29n) that a 40 foot height in a residential building west of the alley can justify its own proposal for 40 feet. Yes, a building west of the alley can be 40 feet high, but because the applicant's property is on much higher ground, rezoning it to 40 feet high from the current 30 would grievously overshadow the building below. Because the applicant's site is topographically at a much higher altitude than a building west of the alley, the site's existing 30-foot zoned height is the appropriate neighbor to the lots downhill.

The lack of buffering between the proposed project and adjacent residences and special buildings is not only a fatal objection according to the rezone criteria in the Land Use Code. It also is a particular reason in the Land Use Code's locational criteria for why this property should continue to be classified as NC1 rather than being NC2. SMC 23.34.076(A)(3) states that a property should be zoned NC1 if there are no physical edges to buffer the residential areas. The rezone application attempts to overcome this objection (p. 35) by citing as buffers Eastlake Avenue, Boston St., and the alley. But as the rezone criteria make clear, Boston St. and the alley cannot be considered as the required buffers in a rezone.

Land Use Code does not allow this rezone to cause negative height impacts. The Land Use Code at SMC 23.34.009(C) requires that "Permitted height limits shall be compatible with the predominant height and scale of existing development." But the height increases proposed in the rezone proposal are not compatible with the predominant height and scale of existing development. The ten foot height increase is bad enough, but one must remember that the project's height would be increased further by allowances for peaked roofs, elevator and stairway penthouses, and HVACs.

The Land Use Code also requires at SMC 23.34.009(D)(2) that "A gradual transition in height and scale and level of activity between zones shall be provided unless physical buffers...are present." Given the lack of physical buffers from residential uses for any commercial uses built at 2203 and 2209 Eastlake Avenue, the current NC1-30 zoning was chosen in 1986 by the City Council as a means to respect the adjacent residences by zoning for lower height and scale than the NC2-40 that the Mayor had proposed.

Just as valid today among the reasons for rejecting NC2 in 1986 was and is the negative impact of tall buildings upon the residences downhill. The Land Use Code's rezone criteria reinforce this need with the requirement at SMC 23.34.009(B) that "Height limits shall reinforce the natural topography of the area and its surroundings, and the likelihood of view blockage shall be considered." The natural topography of this site and the likelihood of view blockage were why the current zoning was adopted. The negative impacts of the proposed rezone are intensified by the topography, and serious view blockage is certain if the rezone is granted—which it cannot be, because this blockage is not allowed from a rezone.

Negative impacts on the unique low buildings at adjacent corners. One of the reasons that ECC originally gave in its application for the corner to be zoned NC1, and the same reasons found in staff reports relied upon by the City Council in adopting that zoning, was to ensure a streetscape in which new buildings respect the small and special buildings at the adjoining SW and NE corners of the intersection of Eastlake Avenue and E. Boston Street. The current NC1 zoning was adopted explicitly to respect and sustain these architecturally and socially important small-scale corners--protections that would be lost if the NC1 zoning were to be replaced by the NC2 zoning that was rejected in 1986 in part to protect these corners.

The rezone application recognizes as "notable" and "with architectural character" the one-story brick Serafina building at 2043 Eastlake Avenue (SW corner) which is of local brick in a classic vernacular style that perfectly suits its corner; in its long history the building has housed a succession of retail shops and restaurants whose charm draws from its history and small scale.

The rezone application describes only as an "office building" the structure at 200 E. Boston Street (NE corner). As reported on the http://www.docomomo-wewa.org web site, it is actually three wood. stucco, and glass buildings (the first built in 1953, the others in 1961) by architect Gene Zema with a combination of Japanese and modern influences, and united by an outdoor atrium and rustic landscaping. The compound "hovers above the ground to minimize the impacts on the site," and has housed generations of designers, including Zema, with the oldest part also once having served also as an antiquities gallery.

It is unfortunate that the Nov. 26, 2014 correction notice requires an assessment of the architectural and historical merit only of a building on site that is proposed to be demolished. DPD should also require such an assessment of the unique low buildings at adjacent corners, as their protection was a major reason for adoption of the current zoning for the lot at 2203 Eastlake Ave.

Negative impacts on views and sunlight. Contrary to the rezone application's claims (p. 5) of benefits for sunlight onto Eastlake Avenue and for private and public views, the major increase in building height enabled by the rezone would block views and sunlight in public and private places in ways that cannot possibly be mitigated. The negative impacts on these views and sunlight from NC2-40 zoning were a reason why the City Council rejected such zoning in 1986 and adopted the NC1-30 zone that has been in place ever since. The rezone application acknowledges (p. 18) that "Shadowing on adjacent streets and buildings would increase with increasing height."

SMC 23.47A.012(A)(1) requires the DPD director to reduce or deny additional structure height "if the additional height would significantly block views from neighboring residential structures" toward a listing [at 23.47A.012(A)(1)(c)] of significant natural features, and in this case not just one but two are applicable: Lake Union and the Olympic Mountains. These views are protected whether they are from public or private viewpoints.

A further required view protection that the rezone application runs afoul of is from Eastlake Avenue itself. SMC 25.05.675 P (Seattle's SEPA ordinance) designates Eastlake Avenue as a scenic street. In combination with the Land Use Code's rezone provisions, it appears that the City is not permitted to allow a rezone in which public views from Eastlake Avenue would be blocked. The relevance of the protections for Eastlake Avenue as a scenic street was recognized in the public notices for design review of the project; these notices stated, "scenic view within 100 feet." Unfortunately, the public notice of

application for this project and its rezone do not mention anything about this scenic view protection; the notice should be reissued with this essential information.

In a March 25, 1985 ECC letter to the City Council, President Dan Reiss and Land Use Committee chair Carol Eychaner pointed out that "a 40 foot height, as recommended by the Mayor, may sound reasonable on paper, but in reality will yield a 68 foot high building on many Eastlake lots." And in a June 4, 1985 letter to the City Council, Carol Eychaner (by that time ECC President) pointed out that "many views on Eastlake are 'slot' views that...would be completely destroyed with NC zoning down the entire east or west side of Eastlake." On behalf of ECC she asked the City Council for L2 and NC1 zoning to "prevent the 'towering wall' from looming over smaller SF and MF structures to the west of Eastlake. Because there also exists the bank situation' at the alley between Eastlake and Yale East, this wall has the potential to become quite large."

It is fortunate that the City is requiring view blockage analyses which will show that the rezone height increase would block views and sunlight that people have now. But as view blockages are a fatal objection to a rezone, the City should not accept the rezone application's (pp. 13, 25) position that this view blockage is a plus because the project's green roof would be an enhancement of the Eastlake viewscape and thus a realization of the Eastlake Neighborhood Plan's goal to enhance viewscapes and view corridors.

Needless to say, the views and sunlight protected by SMC 23.34.008 are of distant natural features like Lake Union, the Olympic Mountains, and the sun—all well beyond the proposed project. There is nothing in the rezone provisions of the Land Use Code or in the Eastlake Neighborhood Plan that would classify a roof (or any other part of a building that blocks views or the sun) as an equivalent for or mitigation for the loss of view or sunlight access.

Proposed height bonus not consistent with Land Use Code. Under SMC 23.47A.012(A)(1), the developer seeks an additional four feet of additional height as a bonus for providing higher ceilings on the street floor. This request should be rejected for two reasons. First, in a separate request, the developer is seeking a departure from the current requirement that at least 80 percent of the Eastlake Avenue frontage be commercial space; if this request is granted, it will reduce the ability of the four foot additional height bonus to produce space that will be actually a commercial use. Second, SMC 23.47A.012(A)(1) requires the DPD director to reduce or deny additional structure height "if the additional height would significantly block views from neighboring residential structures" to a listing at 23.47A.012(A)(1)(c) of significant natural features, and in this case not only one but two are applicable: Lake Union and the Olympic Mountains. The view blockage is significant, and ECC believes that the Land Use Code does not allow DPD to grant the four foot height bonus in this case.

Rezone is not consistent Eastlake Neighborhood Plan, but a smaller project would be. In view of how dramatically the proposed rezone diverges from the Eastlake Neighborhood Plan, it is strange to be told in the application (p. 4) that the rezone "advances the neighborhood plan" and that (p. 2) the rezone is "consistent with" the plan. In fact, the Eastlake Neighborhood Plan discourages rezones and endorses the existing zoning as a means to keep new buildings from overwhelming the streetscape and existing buildings, especially small buildings with special character such as those on the adjacent corners to the proposed project. The Eastlake Neighborhood Plan has a primary goal of preserving the traditional diversity and scale of Eastlake development, whereas the project that would be enabled by the rezone would overpower Eastlake's traditional diversity and smaller scale.

To distract from these clear conflicts with the Eastlake Neighborhood Plan, the rezone application tries to argue that the project will serve the Plan in other ways. What the rezone application misses is that if the project were moderately downsized to be built within the existing zoning envelope it would contribute just as well to the goals of the Eastlake Neighborhood Plan, but also avoid the seriously negative ways that the rezoned project hamper the goals of the Plan.

The rezone application misrepresents the Eastlake Neighborhood Plan in important ways. It states (p. 26) that "The Neighborhood Plan does not provide specific height recommendations." But in fact, the Neighborhood Plan endorses the existing zone classifications of Eastlake land, including the height limits these classifications embody. The Neighborhood Plan is opposed to increases in height and scale such as those proposed in the rezone.

On pages 27 and 32, the applicant takes out of context to promote its rezone, the statement on page IV-17 of the Eastlake Neighborhood Plan that "the existing zoning tools would significantly compromise Eastlake's objectives, produce an inferior development, or restrict development more than intended." The correct context is not regarding building heights, but as to the respective locations for commercial and residential use. The Neighborhood Plan seeks to encourage commercial activity at selected nodes, with residential uses in between. The rezone application would actually break this pattern, placing commercial activity toward the middle of the block where the current zoning is for residential use.

The rezone application also confuses matters with claims (e.g., p. 3) that its project features cannot be achieved without a rezone. In fact, the good features claimed for the proposed project are achievable with a project built within the existing zoning envelope—features which include high-quality multi-family housing, a vibrant corner open space commingling resident and neighbor use, pedestrian and landscape amenities, and decks and floor to ceiling windows. All of these features are achievable without the rezone, plus the project would be without the negative impacts that the rezone would bring.

Design review process has been misused. The rezone application repeatedly tries to invoke support from the Design Review Board, but the Board did not and could not make a judgment about the rezone. While Design Review Boards can consider proposed departures from certain development standards, they have no jurisdiction to recommend rezones, and this Board had before it nothing about the history and reasons behind the current zoning.

DPD should not have allowed the applicant to present before the Design Review Board a design that presupposed a rezone. The Department should have insisted that the applicant present designs that stayed within the existing zoning envelope. Updates of the Comprehensive Plan and of neighborhood plans are the legitimate venues for rezones to be considered. The current application looks like an attempted "end run" to bypass these established processes, while misusing the Design Review Board to build momentum for getting the City Council to engage in spot zoning.

Comment deadline on the application must be extended until the public has had a chance to review the traffic and parking study. According to the application (p. 14), the rezone would allow the addition of "up to 18 more units than are allowed under the current zoning," for a total under the rezone of 45 units. These additional units will produce negative traffic and parking impacts significantly beyond those from a project that would be built within the existing zoning envelope. An original basis for the ECC request that led the City Council to adopt the current zoning was the "impact of traffic

added to alleys located between residential and business blocks." ECC expressed concern that the proposal for NC2 "would contribute to already serious parking problems."

The rezone application states (p. 19): "DPD did not request a traffic study as a result of the project." However, subsequently a DPD correction notice that was issued Nov. 26, 2014 instructed the applicant to submit a "traffic study that estimates the number of anticipated daily and peak hour trips likely to be generated by the proposed uses. This study should also outline parking demand." As this traffic and parking study was not even begun and certainly not available to the public prior to the Nov. 30 comment deadline, ECC asks that the comment deadline on the project and rezone application be extended until the traffic and parking study has been released and the public has had a meaningful opportunity to assess its relevance to the application. This is especially important because the applicant is seeking an "early review determination of nonsignificance," requiring that any objections to the DNS decision be raised during the application comment period. As traffic and parking impacts are among the most serious for a project of this kind, it is important for the comment period to be extended until public has a chance to review the traffic and parking study.

SMC 23.34.004(B) states that in a contract rezone, specific bulk or off-street parking and loading requirements may be waived. Although the applicant is not requesting a waiver for off-street parking or loading, the applicant is requesting design departures that are unrelated to parking or loading. According to SMC 23.24.004(B), such departures cannot be considered a part of the property use and development agreement (PUDA), because this portion of the Land Use Code lists only parking and loading waivers as being eligible for inclusion in the PUDA.

DPD should reopen the public comment period. Public notices and signs about this project have suffered from errors and omissions, denying the public basic information about what is being proposed. A series of notices and signs failed to even mention that the rezone was being proposed, and even the most recent ones fail to mention, as required, that the Eastlake Avenue scenic street adjoins the project.

ECC asks DPD to reopen the public comment period. DPD's Nov. 26 correction notice (mentioned above) is asking for important new information from the applicant that, once it is added to the file, will be absolutely essential for evaluating the rezone application. For example, specifically citing rezone criteria in SMC 23.34.008, the correction notice calls for detailed view blockage analyses that are not yet in the file. Also, the Nov. 26 correction notice calls for a traffic and parking study that will be important to evaluating the expanded development that the rezone would bring. A new comment period is particularly needed in view of DPD's announced intention to have the application comment period double as the comment period on its determination (premature in our view) deeming the project's environmental impacts not significant under the State Environmental Policy Act.

Other problems with the process. ECC does not believe that the rezone application is justified in the statement that "Barrientos has conducted and completed extensive outreach with the community." So far the outreach seems to have been selective and with what some have experienced as an overbearing, predetermined point of view.

Despite the long involvement of the Eastlake Community Council with civic action and zoning in the Eastlake neighborhood, the landowner has never contacted ECC, and Ms. Barrientos did not choose to contact ECC about this project (and then with no mention of the rezone) until Sept. 9, 2014, long after both had made up their minds to pursue a rezone. In a Nov. 1, 2014 letter to DPD commenting on the

project, an officer of the homeowners association at a nearby condominium describes her own experience with the applicant's "outreach":

> As a resident of the building most affected by the proposed development, I find it disconcerting that they reached out to one of my neighbors only after the second design guidance meeting had concluded (late July). At their August meeting with her, the developers requested time at an upcoming HOA meeting. Due to our meeting not scheduled to occur until early 2015, I agreed to meet with the developers on the HOA's behalf. During this conversation, they repeated what had been presented at the second EDG meeting I attended in July. When I had my turn to ask questions about the proposed development, J.P. Links became agitated and informed me we are trying to "stop a freight train." I left the conversation feeling as though they requested the meeting only to intimidate neighbors, instill fear that our concerns voiced to DPD would fall on deaf ears, and persuade us to not waste our time writing letters such as this.

Conclusion. The City should reject the proposed rezone, which is so far from meeting the Land Use Code's rezone criteria that it should not have been proposed—an apparent waste of time for the City staff, the Design Review board volunteers, the community, and the developer alike. The City should also reject the request for a bonus of four feet in additional height.

The Eastlake Community Council encourages the applicant to go back to the drawing board, redesigning the project so as not to require a rezone—that is, to build within the existing zoning envelope. The company has built quality projects in Eastlake and elsewhere, and is certainly capable of doing without a rezone yet making excellent use of the site. A vital and well-designed building can and should be built there—one that does not require a rezone.

This letter was authorized by unanimous vote of the Eastlake Community Council board of directors and a draft was subsequently circulated for their review and revision.

Sincerely,

Christopher K. Leman, President
Eastlake Community Council
info@eastlakeseattle.org
http://eastlakeseattle.org
(206) 322-5463

Herbaugh, Melinda

From: Eastlake Community Council <info@eastlakeseattle.org>
Sent: Thursday, December 04, 2014 3:05 AM
To: Sugimura, Diane; PRC
Subject: Attached is second letter commenting on MUP #3016024, 2203 Eastlake Avenue
Attachments: Eastlake Community Council letter detailing the case against rezone for project # 3016024 at 2203 Eastlake Avenue East.doc

To the Department of Planning and Development:

Please see the attached letter providing more detailed comments on #MUP #3016024, 2203 Eastlake Avenue..

Chris Leman, President
Eastlake Community Council
(206) 322-5463

PRC

From: King, Lindsay
Sent: Monday, January 05, 2015 3:53 PM
To: PRC
Subject: FW: Project number 3016024 Boston and Eastlake

From: Brian Ramey [mailto:brianramey@comcast.net]
Sent: Wednesday, December 31, 2014 1:39 PM
To: King, Lindsay
Subject: RE: Project number 3016024 Boston and Eastlake

Lindsay,
Thank you.
I thought it was appropriate to comment until a decision is made. However, we are not usually notified beforehand that a decision is about to be made. Any interested party should be spared the tedious routine of checking the PRC website for updates on a daily basis and should have the opportunity to review the file to see what was said by the developer and the City reviewers before parties of record comments are closed in a final way and a decision is made. Is there a provision for notifying parties of record that a decision is near to being published?

That said, we will monitor the public record and hope that all the documents are uploaded in a timely way prior to a decision being made so that we can comment on the entire record before a decision is made.

Please add Lake Union Neighborhood Council to the list of Parties of Record.

Brian Ramey
117 East Louisa Street, #187
Seattle, WA 98102
(206) 271-4744
brianramey@comcast.net
"Whether we and our politicians know it or not, Nature is party to all our deals and decisions, and she has more votes, a longer memory and a sterner sense of justice than we do." – Wendell Berry

From: King, Lindsay [mailto:Lindsay.King@seattle.gov]
Sent: Wednesday, December 31, 2014 12:46 PM
To: Brian Ramey
Subject: RE: Project number 3016024 Boston and Eastlake

Brian,

Thank you for your email. I will have you added to the project mailing list as requested. DPD accepts comments from the public throughout the review until the point DPD issues a Recommendation/Decision. Please feel free to submit comments at any point within the process.

Sincerely,

Lindsay King
Senior Land Use Planner

From: Brian Ramey [mailto:brianramey@comcast.net]
Sent: Wednesday, December 31, 2014 12:36 PM
To: King, Lindsay
Subject: Project number 3016024 Boston and Eastlake

Lindsay,

Please make me a party of record regarding this project.

I understand that today is the last day for public comment, however, it appears that not all the information requested by the City and the public has been answered. Therefore I reserve the right to comment on any additional information that is provide to the file in the future.

Why would the city cut off comment when not all the information requested has been responded to by the developer?

Even without the benefit of an analysis of view blockage, it seems that if the additional height requested by the developer should be denied and the City should adhere to the current zoning and density requirements for this site and deny any waiver from the current zoning and height limits requirements.

I will have more comments when the holidays are over.

Thank you,

Brian Ramey
117 East Louisa Street, #187
Seattle, WA 98102
(206) 271-4744
brianramey@comcast.net
"Whether we and our politicians know it or not, Nature is party to all our deals and decisions, and she has more votes, a longer memory and a sterner sense of justice than we do." – Wendell Berry

Lindsay King 9-10.

September 10th 2014

Lindsay King
Department of Planning and Development
700 Fifth Ave, Ste. 2000
Seattle, WA 98124

RECEIVED
SEP 2 2 2014
DEPT OF PLANNING
AND DEVELOPMENT

Re: Rezone Support Letter for Project 3016024 – 2203 & 2209 Eastlake Ave. East.

Dear Ms. King,

My name is Jisun Yi, a tenant at 2203 Eastlake Ave. E, Seattle. I am writing you in support of the proposed mixed-use 45 unit development on the corner of Eastlake and Boston project #3016024.

I believe this project is much needed to advance Eastlake community. Eastlake desperately need more service oriented retailers for the residents in the neighborhood. I have managed/owned my store since early 2010 and has familiarized myself with many of the residence in the neighborhood. Many voiced desires such service around the community.

Developer John Links has been a long time fixture in the neighborhood and many people speak highly of him. He has been a great landlord and has assisted in many positive changed that has been happening on the property.
He is committed to revitalizing the neighborhood which he also resides in, by providing an retail activity and an open-air atmosphere between sidewalks and commercial space thus, consistent with Seattle's overall plan to increase urban density in creating more residential spaces.

Sincerely,

Jisun Yi
Aloha Cleaners
2203 Eastlake Ave. East
Seattle, WA 98102

Sarah Armstrong
201 East Boston Street, Unit 3100
Seattle, WA 98102

November 5, 2014

Department of Planning and Development
Attn: Lindsay King
700 5th Avenue, Suite 2000
Seattle, WA 98104

Dear Lindsay,

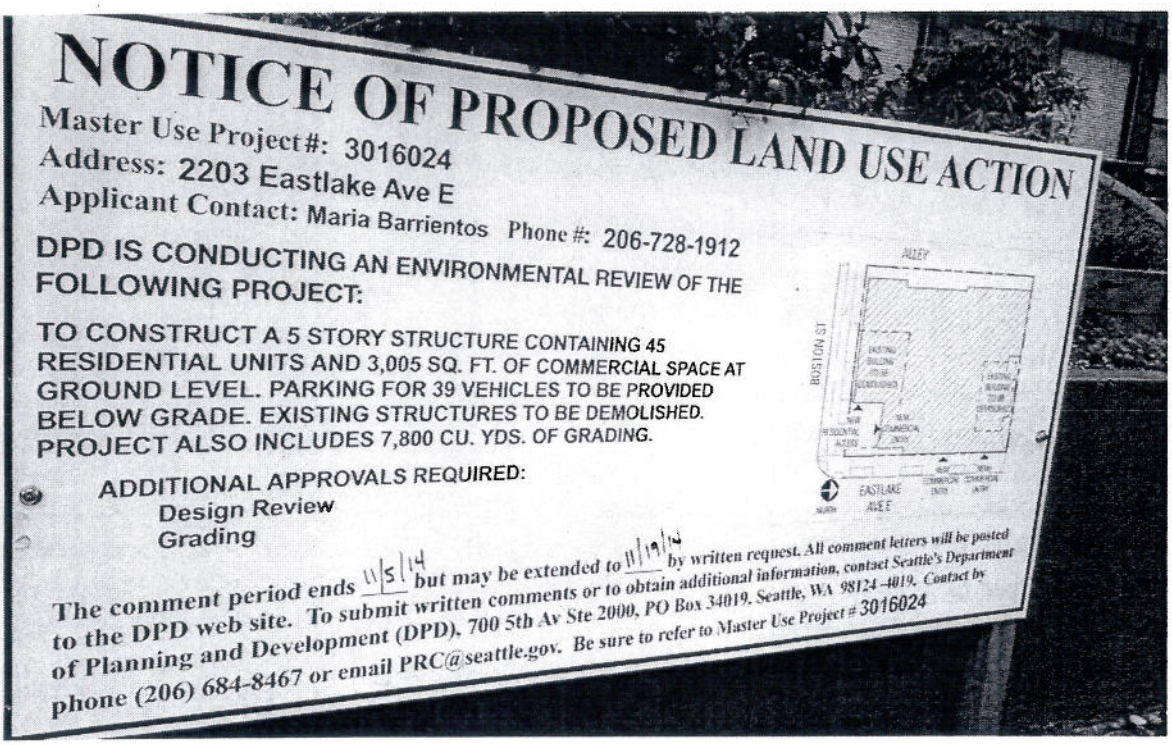
I walked past the proposed development site (Project 3016024) this morning and noticed that, on the last day of the comment period, the sign posted on the proposed development site still has not been updated to reflect that the parcels would require a contract rezone to increase the height of the building. DPD posted corrected sign language to the project's document library on October 20, but no updates have been made to the sign. As the sign exists today, how will the public know the proposed development does not conform to current zoning standards? The comment period should be reopened once the correct signage is posted.

I have included a photo taken this morning and a screenshot of the language that should appear on the sign during the public comment period.

Thank you,

Sarah Armstrong

Photo taken at 7:45am on November 5, 2014:



Corrected Large Sign Language Posted to DPD website on October 20, 2014:

NOTICE OF PROPOSED LAND USE ACTION

Master Use Project # 3016024
Address: 2203 Eastlake Ave E
Applicant Contact: Maria Barrientos Phone: 206-728-1912

DPD IS CONDUCTING AN ENVIRONMENTAL REVIEW OF THE FOLLOWING PROJECT:

TO CONSTRUCT A 5 STORY STRUCTURE CONTAINING 45 RESIDENTIAL UNITS AND 3,005 SQ. FT. OF COMMERCIAL SPACE AT GROUND LEVEL. PARKING FOR 39 VEHICLES TO BE PROVIDED BELOW GRADE. EXISTING STRUCTURES TO BE DEMOLISHED. PROJECT ALSO INCLUDES 7,800 CU. YDS. OF GRADING. COUNCIL LAND USE ACTION FOR A CONTRACT REZONE A PARCEL OF LAND FROM NC1P-30 AND LR2 RC TO NC2P40

ADDITIONAL APPROVALS REQUIRED:
Design Review
Grading

DEVELOPER TOLD ME RENT STARTS @ $2400/MO — OUTRAGEOUS!

RECEIVED
OCT 28 REC'D
BY:

XXXX

Herbaugh, Melinda

From: Ray Baalman <raybetsy@charter.net>
Sent: Wednesday, October 22, 2014 3:17 PM
To: PRC
Subject: Project #3016024 at 2203 Eastlake Avenue East

We strongly object to the zoning variance sought by the developers of project #3016024 in the Eastlake neighborhood. The current zoning regulations, developed after considerable study, limit the height of buildings to 30 feet. This zoning requirement has been respected up to now by builders and has helped create the attractive neighborhood Eastlake is. It permits many residents to have views of Lake Union and the Olympic mountains, an amenity that contributes significantly to the desirability of the properties and helps to sustain their values.

A number of undesirable effects will result from changing the zoning for this site to a NC2-P40:

1. The views from surrounding buildings will be marred, if not completely cut off. The 40-foot limit to the building (described in the land-use notice posted on the site as a 5-story complex) will actually permit an edifice that is 50 or 60 feet high once the elevator and other roof-top structures are in place.

2. Light to the street and surrounding landscaping will be reduced, pointing the way to eventual "tunnels" down Eastlake Avenue, which would destroy the attractive boulevard-like street it is currently.

3. Such a variance will set a precedent for other 40- to 60-foot structures all along Eastlake and its surrounding streets, and may well encourage future developers to ask for further variances allowing even higher designs. It may be hard not to justify such requests once this precedent is set.

There is no reason why the developer cannot build on this site and still conform to the current zoning regulations.

We believe that the developer should be required to build within the current zoning regulations and keep project #3016024 at a height of 30 feet. This will preserve the water and mountain views of the project's neighbors and will help maintain the Eastlake neighborhood's unique and desirable character.

Ray & Betsy Baalman
201 East Boston #3200

Herbaugh, Melinda

From:	Gabriel Grant <gabrielfgrant@gmail.com>
Sent:	Friday, October 24, 2014 12:22 PM
To:	PRC
Subject:	Seattle Dept of Planning & Development Notice of Application #3016024 - October 23, 2014
Attachments:	3016024.pdf

To whom it may concern,
I am a neighbor of the above referenced project (my wife and live just down the block).
I am in full support of the Land Use Action to rezone a parcel of land to NC 2P 40'. The development team does excellent work and we need more residential density in the neighborhood, which will bring with it better retail and a more urban feel, which is appropriate for a neighborhood that is so close to downtown.

Gabriel Grant
2004 Yale Ave E.
Seattle, WA 98102

---------- Forwarded message ----------
From: **Gonzales Cunneutubby, Reta** <Reta.Gonzales@seattle.gov>
Date: Thu, Oct 23, 2014 at 1:21 PM
Subject: Seattle Dept of Planning & Development Notice of Application #3016024 - October 23, 2014
To: "Gonzales Cunneutubby, Reta" <Reta.Gonzales@seattle.gov>

Please see attached Notice of Application published on **October 23, 2014.**

RETA GONZALES-CUNNEUTUBBY

Administrative Specialist III

Seattle Department of Planning & Development

Public Resource Center

700 Fifth Avenue, Suite 2000

PO Box 34019

Seattle, WA 98124-4019

206-727-8525 (Tel)

reta.gonzales@seattle.gov

22 October 2014

Re: Project #3016024 at 2203 Eastlake Ave E, Seattle 98102

Dear Planners,

The variance from NC1-P30/LR2 RC to NC2-P40 requested in the proposal for the aforementioned project threatens both to obscure views from existing buildings that were constructed in accordance with current zoning and, moreover, to mar public vistas in the Eastlake neighborhood.

The proposed 5-story building – even taller when roof features like elevator shafts are taken into account – will rise far above the 30 foot limit presently permitted for this corner property. In doing so, it will be entirely out of scale with the historic Gene Zema house directly across Eastlake Ave and with the Serafina building, so beloved for its graceful proportions, directly across E Boston St.

Development at the proposed height will darken Eastlake Avenue itself by blocking westerly sunlight. At the same time, it will deprive the public of views of the Olympic Mountains and Lake Union now afforded by the intersection of Eastlake Ave E and E Boston St. These are the very vantages for which this parcel is designated as having a "scenic view within 100 feet" and on which our neighborhood plan, adopted by the City Council, places a premium. The present zoning of this parcel maintains a modicum of open visual space in an otherwise closely confined neighborhood.

Of the many alarming aspects to the proposal in its present form – inadequate parking (only 39 spaces for 45 apartments and over 3000 square feet of commercial space) in an area already pressed for available parking and imperiled by transit cuts; a knock-on effect on alley and side street congestion; the addition of that same commercial space to an avenue with more than its share of commercial vacancies – the most problematic by far is the variance in zoning.

Zoning exists for a reason. Neighborhood plans are drafted for a purpose. Granting a variance to rezone this property flies unreasonably in the face of such plans and risks setting a precedent for future developments to push even further against zoning restrictions that were honored by existing buildings and have been of benefit to the public at large.

Please add these comments to the official record and consider extending the period for comment due to the land use action sign having been moved after its initial installation.

Concerned,
Stephan Namisnak
President, East Boston St. Condo Assoc.
201 E Boston St, #1100
Seattle WA 98102

Cc: Mayor's Office, Offices of Tim Burgess and Sally Bagshaw, ECC, EBSCA

Camacho, Rodolfo

From: Sarah Armstrong <sarah.armstrong@gmail.com>
Sent: Saturday, November 01, 2014 6:03 PM
To: PRC; King, Lindsay
Cc: ebsca@yahoogroups.com
Subject: Public Comments re: Project 3016024
Attachments: Armstrong_-_Public_Comments_for_DPD_Environmental_Review_Project_3016024_Final.pdf

Lindsay,

I have attached my comments regarding Project 3016024 to this email.

Thank you,

Sarah Armstrong
Treasurer, East Boston Street Condo Association
201 E Boston St Apt 3100
Seattle, WA 98102

cc: East Boston Street Condo Association

Sarah Armstrong
201 East Boston Street, Unit 3100
Seattle, WA 98102

November 1, 2014

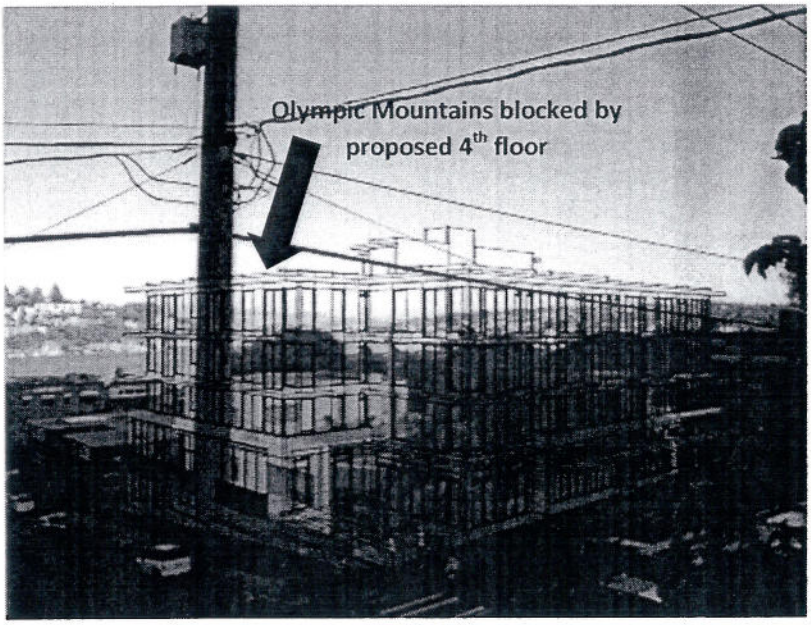
Department of Planning and Development
Attn: Lindsay King
700 5th Avenue, Suite 2000
Seattle, WA 98104

Dear Lindsay,

Thank you for the opportunity to provide comments regarding the contract rezone requested for the proposed development at 2203 Eastlake Avenue East (Project 3016024).

In September 2013, I bought a condo to the southeast of the proposed development. The current zoning of the proposed development site preserves my view of the Olympic Mountains and Lake Union because it limits new construction to 30 feet. I write today in good faith that the City of Seattle will honor zoning that exists to protect property owners from proposed developments that destroy both the personal enjoyment of their homes and financial value of their investments.

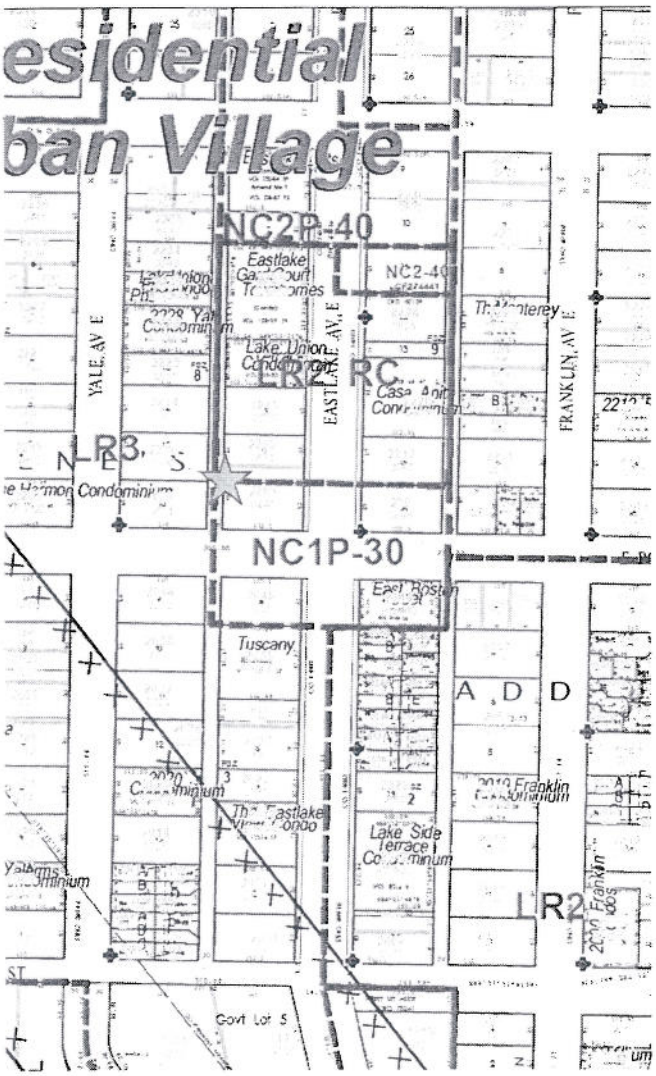
The developer provided the following rendering of the proposed building. While I took this photo from my patio, this view can also be seen from my kitchen, living room, dining room, and both bedrooms. What makes my home unique, and what yields an increased appraised value for both tax purposes and potential resale, is this view of Lake Union and the Olympic Mountains. Pages 5 and 25 of the developer's rezone application allude to the preservation of views from neighboring buildings; the picture below clearly shows that the fourth floor in the current design *completely obstructs any view* of the lake or mountains from East Boston Street Condos. The Lake Union view that does remain would never be in danger of obstruction by any construction on this property.



Talking Points and Questions:

- **I oppose granting a contract rezone that would up-zone both parcels to NC2P-40**, allowing for building height of 40 feet, which in actuality becomes nearly 60 feet after four bonus feet granted for ground-floor commercial space and elevator shaft heights are added.
- **I support development of the property in accordance with current zoning** that limits building height to 30 feet (LR2-RC at 2209 Eastlake Avenue East and NC1P-30 at 2203 Eastlake Avenue East). Maintenance of current zoning honors and abides by Seattle Municipal Code subsection 23.47A.012.A.1 which states, "The Director shall reduce or deny the additional structure height allowed by this subsection 23.47A.012.A.1 if the additional height would significantly block views from neighboring residential structures of any of the following: Mount Rainier, the **Olympic and Cascade Mountains**, the downtown skyline, Green Lake, Puget Sound, Lake Washington, **Lake Union**, or the Ship Canal."
- **The zoning criteria do not support this rezone being approved.**
    - Seattle Municipal Code 23.34.008 requires a match between the zone criteria and area characteristics.
        - The location of this proposed rezone does not support a rezone allowing construction up to 40 feet due to inadequate roads and traffic management and the surrounding low rise zoning which is incompatible with 40 foot tall structures.
        - The rezone would be a more intensive use than anticipated and planned for currently that is not compatible with the immediately surrounding properties.
        - The proposal is not consistent with the Eastlake Neighborhood plan that has multiple policies for views and height limits.
        - The proposed project/rezone leaves no room for buffering adjacent properties to lessen impacts. **Question: is there an impact analysis?**
    - 23.34.009 speaks to height limits for rezones in commercial zones which is in addition to the general criteria of 23.34.008. This section requires "view blockage to be considered," that the existing height limits of current zoning on other properties in the area be considered, and most importantly that the there is a "gradual transition of height and scale" from the property to adjacent lower intensity properties. This section states that established neighborhood plans are given weight in approval of height rezones and this project is inconsistent with the policies in the Eastlake neighborhood plan.
- **A building constructed *in accordance with current zoning* will help to revitalize the Eastlake commercial corridor and benefit the local residents** by providing 1) increased amenities, 2) new commercial space for existing and future businesses, and 3) new housing within the Eastlake residential urban village. The building does not need a fourth floor to accomplish this, as the developer purports on pages 2 and 3 of the rezone application.
- **A review of the zoning map (below) shows a concerted effort to "step" the zoning down in height from Lynn to Boston Street.** The proposed rezone effectively extends the Eastlake "downtown" area south to streets like Boston and Newton that have limited to no connection and that are in serious disrepair as a form of traffic calming.
    - On the corners adjacent to the Eastlake Lofts referenced in the rezone application, you find bars and restaurants, an office building, and a bustling convenience store. A four-way stoplight controls traffic at the intersection of two wide, recently paved streets.
    - Adjacent to the proposed development, you find two quaint restaurants, a home that looks to have been converted to an office, and my condo building. An on-demand stoplight turns red

only when pedestrians press the crosswalk button. Few cars venture up narrow, cobblestoned Boston Street.



- **I would support rezoning the parcel at 2209 Eastlake Avenue East to NC1P-30** to enable the construction of a 30 foot building that permits both commercial and residential development.
- **I would support the reduction of required parking spaces in the building if it meant the building would be limited to 30 feet and three stories.** My understanding is that the height of the building and units on the fourth floor are needed to support the cost of providing parking required by the City.

My personal experience with the developers' voluntary reach-out efforts mentioned on page 4 of the rezone application warrants a few words. As a resident of the building most affected by the proposed development, I find it disconcerting that they reached out to one of my neighbors only after the second design guidance meeting had concluded (late July). At their August meeting with her, the developers requested time at an upcoming HOA meeting. Due to our next meeting not scheduled to occur until early 2015, I agreed to meet with the developers on the HOA's behalf. During this conversation, they repeated what had been presented at the

second EDG meeting I attended in July. When I had my turn to ask questions about the proposed development, JP Links became agitated and informed me we are trying to "stop a freight train." I left the conversation feeling as though they requested the meeting only to intimidate neighbors, instill fear that our concerns voiced to DPD would fall on deaf ears, and persuade us to not waste our time writing letters such as this.

I love my city, I hope to enjoy my home and its view of the Olympic Mountains for years to come, and *I have faith in the process*. I look forward to a continued conversation about the proposed changes to the Eastlake neighborhood I am proud to call home.

Thank you,

Sarah Armstrong

Seattle Municipal Code References

23.34.008 General rezone criteria.

A. To be approved a rezone shall meet the following standards:

1. In urban centers and urban villages the zoned capacity for the center or village taken as a whole shall be no less than one hundred twenty-five percent (125%) of the growth targets adopted in the Comprehensive Plan for that center or village.

2. For the area within the urban village boundary of hub urban villages and for residential urban villages taken as a whole the zoned capacity shall not be less than the densities established in the Urban Village Element of the Comprehensive Plan.

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.**

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

D. Neighborhood Plans.

1. For the purposes of this title, the effect of a neighborhood plan, adopted or amended by the City Council after January 1, 1995, shall be as expressly established by the City Council for each such neighborhood plan.

2. **Council adopted neighborhood plans that apply to the area proposed for rezone shall be taken into consideration.**

3. Where a neighborhood plan adopted or amended by the City Council after January 1, 1995 establishes policies expressly adopted for the purpose of guiding future rezones, but does not provide for rezones of particular sites or areas, rezones shall be in conformance with the rezone policies of such neighborhood plan.

4. If it is intended that rezones of particular sites or areas identified in a Council adopted neighborhood plan are to be required, then the rezones shall be approved simultaneously with the approval of the pertinent parts of the neighborhood 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:

(1) **Physical buffers as described in subsection E2 above;**

(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.

4. In general, height limits greater than forty (40) feet should be limited to urban villages. Height limits greater than forty (40) feet may be considered outside of urban villages where higher height limits would be consistent with an adopted neighborhood plan, a major institution's adopted master plan, or where the designation would be consistent with the existing built character of the area.

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;

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;

f. Shoreline navigation.

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.

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

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

J. Incentive Provisions. If the area is located in a zone with an incentive zoning suffix a rezone shall be approved only if one of the following conditions are met:

1. The rezone includes incentive zoning provisions that would authorize the provision of affordable housing equal to or greater than the amount of affordable housing authorized by the existing zone; or

2. If the rezone does not include incentive zoning provisions that would authorize the provision of affordable housing equal to or greater than the amount of affordable housing authorized by the existing zone, an adopted City housing policy or comprehensive plan provision identifies the area as not a priority area for affordable housing, or as having an adequate existing supply of affordable housing in the immediate vicinity of the area being rezoned.

23.34.009 Height limits of the proposed rezone.

Where a decision to designate height limits in 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:

A. Function of the Zone. **Height limits shall be consistent with the type and scale of development intended for each zone classification.** The demand for permitted goods and services and the potential for displacement of preferred uses shall be considered.

B. Topography of the Area and its Surroundings. **Height limits shall reinforce the natural topography of the area and its surroundings, and the likelihood of view blockage shall be considered.**

C. Height and Scale of the Area.

1. **The height limits established by current zoning in the area shall be given consideration.**

2. **In general, permitted height limits shall be compatible with the predominant height and scale of existing development**, particularly where existing develppment is a good measure of the area's overall development potential.

D. Compatibility with Surrounding Area.

1. **Height limits for an area shall be compatible with actual and zoned heights in surrounding areas** excluding buildings developed under Major Institution height limits; height limits permitted by the underlying zone, rather than heights permitted by the Major Institution designation, shall be used for the rezone analysis.

2. **A gradual transition in height and scale and level of activity between zones** shall be provided unless major physical buffers, as described in Subsection 23.34.008 D2, are present.

E. Neighborhood Plans.

1. **Particular attention shall be given to height recommendations in business district plans or neighborhood plans adopted by the City Council subsequent to the adoption of the 1985 Land Use Map.**

2. Neighborhood plans adopted or amended by the City Council after January 1, 1995 may require height limits different than those that would otherwise be established pursuant to the provisions of this section and Section 23.34.008.

Herbaugh, Melinda

From: King, Lindsay
Sent: Friday, November 21, 2014 9:54 AM
To: Stephan Namisnak; Minnerly, Denise; PRC; Eastlake Neighbor; Sarah Armstrong; Sandra Wheeler; Charles Wheeler; Ray Baalman
Subject: RE: Notice of Revised Application - 3016024

Stephan,

Thank you for your email. I have contacted our noticing team regarding your question and concern. Enclosed is their response:

Hi Lindsay:

FYI – when we enter projects for the LUIB ... the zone information downloads from Hansen. Not sure why it showed Scenic View on the first few notices but didn't show it on ones after. Just thought I would let you know that for when you respond to her e-mail below. Thanks, Lindsay! Enjoy your day!

Denise R. Minnerly
Administrative Specialist III
Public Resource Center - DPD
206-386-0098

I will say that the presence of a SEPA scenic street will be considered within my review.

I hope this helps answer your question.

Sincerely,

Lindsay King
Senior Land Use Planner

From: Stephan Namisnak [mailto:thecolonelschicken@yahoo.com]
Sent: Thursday, November 20, 2014 3:48 PM
To: Minnerly, Denise; King, Lindsay; PRC; Eastlake Neighbor; Sarah Armstrong; Sandra Wheeler; Charles Wheeler; Ray Baalman
Subject: Re: Notice of Revised Application - 3016024

Mrs. King,

when the first notices for Early Design Review of this proposed development were posted last May, they included the designation "scenic view within 100 feet". This pertinent piece of information subsequently seems to have disappeared from mailings, emailings and signs regarding the proposal. Such a significant omission invites confusion about what is at stake at this site and in consequence creates a hindrance to informed public comment.

Clarification of this matter would be welcome. I look forward to your reply.

thank you,
Stephan Namisnak

From: "Minnerly, Denise" <Denise.Minnerly@seattle.gov>
To: "Minnerly, Denise" <Denise.Minnerly@seattle.gov>
Sent: Monday, November 17, 2014 7:47 AM
Subject: Notice of Revised Application - 3016024

This revised notice of application is being sent as you either submitted comments or requested to be a party of record.

Please direct any comments to the planner listed on the notice.

Herbaugh, Melinda

From: Tony Veliz <Tony.Veliz@windermeremortgage.com>
Sent: Thursday, November 20, 2014 2:13 PM
To: PRC
Subject: project # 3016024-- Lindsay King, 22nd Floor

Hello. I live at 2028B Eastlake Ave E, 98102. About a block from the proposed demolition and subsequent construction of a 5 story structure, 45 units, project # 3016024

My questions are –

What is estimated date of completion of project?
Is commercial space leased already and if so what type of businesses ?
Is it the Eastlake Inn and the former spa and beauty salon both to torn down?

My concern is that the project will affect the busy traffic on Eastlake Ave E. Please make sure plenty of well-lit signs are provided to warn and stop traffic that speeds up to 40 miles an hour during rush hour.

Tony Veliz | NMLS ID# 754597
Branch Manager/Mortgage Consultant
WMS Series LLC/Oak Tree
311 N 85th Street | Seattle, WA 98103
Phone 206.528.3787 | **Fax** 206.528.3785 | **Cell** 206.261.1196

Windermere
MORTGAGE SERVICES
WA-CL 713524

Apply online for a free preapproval!

CONFIDENTIALITY NOTICE: The information in this message may be proprietary and/or confidential, and is intended only for the use of the individual(s) to whom this email is addressed. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to this email and deleting this email from your computer. Nothing contained in this email or any attachment shall satisfy the requirements for contract formation or constitute an electronic signature.

Herbaugh, Melinda

From: Stephan Namisnak <thecolonelschicken@yahoo.com>

Sent: Wednesday, November 05, 2014 9:32 PM
To: PRC
Cc: Murray, Ed; Burgess, Tim; Bagshaw, Sally; Eastlake Neighbor; King, Lindsay
Subject: Project #3016024 Environmental Impact
Attachments: Enivironmental Impact.docx

Re: Project #3016024 at 2203 Eastlake Ave E, Seattle 98102

5 November 2014

Dear Planners and Councilors,

Members of our Homeowner's Association have previously written you regarding individual concerns about various aspects of the aforementioned development. I now write to convey our shared concerns about the environmental impact to the neighborhood of the project as currently proposed.

A 5-story building on a corner lot without any significant setbacks for the upper floors will dim the daylight that presently reaches Eastlake by blocking the avenue's existing Western exposure. Such a building will also reflect street noise, making an already loud corridor still louder. With fewer parking spaces than residential units (only 39 spaces proposed for 45 units), residents and their visitors along with the employees and customers of the building's commercial spaces will add to traffic on the thoroughfare as well as congestion on side streets and in alleyways when looking for places to park. Such cruising for parking pollutes air quality. Water pollution is also at issue: intended removal of mature trees and the proposed replacement of much present landscaping with hardscape poses a threat to Lake Union itself by eliminating natural barriers to storm water run-off.

With these concerns in mind, we hope that the Planning Commission and City Council will review the environmental impact of this proposal with careful consideration.

Sincerely,
Stephan Namisnak
President, EBSCA

RECEIVED
NOV 3 4 REC'D
BY:

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

STOP THIS PROJECT

If you wish to file written comments and/or receive a notice of the decision, please return this completed form with any written comments you have to: Seattle Department of Planning and Development, 700 5th Ave Ste 2000, PO Box 34019, Seattle, Washington 98124-4019 or e-mail PRC@seattle.gov

Name: TOM ARDAVANY Project #3016024 – Lindsay King, 22nd Fl

Address: 2203 YALE E #103

SEATTLE WA Zip: 98102

Email Address: AIRDYTOMAS@YAHOO.COM

Comment: STOP ~~REZONE~~ RE-ZONING FOR TALLER BUILDINGS!

I LIVE ONE BLOCK AWAY FROM THIS PROJECT

I ALREADY LOST A VIEW AND MY BUILDING IS 3 STORIES! THE SKY IS DISAPPEARING! WE LIVE IN A CANYON OF BUILDINGS IN EASTLAKE!

I DISCUSSED THE RENT OF THESE UNITS WITH THE DEVELOPER: $2400/MO IS OUTRAGEOUS AND DOES NOTHING TO HELP LOW INCOME + HOMELESS PEOPLE IN THE CITY – TAX BREAKS FOR THE RICH! CORPORATE WELFARE! WHERE ARE YOUR MORALS?

Camacho, Rodolfo

From: Eastlake Community Council <info@eastlakeseattle.org>
Sent: Monday, December 01, 2014 12:06 AM
To: Sugimura, Diane; PRC
Subject: Please see attached letter commenting on MUP #3016024, 2203 Eastlake Avenue
Attachments: Eastlake Community Council letter opposing rezone for project #3016024 at 2203 Eastlake Avenue East.doc

To the Department of Planning and Development:

Please see attached letter commenting on MUP #3016024, 2203 Eastlake Avenue; it will soon be followed up by a more detailed letter.

Chris Leman, President
Eastlake Community Council
(206) 322-5463

EASTLAKE COMMUNITY COUNCIL

117 E. Louisa St. #1
Seattle, WA 98102-3278

November 30, 2014

Director, Dept. of Planning and Development
701 Fifth Avenue, #2000
PO Box 34019
Seattle, WA 98124-4019

Public Resource Center
701 Fifth Avenue
PO Box 34019
Seattle, WA 98124-4019

RE: REZONE FOR PROJECT PROPOSED AT 2203 EASTLAKE AVENUE (MUP # 3016024)

To the DPD director and others responsible for review and action on project applications:

The Eastlake Community Council is opposed to the proposed rezone for the project proposed at 2203 Eastlake Avenue East (MUP #3016024).

Our reasons for opposing this rezone are included in a more detailed letter to be sent in the early morning of Dec. 1.

Sincerely,

Chris Leman

Christopher K. Leman, President
Eastlake Community Council
info@eastlakeseattle.org
http://eastlakeseattle.org
(206) 322-5463

Camacho, Rodolfo

From: SCOTT BRENNAN <scottmbrennan@msn.com>
Sent: Friday, November 28, 2014 1:20 PM
To: PRC
Subject: Project - 3016024

Area - Downtown/Central
Address - 2203 Eastlake Ave E
Project - 3016024
Zone - Lowrise - 2

Attention: Maria Brrientos and Lindsay King

Comments:
The project is proposing to construct a 5 story structure containing 45 residential units and 3005 sq ft of commercial space plus 39 vehicle parking spots below grade. Eastlake has long been a community of small business and residents who have worked hard to build a tight night community. Allowing for a 5 story building will dramatically change the skyline and look and feel of the surrounding area. The majority of buildings are either 1, 2 or 3 story. There was a 4 story building constructed near Eastlake and Lynn which remains a monstrosity in the neighborhood. Adding a 5 story building will only further diminish the beauty of this area. Furthermore, for those residents who maintain a lower profile building, these taller buildings block views of downtown and lake union. It is not fair to the existing residents.

Please do no allow this project to proceed with any structure larger than 3 stories. Development is crucial to ensure neighborhoods remain fresh and alive, but allowing developers to damage our neighborhood for their own personal gain impersonalizes what we have strove to create.

Best Regards

Scott Brennan
2228 Eastlake Ave East Apt 6
Seattle, WA 98102

Sent from my iPad

December 16, 2014

Lindsay King
Department of Planning and Development
700 Fifth Ave, Ste. 2000
Seattle, WA 98124

RECEIVED
DEC 18 REC'D
BY:

Re: Rezone Support Letter for Project 3016024
2203 & 2209 Eastlake Avenue East

Dear Ms. King,

This letter is in support of the above-referenced proposed development.

I have worked in the Eastlake neighborhood for the past 18+ years in an office building located at 2810 Eastlake Avenue East. During this period many new mixed-use buildings have been constructed. They have helped revitalize the neighborhood; providing more housing which in turn helps support more retail. There is no question that people today want to live within walking distance of shops, restaurants and entertainment.

I believe this new development will be very positive for the Eastlake community. The developer, John Links, has a well-deserved reputation for building first-class buildings with high quality architecture. John lives in Eastlake and has owned property there dating back to 1974. I know because I was the real estate broker who handled that transaction.

DPD is probably receiving some heat from the community about increasing the height limit here to 40 feet. As you no doubt know, significant portions of Capitol Hill, Lower Queen Anne, Belltown and South Lake Union have height limits of 65 feet and even 85 feet.

The Eastlake neighborhood lies between the University of Washington and South Lake Union. The community should welcome new development built to a 40-foot scale. Eventually there will be pressure for 60 or 65-foot height limits. Wherever they are built, today's 40-foot buildings will ensure low-rise development that will be in place for the next 100 years.

Sincerely,

Mike Marinella

Mike Marinella
(206) 949-5178

Peli, Michael

From: King, Lindsay
Sent: Monday, January 12, 2015 10:20 AM
To: PRC
Subject: FW: Eastlake Rezone

From: Peter Hiatt [mailto:peterhiatt@westlakeassociates.com]
Sent: Saturday, January 10, 2015 3:43 PM
To: King, Lindsay
Subject: Eastlake Rezone

Dear Ms. King,

I am writing in support of the proposed mixed-use, 45-unit development on the corner of Boston Street and Eastlake Ave at 2203 and 2209 Eastlake Ave E – DPD Project # 3016024. I also support the proposed rezone of the project to NC1P-40. The rezone is necessary to make the project a reality.

The project as proposed advances the Eastlake community's goals, vision and neighborhood plan. I have worked in the Eastlake Neighborhood for many years and am happy with the growth that is happening in the area.

I look forward to more high-quality retail and commercial space and expect the project's planned streetscape will contribute to the revitalization of the Eastlake corridor.

It is my understanding that the developer, John Links has addressed neighborhood concerns through the Early Design Guidance process and prepared the project accordingly. I am familiar with some of John's other development projects and I think he generally does a good job.

As a commercial business owner, I believe that the proposed development at 2203/2209 Eastlake Ave East will benefit the Eastlake neighborhood. The project is contingent on the pending contract rezone to an NC1P-40 and I strongly urge the city of Seattle to approve the rezone so that the project can become a reality.

Regards,

Peter Hiatt
Designated Broker

WESTLAKE
ASSOCIATES, INC.

1200 Westlake Ave N, Suite 310, Seattle, WA 98109
P 206.505.9408 | F 206.505.9439 | DF 206-971-5036
westlakeassociates.com

Peli, Michael

From: King, Lindsay
Sent: Monday, December 08, 2014 1:14 PM
To: PRC
Cc: Rush, Josy
Subject: FW: Project #: 3016024 2203 Eastlake Avenue E

From: Sandra [mailto:sandracwheeler@gmail.com]
Sent: Tuesday, September 16, 2014 4:52 PM
To: King, Lindsay
Subject: Project #: 3016024 2203 Eastlake Avenue E

From: Sandra [mailto:sandracwheeler@gmail.com]
Sent: Tuesday, September 16, 2014 3:05 PM
To: Lindsay King
Subject: Project #: 3016024 2203 Eastlake Avenue E

September 16, 2014

Dear Ms. King:

The purpose of this e-mail is to submit an objection for the record about the construction of the a new building on 2203 Eastlake Avenue E.

My main concern is the proposed height of the building. This corner is currently zoned NC1-P30. The developer is asking for a rezone to NC2-P40 . This change is unnecessary and unacceptable. Below are my concerns about granting a zoning change for this project:

- In reality, the proposed building would be more than 40', more like 50'-60', with the rooftop components (stairwells, elevator shaft, parapets, etc.). A building of this size significantly changes the neighborhood and the look of the community. The neighborhood buildings respected with current zone regulations thus they are appropriately sized and fit nicely in with the community.
- While I recognize that residents are not entitled to a view of Lake Union, those of us who elected to reside here did so because of Lake Union. This proposed 40'+ building would be a major obstruction to a view of Lake Union and its surroundings.
- Once an exception to the current zoning rules is granted, other developers will be lining up to request similar re-zone changes. The current zoning regulations were instituted after comprehensive community study and should continue to be respected unless there is another comprehensive study to allow zoning changes.

Thank you,
Sandra Wheeler
201 E Boston St. #2200
Seattle, WA 98102
301.247.1728

Peli, Michael

From: King, Lindsay
Sent: Monday, December 08, 2014 1:13 PM
To: PRC
Subject: FW: Building Project #3016024

From: Ray Baalman [mailto:raybetsy@charter.net]
Sent: Saturday, October 18, 2014 3:16 PM
To: King, Lindsay; Clark, Sally; Burgess, Tim; Rasmussen, Tom; Godden, Jean; Sawant, Kshama; O'Brien, Mike; Harrell, Bruce; Licata, Nick
Subject: Building Project #3016024

We strongly object to the zoning variance sought by the developers of project #3016024 in the Eastlake neighborhood. The current zoning regulations, developed after considerable study, limit the height of buildings to 30 feet. This zoning requirement has been respected up to now by builders and has helped create the attractive neighborhood Eastlake is. It permits many residents to have views of Lake Union and the Olympic mountains, an amenity that contributes significantly to the desirability of the properties and helps to sustain their values.

A number of undesirable effects will result from changing the zoning for this site to a NC2-P40:

1. The views from surrounding buildings will be marred, if not completely cut off. The 40-foot limit to the building (described in the land-use notice posted on the site as a 5-story complex) will actually permit an edifice that is 50 or 60 feet high once the elevator and other roof-top structures are in place.

2. Light to the street and surrounding landscaping will be reduced, pointing the way to eventual "tunnels" down Eastlake Avenue, which would destroy the attractive boulevard-like street it is currently.

3. Such a variance will set a precedent for other 40- to 60-foot structures all along Eastlake and its surrounding streets, and may well encourage future developers to ask for further variances allowing even higher designs. It may be hard not to justify such requests once this precedent is set.

There is no reason why the developer cannot build on this site and still conform to the current zoning regulations.

We believe that the developer should be required to build within the current zoning regulations and keep project #3016024 at a height of 30 feet. This will preserve the water and mountain views of the project's neighbors and will help maintain the Eastlake neighborhood's unique and desirable character.

Ray & Betsy Baalman

Camacho, Rodolfo

From: Jack Walters <original903@hotmail.com>
Sent: Thursday, December 11, 2014 4:47 PM
To: PRC
Subject: Project #3016024

To whom it may concern:

With regard to the proposed rezone, I have no objection to the project per se. However, I believe the developer should be required to provide more parking within the new building.

The project includes 45 residential units with parking for 39 vehicles. Based on my 20 years of living in the Eastlake neighborhood, that's not sufficient. Please consider upping the number of parking spaces to 60.

On-street parking in Eastlake has been squeezed these last few years. And this project would sit directly across the street from a popular restaurant (Serafina/Cicchetti) whose customers use a lot of street parking.

Again, please consider requiring 60 parking spaces within the new structure.

Jack Walters
2037 Yale Ave E
Seattle WA 98102

Camacho, Rodolfo

From:	Stephan Namisnak <thecolonelschicken@yahoo.com>
Sent:	Saturday, December 27, 2014 6:44 PM
To:	King, Lindsay
Cc:	PRC; Rush, Josy
Subject:	Request to extend comment period for Project #3016024
Attachments:	DPD 12 27 14.pdf

Re: Project #3016024 at 2203 Eastlake Ave E, Seattle 98102

27 December 2014

Lindsay King, Planner
Dept. of Planning and Development
PO Box 34019
Seattle WA 98124

Ms. King,

The public comment period for the project referenced above closes 31 December 2014 despite critical preparatory studies having yet to be made available by the developers. While we await the completion of a view impact analysis appropriate to the scenic street designation along with historic structure reviews and traffic studies, please accept this request to extend the comment period.

In considering an extension, please allow sufficient time for the general public to be made aware of the availability of these studies and then to comment on the project in light of them. It is difficult for the public to make informed comment on a proposal without access to the very information on which they are expected to comment.

The one aspect of the current proposal that would seem to need no further study is the developers' request for an optional early action determination of non-significance. This project poses any number of highly significant issues as indicated by the studies which your own office has requested. It raises a great many valid concerns for various parties as expressed in previous comments by individual members of our Association as well as those made by others in the neighborhood and delineated in considerable detail in the letter sent to DPD on 3 December 2014 by the Eastlake Community Council.

Clearly, this is a matter of significance.

On behalf of the East Boston Street Condominium Association,

Stephan Namisnak
President, EBSCA

Cc: Josy.Rush@seattle.gov PRC@seattle.gov

Herbaugh, Melinda

From: Lydia Brennan <lydiafbrennan@hotmail.com>
Sent: Wednesday, June 03, 2015 8:07 PM
To: PRC; Bolser, Shelley
Cc: Lydia Brennan
Subject: 3016024 2203 Eastlake Ave E

To Ms. Shelley Bolser,

I have been reviewing the Seattle 2035 plan and under the View Sheds section, page 155, there are two provisions that are used to preserve the public views.

Land Use Element LU 48 uses land use regulations, zoning policies and the application of environmental policy to preserve public views. The comprehensive plan lists the Space Needle, Olympic Mountains, Lake Union, Downtown Skyline among other significant mountains and bodies of water. It is also designed to address the impact of building heights, bulk and access to views on public views.

Seattle Municipal Code 25.05.675.P states that it is the city's policy to protect public views of significant natural and man-made structures.

I believe that this proposed project with its zone variance is definitely not in line with these two city regulations.

Please review the Seattle 2035 plan and these regulations with regards to project 3016024. Public views of the above significant landmarks will be impacted for all Eastlake residents north, south and east of this building.

Thank you,
Lydia Brennan

Herbaugh, Melinda

From: Minnerly, Denise
Sent: Friday, September 25, 2015 6:43 AM
To: PRC
Subject: FW: RENOTICE - Notice of Director's Recommendation on Rezone Application, Environmental Determination & Public Hearing - 3016024

Please upload as comment letter. Thanks!

Denise R. Minnerly
City of Seattle, DPD
Administrative Specialist III
206-386-0098

From: tomas ardavany [mailto:ardytomas@yahoo.com]
Sent: Thursday, September 24, 2015 3:35 PM
To: Minnerly, Denise
Subject: Re: RENOTICE - Notice of Director's Recommendation on Rezone Application, Environmental Determination & Public Hearing - 3016024

Ms. Minnerly,
Thank you for your reply.
On another note, the tragic accident on the Aurora bridge this morning is a reminder of how much work needs to be done in the area of permits, regulations and safety.
I am a retired nurse from Harborview and Airlift Northwest.
There is a permit authorized for the Ride the Ducks for access to Lake Union near Terry Petis Park one block off Eastlake E. There will be more accidents; there will be injuries to bicyclists, pedestrians and vehicle passengers from the inadequate regulations and controls governing these dangerous land/water vehicles.
It seems it is simply left to insurance companies and lawyers to figure out cost of doing business even at the loss of life and debilitating injuries.
I do not know what is in your authority to bring this issue to those that can regulate or care.to know my opinion.
Please forward this message to whom you think cares about this issue.
Thank you.
Tom Ardavany.
206 330-1565
2203 Yale Ave. E.
98102

Sent from Yahoo Mail on Android

From:"Minnerly, Denise" <Denise.Minnerly@seattle.gov>
Date:Thu, Sep 24, 2015 at 10:41 AM
Subject:RENOTICE - Notice of Director's Recommendation on Rezone Application, Environmental Determination & Public Hearing - 3016024

You are being sent this re-notice as you either submitted comments or requested to be a party of record. Please

direct any comments to prc@seattle.gov

Denise R. Minnerly

City of Seattle, DPD

Administrative Specialist III

206-386-0098

Camacho, Rudy

From: Bolser, Shelley
Sent: Wednesday, September 30, 2015 1:06 PM
To: PRC
Subject: FW: 3016024 comment

-----Original Message-----
From: Sandra Wheeler [mailto:sandracwheeler@gmail.com]
Sent: Wednesday, September 30, 2015 11:11 AM
To: Bolser, Shelley
Subject: RE: 3016024

Hi Shelley,

Again, thanks for your replies. Glad to see that you are back at work and hopefully feeling much better.

And yes, I have more questions:
1. Will this re-notice be mail to all concerned parties? I have difficulty printing a clean copy of this document. If not, how will the public be notified of the changed filing date?
2. Will the re-notice be posted in the community?
3. Why are the re-notices not being posted on the huge Land Use billboard?
Last date on that sign is 12/14/14. This stale date makes it appear that the contract rezone process is over and not on-going.
The public/concerned citizens may not see the much smaller signs on the utility poles.
4. What are the public notification date deadlines? It seems to me usually the governmental authority has "x" days to notify the public/concerned parties so they can participate in the hearing/meeting process. Does Seattle DPD have such deadlines? What are the dates?

Wish I was a big picture thinker so I could present all my thoughts in succinct manner. Thanks for your perseverance.
Sandra Wheeler

-----Original Message-----
From: Bolser, Shelley [mailto:Shelley.Bolser@seattle.gov]
Sent: Monday, September 28, 2015 7:02 PM
To: Sandra Wheeler <sandracwheeler@gmail.com>
Subject: RE: 3016024

Hi Sandra, I have been out sick for a few days and unable to retrieve voicemail, but please note the renotice of the appeal period, and the new appeal deadline. I hope this resolves your concern:
http://web6.seattle.gov/dpd/luib/Notice.aspx?BID=1071&NID=20584

Thanks,
Shelley

-----Original Message-----

From: Sandra Wheeler [mailto:sandracwheeler@gmail.com]
Sent: Friday, September 25, 2015 2:17 PM
To: Bolser, Shelley
Subject: 3016024

Hi Shelley,
Just left a voice mail about my concern about the date deadline for appealing the Design Review Decision. Please see my e-mail dated 9/24/15 regarding this date issue.
Thanks!
Sandra Wheeler
301.247.1728

Sent from my iPhone

Herbaugh, Melinda

From: Bolser, Shelley
Sent: Tuesday, August 18, 2015 1:21 PM
To: PRC
Subject: 3016024 public comments

From: Charles Wheeler [mailto:cbw@charleswheeler.net]
Sent: Monday, August 17, 2015 5:46 PM
To: Bolser, Shelley
Subject: SEPA Checklist: annotated SEPA checklist

Shelley, On page 18 and 20 of this document, conflicts with itself. On says there are no tenants and the other has 4 tenants to be displaced by the construction. This should be corrected. Charles Wheeler
201 East Boston St. 98102

Camacho, Rudy

From: Bolser, Shelley
Sent: Tuesday, July 28, 2015 4:02 PM
To: PRC
Subject: FW: SEPA report Project # 3016024

Public comment

From: Sandra Wheeler [mailto:sandracwheeler@gmail.com]
Sent: Tuesday, July 28, 2015 3:53 PM
To: Bolser, Shelley
Cc: appelman@bmi.net; Charles Wheeler
Subject: SEPA report Project # 3016024

July 28, 2015

Shelley,

Below are my comments/questions on the SEPA report dated 7/27/15:

Page 17 B-8a: your annotations state that "the rezone will allow one more story of height and more variety of commercial uses." I do not understand how adding another story will increase the commercial uses. Another story only adds above street level space; not commercial space.

Page 19 B-8f: your annotations use the words "Future Land Use Map". I am not aware of such a map. Please provide a reference.

Page 21 B-8l: the developer states that the proposed building "is appropriate scale for the neighborhood". This is just wrong. In this corner of Eastlake, I do not see anything 67' high (developer's measurements from the alley; see page 22 QT 10a). It will dwarf *everything* in the immediate area. And I do not need to discuss the impact on light, noise, views, etc.
Your notes refer to the "Rezone Analysis to be completed" – what is this? I thought all this was leading a contract rezone decision. Is there another document to be produced?
B-9a: developer writes all units will be rented at "market value". Several times I heard the developer state there would be "affordable units". Will there be affordable units available in this complex? How many?

Page 23 B-10b: the developers recognizes the views from the east will be obstructed. But goes on to state the current views are of commercial buildings and parking lots. Let's set the record straight – a 67' building is obstructing far more - much of Lake Union, the distant mountains, the bridges, and other neighborhoods will disappear from the view.
B-10c: the developer refers to this neighborhood as an "urban corridor". This is very off putting as we think of our community as a neighborhood. Developers and others in the city need to stop viewing Eastlake as a corridor between two places.

Thank you for your assistance,
Sandra Wheeler

201 E Boston St #2200
Seattle, WA 98102
301.247.1728

Seattle Department of
Planning and Development

D. M. Sugimura, Director

September 28, 2015

MASTER USE PERMIT

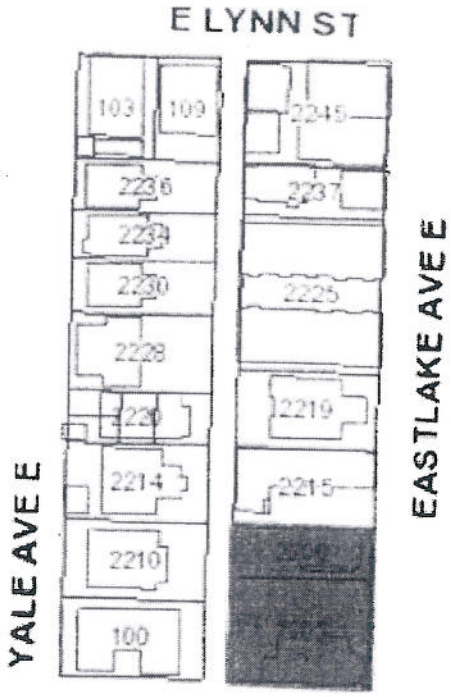
NOTICE OF DIRECTOR'S RECOMMENDATION ON REZONE APPLICATION, DESIGN REVIEW DECISION AND ENVIRONMENTAL DETERMINATION AND PUBLIC HEARING

Area: Downtown/Central **Address:** 2203 EASTLAKE AVE E
Project: 3016024 **Zone:** SCENIC VIEW WITHIN 100 FT., LOWRISE-2 RESIDENTIAL/COMMERCL, ARTERIAL WITHIN 100 FT., NEIGHBOR CMRCL 1-30' PEDESTRIAN, URBAN VILLAGE OVERLAY

Notice Date: 09/28/2015

Contact: MARIA BARRIENTOS - (206) 728-1912
Planner: SHELLEY BOLSER - (206) 733-9067

The City of Seattle Hearing Examiner is conducting a public hearing on the recommendation of the Director of the Department of Planning and Development (DPD) to rezone property from NC1P-30' and LR2-RC to NC2P-40' (CF #314127). Project includes construction of a 5-story structure containing 45 residential units and 3,423 sq. ft. of commercial space at ground level. Parking for 39 vehicles to be provided below grade. Existing structures to be demolished.



The top of this image is north. This map is for illustrative purposes only. In the event of omissions, errors or differences, the documents in DPD's files will control.

C. F. Number: 314127

REZONE

The Director's recommendation is that the rezone be approved.

Design Review

The Director has approved Design Review. The Director recommends conditions related to design review of the proposed development:

1. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

2. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Shelley Bolser (206) 733-9067 or shelley.bolser@seattle.gov).

3. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

ENVIRONMENTAL DETERMINATION

The Director of DPD has determined that the proposal will not have a significant adverse environmental impact, and has issued a Declaration of Non-Significance (no environmental impact statement required). The Director recommends conditions related to environmental review:

4. The applicant shall provide a copy of a Construction Haul Route, approved by Seattle Department of Transportation.

5. A Construction Parking Plan, approved by the Land Use Planner (Shelley.bolser@seattle.gov), shall be required. The plan shall demonstrate the location of the site, the peak number of construction workers on site during construction, the location of nearby parking lots that are identified for potential pay parking for construction workers, the number of stalls per parking lot identified, and a plan to reduce the number of construction workers driving to the site.

INFORMATION AVAILABLE

Copies of the Director's Report and Recommendation and the rezone application materials are available at the DPD Public Resource Center, 700 Fifth Avenue, Suite 2000 of the Seattle Municipal Tower, (206) 684-8467. The Public Resource Center is open 8:00 a.m. to 4:00 p.m. on Monday, Wednesday, Friday and 10:30 a.m. to 4:00 p.m. on Tuesday and Thursday. (A copy and postage fee will be charged.) Questions may be directed to Shelley Bolser (email prc@seattle.gov and include project number 3016024, or call 206-733-9067) at DPD.

PUBLIC HEARING

A public hearing to take public comment on the Director's recommendation and to establish the record for this application will be held at **9:00 a.m. on October 28, 2015** at the Office of the Hearing Examiner (address below). The Office of the Hearing Examiner provides barrier free access.

WRITTEN COMMENTS

Written comments will be accepted until the close of the hearing scheduled for October 28, 2015. Comments should be sent to:

City of Seattle
Hearing Examiner
700 5th Avenue, Suite 4000
P.O. Box 94729
Seattle, WA 98124-4729

Those persons who want to receive a copy of the Hearing Examiner's recommendation should specify that request in their comment letter.

HOW TO APPEAL THE ENVIRONMENTAL DETERMINATION AND DESIGN REVIEW DECISION

Appeals of the decision to issue a Declaration of Non-Significance or the Director's Design Review decision must be received by the Hearing Examiner at the address shown above no later than **5:00 p.m. October 12, 2015.** Appeals must be accompanied by $85.00 filing fee in a check payable to the City of Seattle. Any appeal of the decision will be heard at the public hearing on October 28, 2015.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

If you wish to file written comments and/or receive a notice of the decision, please return this completed form with any written comments you have to: Seattle Department of Planning and Development, 700 5th Ave Ste 2000, PO Box 34019, Seattle, Washington 98124-4019 or e-mail PRC@seattle.gov

RECEIVED
OCT 12 2015
BY:

Name: EVAN ZEMA Project #3016024 – Shelley Bolser, 22nd Fl

Address: 202 E BOSTON ST.

SEATTLE WA Zip: 98102

Email Address: EVAN.ZEMA@GMAIL.COM

Comment: THIS REZONE & PROJECT SHOULD NOT BE APPROVED BECAUSE THEY ARE DESTROYING THE NEIGHBOR HOOD OF EASTLAKE AND VIOLATES THE 1994 COMPREHENSIVE PLAN WHICH DESIGNATES EASTLAKE AN URBAN VILLAGE. DON'T PUT DEVELOPERS ABOVE RESIDENTS!

5. A Construction Parking Plan, approved by the Land Use Planner (Shelley.bolser@seattle.gov), shall be required. The plan shall demonstrate the location of the site, the peak number of construction workers on site during construction, the location of nearby parking lots that are identified for potential pay parking for construction workers, the number of stalls per parking lot identified, and a plan to reduce the number of construction workers driving to the site.

SCANNED

INFORMATION AVAILABLE

Copies of the Director's Report and Recommendation and the rezone application materials are available at the DPD Public Resource Center, 700 Fifth Avenue, Suite 2000 of the Seattle Municipal Tower, (206) 684-8467. The Public Resource Center is open 8:00 a.m. to 4:00 p.m. on Monday, Wednesday, Friday and 10:30 a.m. to 4:00 p.m. on Tuesday and Thursday. (A copy and postage fee will be charged.) Questions may be directed to Shelley Bolser (email prc@seattle.gov and include project number 3016024, or call 206-733-9067) at DPD.

PUBLIC HEARING

A public hearing to take public comment on the Director's recommendation and to establish the record for this application will be held at **9:00 a.m. on October 28, 2015** at the Office of the Hearing Examiner (address below). The Office of the Hearing Examiner provides barrier free access.

WRITTEN COMMENTS

Written comments will be accepted until the close of the hearing scheduled for October 28, 2015. Comments should be sent to:

City of Seattle
Hearing Examiner
700 5th Avenue, Suite 4000
P.O. Box 94729
Seattle, WA 98124-4729

Those persons who want to receive a copy of the Hearing Examiner's recommendation should specify that request in their comment letter.

HOW TO APPEAL THE ENVIRONMENTAL DETERMINATION AND DESIGN REVIEW DECISION

Appeals of the decision to issue a Declaration of Non-Significance or the Director's Design Review decision must be received by the Hearing Examiner at the address shown above no later than **5:00 p.m. October 12, 2015.** Appeals must be accompanied by $85.00 filing fee in a check payable to the City of Seattle. Any appeal of the decision will be heard at the public hearing on October 28, 2015.

XXXX

Application

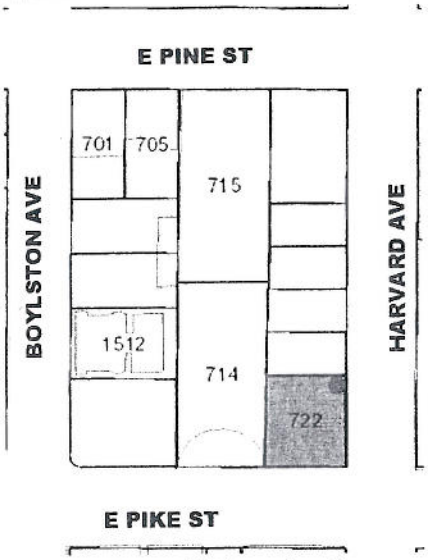
Area: DOWNTOWN/CENTRAL **Address:** 722 E PIKE ST
Project: 3020112 **Zone:** ZONING SPECIAL ST WITHIN 100 FT., PIKE/PINE OVERLAY DISTRICT, NEIGHBORHOOD COMMERCIAL 3-65', ARTERIAL WITHIN 100 FT., URBAN VILLAGE OVERLAY

Notice Date: 11/19/2015

Contact: JAY JANETTE - (206) 453-3645
Planner: MAGDA HOGNESS - (206) 727-8736

Date of Application: 11/06/2015
Date Application Deemed Complete: 11/11/2015

Land Use Application to allow a seven story building with 90 apartment units above 2,957 sq. ft. of ground floor retail. Existing structure to be demolished.



The top of this image is north.
This map is for illustrative purposes only. In the event of omissions, errors or differences, the documents in DPD's files will control.

Comments may be submitted through: 12/02/2015

The following approvals are required:

Design Review

SEPA Environmental Determination (This project is subject to the Optional DNS Process (WAC 197-11-355) and Early DNS Process (SMC 25.05.355). This comment period may be the only opportunity to comment on the environmental impacts of this proposal.)

Other permits that may be needed which are not included in this application:

Building Permit
Demolition Permit

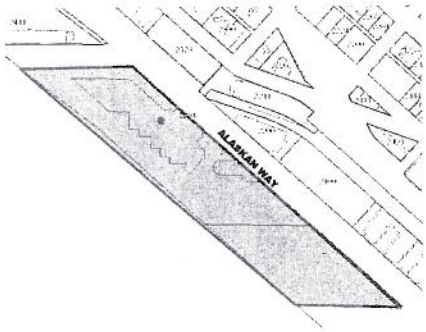
Application

Area: DOWNTOWN/CENTRAL **Address:** 2201 ALASKAN WAY
Project: 3021530 **Zone:** FLOOD PRONE,SCENIC VIEW WITHIN 100 FT.,ZONING SPECIAL ST WITHIN 100 FT.,DOWNTOWN HARBORFRONT 1/45',URBAN HARBORFRONT,ARCHAELOGICAL BUFFER AREA, LIQUEFACTION PRONE SOILS,DOWNTOWN FIRE DISTRICT, ARTERIAL WITHIN 100 FT.,AIRPORT HEIGHT DISTRICT, URBAN VILLAGE

Notice Date: 11/19/2015

Contact: JENNIFER GRANT - (206) 470-7684
Planner: BENJAMIN PERKOWSKI - (206) 684-0347

Date of Application: 11/10/2015
Date Application Deemed Complete: 11/11/2015



The top of this image is north.
This map is for illustrative purposes only. In the event of omissions, errors or differences, the documents in DPD's files will control.

Shoreline Substantial Development application to change the use of a 49,904 sq. ft. museum, retail and marine related office to allow expansion of existing passenger terminal (Port of Seattle, Pier 66).The project includes installing a 19,900 sq. ft. 2nd floor addition within the existing structure. Determination of Non-Significance prepared by the Port of Seattle.

Comments may be submitted through: 12/18/2015

The following approvals are required:

Shoreline Substantial Development to allow ~~development~~ PASSENGER TERMINAL in the UH Shoreline environment.

Shoreline Conditional Use to allow change of use from one nonconforming use to another nonconforming use.

Shoreline Variance for a structure to exceed the maximum coverage allowed on dry land.

SEPA to approve, condition or deny pursuant to 25.05.660.

Other permits that may be needed which are not included in this application:

Building Permit

Application

Area: SOUTH **Address:** 3640 COURTLAND PL S
Project: 3022746 **Zone:** RAINIER/GENESEE BUSINESS DIST, STEEP SLOPE (>=40%), AIRPORT HEIGHT DISTRICT, URBAN VILLAGE OVERLAY, LOWRISE-2, SOUTHEAST SEATTLE REINVESTMENT

Notice Date: 11/19/2015

Contact: MOON ZHANG - (425) 373-6754
Planner: CRYSTAL TORRES - (206) 684-5887

Date of Application: 11/14/2015
Date Application Deemed Complete: 11/14/2015

The top of this image is north.
This map is for illustrative purposes only. In the event of omissions, errors or differences, the documents in DPD's files will control.

Land Use Application to allow a 3-story, 2-unit residential structure in an environmentally critical area. Parking for two vehicles will be located within the structure. Pending short plat 3022308. Existing building to be demolished. ~~Review~~ ENVIRONMENTAL REVIEW includes future unit lot subdivision.

10BC-2015-ARP 10.29.15

Comments may be submitted through: 12/02/2015

The following approvals are required:

SEPA Environmental Determination (This project is subject to the Optional DNS Process (WAC 197-11-355) and Early DNS Process (SMC 25.05.355). This comment period may be the only opportunity to comment on the environmental impacts of this proposal.)

Other permits that may be needed which are not included in this application:

Building Permit
Demolition Permit

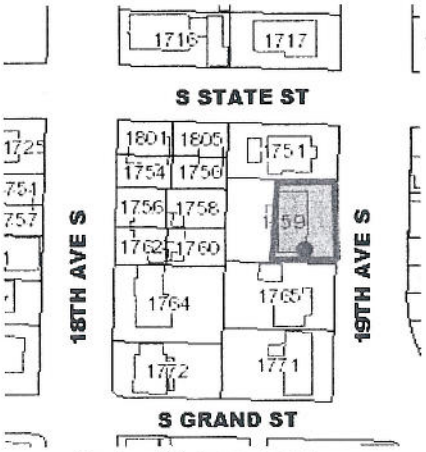
Application

Area: SOUTH **Address:** 1759 19TH AVE S
Project: 3022382 **Zone:** URBAN VILLAGE OVERLAY, LOWRISE-2

Notice Date: 11/19/2015

Contact: JULIAN WEBER - (206) 953-1305
Planner: EMILY LOFSTEDT - (206) 386-0097

Date of Application: 11/12/2015
Date Application Deemed Complete: 11/12/2015



The top of this image is north.
This map is for illustrative purposes only. In the event of omissions, errors or differences, the documents in DPD's files will control.

Land Use Application to subdivide one development site into four unit lots. The construction of residential units are under Project #6436370 This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots.

Comments may be submitted through: 12/02/2015

The following approvals are required:

Unit Lot Subdivision to create four unit lots.

Other permits that may be needed which are not included in this application:

Water Availability Certificate

Herbaugh, Melinda

From:	ibappelman@comcast.net
Sent:	Thursday, September 03, 2015 9:17 AM
To:	PRC
Subject:	Comments on Project # 3016024 2203-2209 Eastlake Avenue East
Attachments:	Project 3016024 - Summary Comments - Legal & Procedural Issues.pdf

To: Public Resources Center (PRC)
prc@seattle.gov

Please post the attached comments on your website associated with Project #3016024, 2203-2209 Eastlake Avenue East.

Thank you.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Avenue East, #304
Seattle, WA 98102
ibappelman@comcast.net
appelman@bmi.net
(206)235-4953

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Avenue East, #304
Seattle, WA 98102

September 3, 2015

Shelley Bolser, Land Use Planning Supervisor
City of Seattle Department of Planning and Development (DPD)
700 5th Avenue, Suite 2000
Seattle, WA 98124

RE: Summary of Legal & Procedural Issues, Project # 3016024

Dear Planning Supervisor Bolser:

The following comments summarize some of our legal and procedural issues concerning Project # 3016024. The project includes (a) the demolition of buildings at 2203-2209 Eastlake Avenue East; (b)the rezoning of the two lots of property from NC2/30 and LR2 RC to NC2/40; and (c) the rebuilding of a mixed use building, which is disallowed by the current zoning and so depends upon simultaneous rezoning and project review.

(1) Since Project #3016024 doesn't meet current zoning, the permit application must be denied because it is a violation of the Local Project Review Act, RCW 36.70B, to reconsider zoning once a project has been proposed. Simultaneous project review and rezoning is disallowed by the Act:

RCW 36.70B governs local project review in this State. RCW 36.70B.030(1) requires that, "Fundamental land use planning choices made in adopted comprehensive plans and development regulations shall serve as the foundation for project review." "Shall" means that the direction is mandatory. These land use planning choices CANNOT be reexamined during project review. RCW 36.70B.030(3) explains that, "During project review, the local government or any subsequent reviewing board shall not reexamine alternatives..." on such issues as "type of land use permitted on the site" or "density of residential development."

The note to RCW 36.70B.030 explains the findings and intent of the Washington Legislature: "Given the extensive investment that public agencies and a broad spectrum of the public are making and will continue to make in comprehensive plans and development regulations for their communities, it is essential that project review start from the fundamental land use planning choices made in these plans and regulations... The project review process...should not reanalyze these land use planning decisions in making a permit decision."

Normally, the requirement that zoning PRECEDE local project review frustrates the public because, as non-professionals, the public has difficulty understanding the implications of zoning until local projects that comply with the zoning are proposed. Therefore, if a project is proposed that complies with zoning and the public objects, the public's objections are dismissed because state law prohibits revisiting zoning during local project review.

In the case of Project #3016024 however, in 1985/1986 there was an "extensive investment" that Eastlake neighbors made "in the development regulations for their community." The developer is prohibited from proposing a local project inconsistent with zoning and DPD is prohibited from considering a local project inconsistent with zoning. If the developer wants to propose a local project inconsistent with local zoning, which the developer admits in this case, the developer FIRST MUST OBTAIN A REZONE BEFORE proposing a local project, so the current Project #3016024 must be rejected by DPD.

The Washington Administrative Code (WAC) further explains: "A basic principle of the Growth Management Act (GMA) and the Local Project Review Act is that land use decisions made in adopting a comprehensive plan and development regulations under chapter 36.70A RCW should not be revisited during project review (WAC 365-97-010).

(2) Since a quasi-judicial act cannot overturn a legislative act, this proposed rezone is disallowed. In 1985/86 when the City Council was establishing area-wide zoning for the Eastlake Community, rezoning this property to NC2/40, as is proposed here, was proposed then by the Mayor and specifically considered by the City Council. The City Council rejected the developer's proposed rezone showing legislative intent that the property remain NC2/30. That legislative act can only be reversed by a legislative act.

In 1985, the Mayor recommended that the corners of Eastlake Avenue East and Boston Street be rezoned to NC2/40. That Mayor's request included the 2203-2209 Eastlake Avenue East properties that are the subject of the current developer's NC2/40 rezone application (Exhibit 1).

The Eastlake Community Council opposed rezoning to NC2/40 claiming that an NC2/30 height limit would "result in structures of a more reasonable scale that will have less negative impact on the Eastlake Community in terms of parking, view blockage and streetscape, and will help to promote the types of neighborhood serving businesses desired for the community," and that would "help preserve and strengthen the residential neighborhood scale and character of Eastlake" (Exhibit 2 & 3).

The Eastlake Community Council continues to oppose the rezone for similar reasons that the City Council accepted when the property was last zoned. Exhibit 4 is the first two pages of a letter the Eastlake Community Council submitted opposing this rezone, which also explains the history of zoning on this property.

The City Council considered the rezoning in the developer's application back when the property was last rezoned. The City Council specifically considered and rejected zoning the property for 40-foot tall buildings, instead zoning the property for 30-foot tall buildings. Since legislative intent is to limit height of the buildings at 2203-2209 Eastlake Avenue East to 30 feet, the developer needs to seek a legislative rezone, not a contract rezone, to change the zoning.

(3) This project is an attempt to achieve an area-wide rezone improperly using a quasi-judicial process. The developer and supporters have made clear this application is a first step in building 40-foot tall buildings throughout the "Eastlake corridor." In order for the developer and

supporters to get the area-wide rezone they are seeking, they need to approach the City Council to pass and area-wide rezone, not a quasi-judicial spot rezone.

In the 8/23/13 Pre-submittal Conference Application (Exhibit 5), the developer indicates that the purpose of the application is to extend NC2-40 zoning throughout the "Eastlake corridor." On page 4 of 6, it reads, "Past Contract Rezone at 2234 Eastlake Ave E to NC2-40 (Vinemaple) sets precedence for the city to continue the NC2-40 zoning designation through the corridor." The notes show that during the pre-submittal conference the developer brought up this exact point about continuing the NC2-40 zoning throughout the corridor (Exhibit 6).

Most of the letters in support of the project are from businesses. A number of those letters make clear that what's being proposed is increased zoning height not just for the 2203-2209 parcels, but throughout the corridor. Here are a few of the letters specifically suggesting the project is rezoning the corridor:

A.L. Wahe of 2821 Eastlake Avenue E. writes: "Currently the Eastlake community has inconsistent zoning ranging from low-rise 2 zoning to NC3-65 zoning. The neighborhood is ripe for a complete up zone similar to those provided at South Lake Union, Broadway Avenue, Market Street in Ballard, University Way and several other major arterials in the University District and the likely proposed up-zoning in Uptown Queen Anne." (Exhibit 7)

Ross Candoo of Candoo Associates writes: "As more properties like the one proposed develop in the Eastlake neighborhood are finding that 40 to 65 ft development standards help attract the development dollars and type of iconic projects that transform neighborhoods in a positive way. Eastlake simply has not kept up with the rest of Seattle." (Exhibit 8)

And as Brian J. Bergman of 2810 Eastlake Avenue E. writes: "Eastlake is one of the only neighborhoods that I know in Seattle that does (sic) have uniform zoning codes. For instance, on Eastlake Ave E north of Fred Hutch, there are NC 30, NC 40, LR, IG, and C1 zones and many of these different zones are adjacent to one another along Eastlake Ave E. In my opinion, all of these properties from Eastlake Ave E to their alleys should be NC 40 zoning or higher." (Exhibit 9)

Though the developer and supporters have a right to seek higher density zoning through what they call the "Eastlake corridor," they don't have a right to use a quasi-judicial contract rezone to accomplish a legislative area-wide rezone. The area-wide rezone throughout some of the corridor was rejected in the earlier 1985/1986 zoning (Exhibit 1). This attempt to use a quasi-judicial rezone as a sort of creeping area-wise rezone must be rejected.

(4) <u>City staff are blocking communications between citizens and Seattle City Councilmembers, who will make the ultimate decision in this rezone, in violation of RCW 42.36.060. This illegal blocking has prevented neighbors discussing the fairness and substance of this process with their elected officials.</u>

City staff have blocked emails from neighbors going to councilmembers and falsely claimed that in a quasi-judicial process, there can be no communications between citizens and

councilmembers. RCW 42.36.060 provides for councilmember/citizen communications if those communications are placed on the record as follows:

> **42.36.060**
> **Quasi-judicial proceedings — Ex parte communications prohibited, exceptions.**
>
> **During the pendency of any quasi-judicial proceeding, no member of a decision-making body may engage in ex parte communications with opponents or proponents with respect to the proposal which is the subject of the proceeding unless that person:**
>
> **(1) Places on the record the substance of any written or oral ex parte communications concerning the decision of action; and**
>
> **(2) Provides that a public announcement of the content of the communication and of the parties' rights to rebut the substance of the communication shall be made at each hearing where action is considered or taken on the subject to which the communication related. This prohibition does not preclude a member of a decision-making body from seeking in a public hearing specific information or data from such parties relative to the decision if both the request and the results are a part of the record. Nor does such prohibition preclude correspondence between a citizen and his or her elected official if any such correspondence is made a part of the record when it pertains to the subject matter of a quasi-judicial proceeding.**
>
> **[1984 c 191 § 1; 1982 c 229 § 6.]**

The Municipal Research Service Center provides legal advice to cities and has posted on its website (http://mrsc.org/Home/Search.aspx?i=46&q=appearance%20of%20fairness) the answer to whether a councilmember can accept correspondence. The answer is Yes and is stated as follows: "Does the **appearance of fairness** doctrine prohibit a decision-maker from reviewing and considering written correspondence regarding matter...
No. Decision-makers can accept written correspondence from anyone provided that the correspondence is disclosed and made part of the record of the quasi-judicial proceeding. RCW 42.36.060"

(5) The main issue raised by this rezone application is whether a building that is completely incompatible with the neighborhood can be built in order to change the neighborhood to become compatible with the incompatible building?

Exhibit 10 shows the developer's "context analysis" of how the proposed building fits into the neighborhood. The proposed building dwarfs all surrounding buildings. But the developer and supporters claim the building fits right in to how the neighborhood is SUPPOSED to look. So whose judgment is used to determine the compatibility of the building?

Exhibit 11 is a petition signed by 124 Eastlake residents who oppose the expanded height, bulk, and scale of the building as not fitting into the neighborhood and request that the building to be redesigned to fit within the neighborhood using the current zoning.

SMC 23.34.008(B) "Match Between zone Criteria and Area Characteristics" provides that 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." Since the 30-foot limit to building height

in the current NC2/30 is higher than most of the surrounding buildings, surely NC2/30 is much more appropriate than NC2/40 as the great majority of neighbors have confirmed.

SMC 23.34.008(C)) "Zoning History and Precedential Effect" requires that "Previous and potential zoning changes both in and around the area proposed for rezone shall be examined." On examination, it is clear (Exhibits 1,2,3) that previous City Council zoning, including very substantial public involvement, rejected 40-foot tall buildings at this corner of Eastlake & Boston in favor of a 30-foot building height, which is the current zoning.

SMC 23.34.008(E)(1) "Zoning Principles" provides that, "A gradual transition between zoning categories, including height limits, is preferred. The proposed building doesn't transition to the considerably smaller surrounding buildings. The developer insisted on "big box" architecture to maximize floor area and rejected modulating building height to transition to the surrounding neighborhood.

SMC 23.34.008(G) "Changed Circumstances" requires that "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." The only changed circumstance is that this developer and business supporters want to create changed circumstances so they can claim circumstances have changed when they haven't. Circumstances haven't changed, NC2/40 zoning is inappropriate and the City must respect the judgment of the neighborhood of what's appropriate in the neighborhood.

SMC 23.34.009(C) "Height and Scale of the Area" requires that "The height limits established by current zoning in the area shall be given consideration," and "permitted height limits shall be compatible with the predominant height and scale of existing development..." A substantial number of neighbors believes that the proposed building is NOT compatible with surrounding height and scale.

SMC 23.34.009(D) "Compatibility with Surrounding Area" provides that "Height limits for an area shall be compatible with the actual and zoned heights in surrounding areas" and "a gradual transition in height and scale and level of activities between zones shall be provided..."

(6) Procedural irregularities suggest that DPD staff is much too close to the developer and that staff appears to be working for the developer rather than remaining neutral when answering questions arising from the development application. We provide the following example to illustrate this point.

Unbeknownst to the public, a permit related to the contract rezone was reviewed and approved without any public scrutiny. The permit was for Project #6378644, "Request for Relief from Prohibition on Steep Slope Development..." (Exhibit 12). The permit process appears to have begun by April 2015, but must have been known well before that by the developer and DPD, and was approved without any comments from a public that didn't know it existed (Exhibit 13).

The public SHOULD HAVE KNOWN about this steep slope permit because question A9 of the SEPA Checklist asks: "Do you know whether applications are pending for governmental

approvals of other proposals directly affecting the property covered by your proposal? If yes, explain."

The developer's original SEPA Checklist was posted on September 19, 2014. The developer answered, "None" to the question of related applications (Exhibit 14). I have only included in the exhibit page 2 from the SEPA Checklists, which contains the question of related applications. For an unspecified reason, the developer submitted an amended SEPA Checklist that was posted on May 28, 2015, weeks after the steep slope permit process had begun. The developer falsely answered, "None" to the question of related applications (Exhibit 15), which we know was false because the developer had already applied for relief from steep slope requirement.

Finally, months later on July 22, 2015, an apparent staff-amended SEPA Checklist (Exhibit 16) was posted revealing the existence of the related steep slope permit. The staff-amended SEPA Checklist was posted as an "annotated" checklist. Staff and the developer appear to have worked together to keep from the public the knowledge that steep slopes were a problem with the Project 3016024. Staff should have acted neutrally in dealing with the steep slope problem.

This has been a summary of some of our legal and procedural concerns. Additional comments may be forthcoming. Please consider these comments in deciding whether to recommend approval or disapproval of Project #3016024.

Thank you.

Sincerely,

Mid-Eastlake Neighbors:
Sandra Wheeler
Charles Wheeler
Sarah Armstrong,
Lydia Brennan
Scott Brennan
Ryan Brennan
Trevor Brennan
Donald Huang
Jing Huang
Karen Appelman
Ira Appelman
Kathy Jendrick
Michelle Solon
Stephan Namisnak
Carol Namisnak
Stephen Locke
MaryLou Pederson
Sam Pederson

Exhibit 1

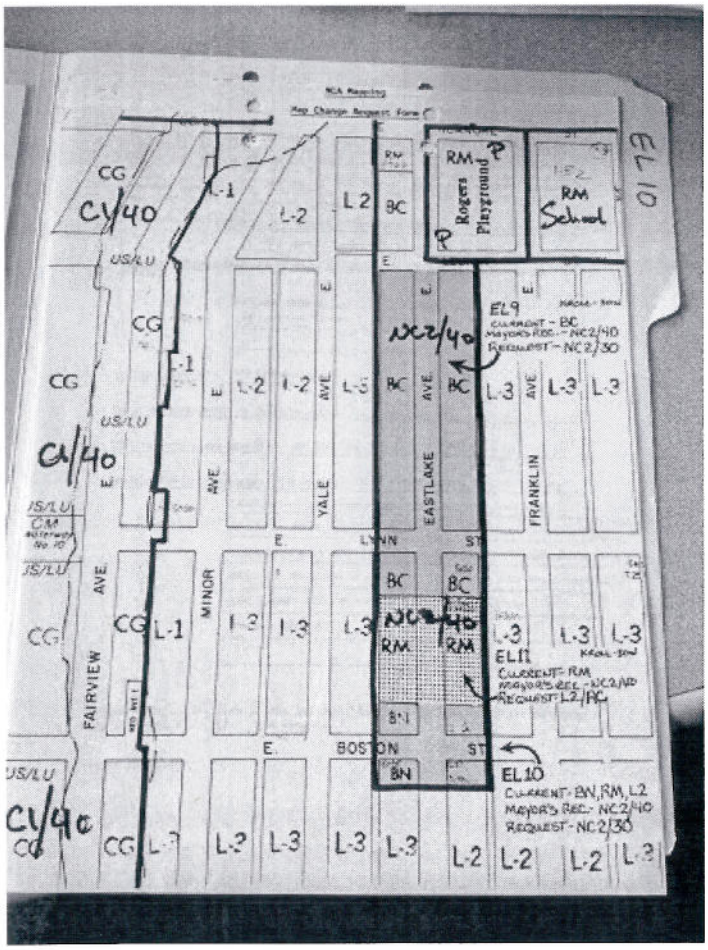

EL10
CG
CL/40
L-1
L-2
L 2
BC
RM
Rogers Playground
P
RM
School
US/LU
EL9
CURRENT - BC
MAYOR'S REC. - NC2/40
REQUEST - NC2/30
NC2/40
L-3
AVE
YALE
EASTLAKE
FRANKLIN
E. LYNN ST
MINOR
FAIRVIEW
RM
EL11
CURRENT: RM
MAYOR'S REC. - NC2/40
REQUEST: L2/BC
BN
E. BOSTON ST
EL10
CURRENT: BN, RM, L2
MAYOR'S REC.- NC2/40
REQUEST - NC2/30

Exhibit 2

Map Issue: #1 10
MCA Mapping Staff Reports

May 31, 1985

Each corner of the intersection of East Boston Street and Eastlake Avenue East.

Current Zoning: R4, RM, L2
Mayor's Recommendation: NC2/40
Request: NC2/30

Staff Recommendation: NC1/40
Committee Recommendation: 3-1 [39] NC2/40 v NC 2/30 8-0 C-14-85

Existing Development: Commercial and multi-family
Surrounding Area Development: To the north commercial and multi-family, to the south, east and west single and multi-family

Surrounding Area Zoning: To the north RM(NC2/40) to the south and west L-3, to the east L-2.

General Area Description: Three out of the four corners have single purpose commercial uses. These include a dry cleaners, a business office and a deli/restaurant. The fourth corner is a duplex with a tattoo business in it.

Reasons for Request: The Eastlake Community Council is opposed to recommendations for heights over 30 feet. They cite the following reasons: A height limit of 30 feet (potential 58 feet) will result in structures of a more reasonable scale that will have less nojative impact on the Eastlake Community in terms of parking, view blockage and streetscape, and will help to promote the types of neighborhood serving businesses desired for the community.

Community Response: None.

Match With Height Locational Criteria: The height locational criteria include consideration of the scale of existing development and of surrounding development. A 40 foot height limit would be compatible with the predominant height and scale of existing development. The tallest development in the issue area is about three stories.

Staff Recommendation: Staff recommends NC2/40 for each corner of the intersection of East Boston Street and Eastlake Avenue East.

5-298.3/MCA:ec

Exhibit 3

NCA Mapping

Map Change Request Form

If you wish to request a different commercial zone or height limit than that recommended by the Mayor, and have not already done so, please fill out this form. Your request will be evaluated according to the Neighborhood Commercial Area Policies. You may supply additional information at a later date or bring at the public hearing scheduled for your region. It is not necessary to have complete information to turn in this form -- the location of the property and your request are the essential elements.

Your Name and Address: Carol Kythaker - Eastlake Community Council Land Use Committee

2340 Franklin Avenue East, Seattle 98102

Location of Area (address or physical description - no legal descriptions please)

Eastlake Community - primarily along Eastlake Ave. & Fairview Avenues. See attached map.

Current Zoning: See attached map.

Mayor's recommendation (zone/height): See attached map.

Your request (zone/height): See attached map.

Reasons for your request: The attached map reflects zoning changes that are consistent with adopted community plans and goals and policies of the Eastlake neighborhood. We feel the changes are necessary to help preserve and strengthen the residential neighborhood scale and character of Eastlake. A complete discussion regarding this request will be submitted to the Council staff by February 28, 1985.

Please return this form to the Seattle City Council, 1100 Municipal Building, Seattle 98104 -- Attn: NCA Mapping.

1-14R.2B/SG:ec

EL 10

Exhibit 4

117 E. Louisa St. #1
Seattle, WA 98102-3278

December 3, 2014

Director, Dept. of Planning and Development
701 Fifth Avenue, #2000
PO Box 34019
Seattle, WA 98124-4019

Public Resource Center
701 Fifth Avenue
PO Box 34019
Seattle, WA 98124-4019

REASONS WHY CITY MUST REJECT THE PROPOSED REZONE FOR THE PROJECT PROPOSED AT 2203 AND 2209 EASTLAKE AVENUE (MUP # 3016024)

To the DPD director and others responsible for review and action on applications:

Our Nov. 30, 2014 letter stated the Eastlake Community Council's opposition to the proposed rezone for the project proposed at 2203 and 2209 Eastlake Avenue East (MUP #3016024). The present letter details the reasons why City officials must reject this proposed rezone, which is so far from meeting the legal standard for a rezone that we believe it should not have been requested. At its end the letter also details problems and remedies in how this proposal is being considered.

ECC's authority to comment. Founded in 1971, the Eastlake Community Council is the neighborhood association for Eastlake; its membership is open to anyone who lives, works, or owns property in the Eastlake neighborhood (defined as the area between the Ship Canal and Mercer Street, and between I-5 and Lake Union). During the exercise in remapping of Seattle's commercial areas which led to the 1986 adoption of the present NC1 and L-2 zoning for these lots, ECC filed the original submissions proposing the zoning classifications that the City Council eventually adopted and that now apply to the property (more about this process below).

Under a memorandum of agreement with the City, the Eastlake Community Council also administered the City-funded process by which neighborhood stakeholders, in collaboration with DPD and other departments, produced the 1998 Eastlake Neighborhood Plan. The executive branch report to the City Council regarding this Plan stated that it was unexcelled among neighborhood plans for the quality and extent of its outreach efforts. The Eastlake Neighborhood Plan process considered and rejected zoning all changes, including at 2203 and 2209 Eastlake Ave.

Original rationale of the City Council for the current NC and L2 zoning. The current zoning for the lots at 2203 and 2209 Eastlake Avenue was adopted in the citywide commercial areas mapping process of the mid-1980s. At that time the Mayor had proposed NC2 (40 foot height) for both lots (the very zone that the applicant again proposes), but instead the City Council unanimously adopted the current

NC1 (30 foot height) for 2203 Eastlake Avenue and L2 (30 foot height) for 2209 Eastlake Avenue and adjoining lots. The rezone application acknowledges (p. 9) that this zoning decision was not the result of a mapping error. The Land Use Code does not allow the City Council to grant a rezone without a large number of other criteria being met. The current zoning for these lots should be presumed valid, with a heavy burden of proof upon anyone who proposes a rezone. Zoning should be done through citywide or neighborhood wide planning processes such as produced this particular zoning in the first place. Following is a legislative history of how the current zoning came to be, and then the rest of this letter sets forth reasons why the application to change this zoning lacks merit.

Reasons for City Council adoption of the L2 zone for the lot at 2209 Eastlake Avenue. In agreeing with the ECC request for the L2 zone for the mid-block east and west sides of Eastlake Avenue E. between E. Lynn Street and E. Boston Street, the City Council acted on the basis of the May 31, 1985 NCA Mapping Staff Report, Map Issue EL 11. This report gave the following summary of ECC's reasons for the request (quoted here verbatim):

- to downzone strip commercial areas which have not been extremely developed in commercial use
- lack of edges or buffer between residential and commercial uses
- insufficient parking in commercial zone results in parking spillover in residential streets, particularly Franklin and Yale
- concentrates commercial activity at several nodes along arterial to help eliminate the "strip" character of Eastlake
- provides for a more suitable pedestrian environment

The staff report, which the City Council evidently followed in adopting the recommended zoning, had the following analysis and recommendation (quoted here verbatim):

> To rezone from RM to L2/RC fits the following RC function statements: As a means to downzone small commercial areas which have not been extensively developed in commercial uses and where commercial services are available nearby. The area meets the criteria for physical factors favoring designations as RC, "lack of edges or buffer between residential and commercial uses and streets with adequate access and circulation." An RC designation would also break up the strip commercial areas on Eastlake. Staff recommends L2/RC for mid-block east and west of Eastlake Avenue E. between E. Lynn Street and E. Boston Street.

Reasons for City Council adoption of NC1 zoning for the lot at 2203 Eastlake Avenue. In a January 14, 1986 request (a letter to City Council land use committee chair Jim Street from ECC president Carol Eychaner and vice president Lynn Howell), ECC stated: "The four corners of Boston [are] the one area along Eastlake that legitimately qualifies for NC1 as it is characterized by very small scale, neighborhood serving businesses. The ECC believes that the scale of construction allowed by NC2 would destroy the character of this corner." The City Council evidently agreed with this reasoning, because it adopted NC1 zoning for the lots at this corner, despite the fact that the Mayor had recommended NC2.

Proposed rezone fails to meet Land Use Code requirements. Sections SMC 23.24.008 and 009 of the Land Use Code impose a high threshold for approval of a rezone, a threshold which this request does

Exhibit 5

City of Seattle
Department of Planning and Development (DPD)
700 Fifth Ave., Suite 2000, P.O. Box 34019
Seattle, WA 98124-4019
www.seattle.gov/dpd

Phone: 206-684-8850
Fax: 206-233-7866
Email: dpd_asc_support@seattle.gov

Pre-submittal Conference Application

RECEIVED
AUG 23 2013
DEPT OF PLANNING AND DEVELOPMENT

Project #: 3016024
Date: 08/23/2013

SECTION I

(Completed by applicant - fill out all sections below)

Contact Person for this project: Neal Thompson
Contact Address (include zip): c/o Roger H Newell, AIA 1102 19th Ave E, Seattle, WA 98112
Phone No: 206-322-1192 Fax No: 206-322-5161
Email: neal@rhnewellaia.com

PROJECT INFORMATION

Project Address: 2203 Eastlake Ave E
What is the Project Valuation (best guess, if necessary) $ 4,125,000

Check the box or boxes which most closely describe the type of questions you would like to address. See the explanations below for help in choosing a pre-submittal conference type. Construction Only and other conference types are scheduled separately and have separate fees. If you indicate a desire to schedule multiple conferences back-to-back, scheduling staff will try to accommodate you.

☐ **Construction Only Pre-submittal Conference:** An in-depth conference which primarily addresses specific issues as they relate to the technical aspects of the Building Code. Subject matter experts on the fire code, energy code, and geotechnical issues may also attend or have input. Specific questions must be submitted as part of the pre-submittal application along with the code citation. Conditions or alternatives may be approved, documented, and incorporated into the application package. Land Use and other City departments experts, will not be invited to attend this meeting.

☐ **Energy / Mechanical Questions?** If all questions are related to energy/mechanical please select Energy / Mechanical Pre-submittal Conference option below.

☐ **Geotechnical questions?** If all questions are related to geotechnical issues, a Geotechnical Coaching Appointment is needed instead of a construction pre-submittal conference. The coaching application is located @ http://www.seattle.gov/dpd/cms/groups/pan/@pan/@forms/documents/web_informational/dpdp022220.pdf

☐ **Energy / Mechanical Pre-submittal Conference:** An in-depth conference which will primarily address technical issues of the energy code and or mechanical code. Applicants who intend to comply with the energy code by other than the prescriptive requirements of the code are highly encouraged to discuss their approach with one of our technical experts prior to application submittal.

☐ **Sustainable Building Design Advice:** Check this option if you would like to talk with DPD experts about sustainable building design and related DPD programs, including:

- ☐ **Green Q** - An expedited permitting process for green single-family and townhome projects.
- ☐ **Priority Green Permitting** - A facilitated permitting process for projects incorporating innovative and sustainable design concepts.
- ☐ **Innovation Advisory Committee** - An advisory committee which works with applicants and DPD prior to construction application submittal to provide objective, technical input to reviewers regarding new and innovative technologies not currently recognized by technical code standards.
- ☐ **Living Building Pilot** - A demonstration program to assist developers seeking to meet the advanced sustainability standards set by the International Living Building Institute's Living Building Challenge.

☐ **Advice from other City Departments:** Check this option if you would like to talk with experts from SDOT, SCL or SPU about project design issues. Specific questions relating to other City department requirements must be submitted as part of the pre-submittal application along with the code citation where applicable. If you check this option, you must also check one of the Land Use Pre-submittal Options (Early Design Guidance, Streamlined Design Review or Land Use Pre-submittal Conference).

☐ **Early Design Guidance:** Check this option for required pre-submittal conference for Design Review projects.

☐ **Streamlined Design Review:** Check this option for townhouse and other projects in Lowrise zones required by the new Lowrise code.

☑ **Land Use Pre-submittal Conference:** A structured, in-depth conference which primarily addresses specific issues as they relate to the Master Use permits with written discretionary decisions such as SEPA, Design Review, Administrative Conditional Use, Variances, Rezones, etc. Specific questions must be submitted as part of the pre-submittal application along with the code citation.

Zoning Only Pre-submittal Conferences option is no longer available. To request a Zoning or Geotechnical Paid Coaching Appointment please see our Request for Paid Coaching Appointment form.

Please list all specific questions about your project that you would like to have answered, including the related code citations as applicable. If you have requested advice from other City Departments include any issues or questions for that City Department. The Conference Lead will evaluate the need for other agency participation in the meeting.

See the attached list of questions.

Is this a high-rise or atrium project?	☐ Yes	☑ No
If the project includes dwelling units, how many units are there?	35-40	
Does this project include demolition of any existing structure?	☑ Yes	☐ No
Is there new construction or remodel, or both?	☑ New	☐ Remodel
What is the gross floor area (square footage) of the proposed project? What is the existing floor area, if any?	Existing: 2700	Proposed: 44,522
How many parking spaces?	22-38	
Will you be requesting phasing of this project?	☐ Yes	☑ No
Is this project over 50,000 sf. or is it expected to use a larger amount of electrical usage?	☐ Yes	☑ No

Will you be pursuing green certification for your proposal such as BuiltGreen or LEED? ☐ Yes ☑ No

Identify any existing project numbers that may be associated with this project:

PROJECT DESCRIPTION:

Please provide a brief description of the project (example: "To Build a 4-story mixed-use building with 20 residential units and ground floor commercial space") followed by a more detailed narrative on the scope of the proposal. **List questions about your project that you would like answered.** Attach additional sheets as needed.

Establish use for a 4 story, 40 unit, mixed use building with 1800 sf of commercial and below grade parking for 22 vehicles. The site is split zoned NC1P-30 on the south 60 feet and LR2-RC on the north 20 feet of the property. The proposed project would include an application for a contract rezone from NC1P-30 and LR2-RC to NC1-40 for the whole site.

1. Verify that live-work, not listed as a use in 23.47A.005 D.1, is limited to 20% of the street-facing, street-level facade on Eastlake. If the work portion of the live-work unit, between the sidewalk and the residential area of the unit, is designated as one of the uses listed in 23.47A.005 D.1 can live-work units occupy more than 20% of the facade on Eastlake?

2. Verify that E Boston is not required to meet the street-facing, street-level use and pedestrian requirements (23.47A.005) and development standards (23.47A.008) because it is not a principal street and a sloping site makes street-level commercial unlikely.

3. Verify that LR2 and LR3 zones qualify as residential zones that require a commercial setback per 23.47A.014.

4. Discuss the possibility and process for a contract rezone from split zone of NC1P-30/LR2-RC to NC1-40 (Remove P Designation). There is no P designation directly to the north, until you get to the next block which is a continuous overlay. This property/intersection is isolated from the other P designated properties. There are no properties designated as pedestrian south of here. Talking Points:

- Predominance of NC2P-40 and NC3P-40 along the Eastlake Ave E corridor, especially the west side of Eastlake.
- Past Contract Rezone at 2234 Eastlake Ave E to NC2-40 (Vinemaple) sets precedence for the city to continue the NC2-40 zoning designation through the corridor.
- The proposal is consistent with development in the area.

SECTION II

(DPD STAFF ONLY – completed by Conference Lead)

Does it look like the project will be substantial alterations? ☐ Yes ☐ No

Does this project require applicant to complete City Light's form for Energy Consumption? ☐ Yes ☐ No

Potential MUP Components: _____

Within SESRA or other Overlay? ☐ Yes ☐ No

A designated Historic Landmark? ☐ Yes ☐ No

Is this project next to a designated Historic Landmark? ☐ Yes ☐ No

Does this project include a system analysis? ☐ Yes ☐ No

Other Information: _____

Zone: _____ Shoreline Environment: _____

GIS: _____ Overlays: _____

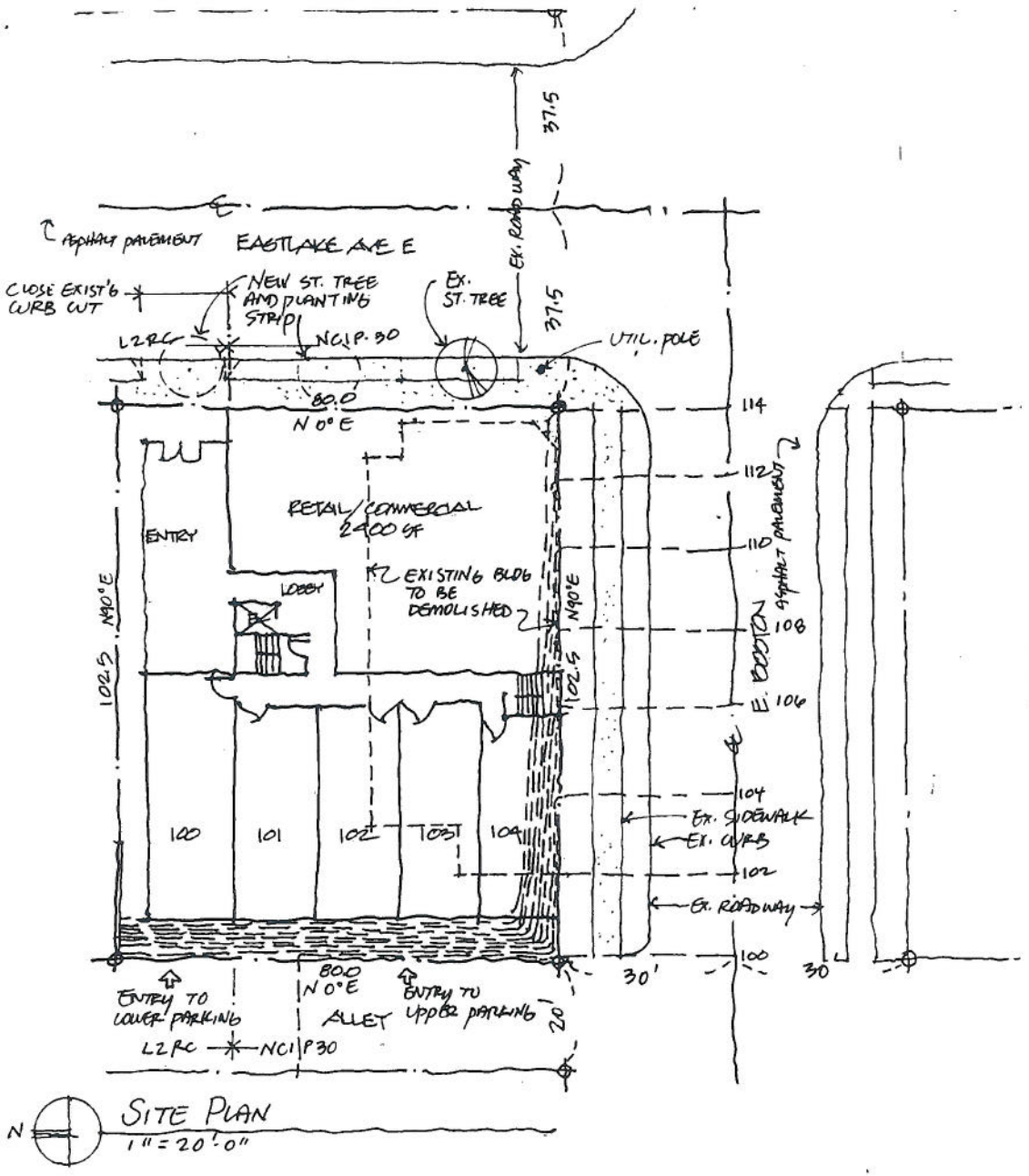
ECA (describe): _____

Will you pursue Priority Green or the Green Q on this project? ☐ Yes ☐ No

Are you seeking advice from the innovative Advisory Committee on this project? ☐ Yes ☐ No

Pre-submittal Conference Notes (For DPD staff use only)

Meeting Date: _____ Attendees: _____



ADDRESS: 2203 EASTLAKE AVE E
OWNER: METROPOLITAN HOMES LLC
LEGAL: LOT 1, BLOCK 8, GREENE'S ADDITION
APN: 2902200490

Exhibit 6

3016024
11-15-2013
PRE-APPLICATION

Approved Notes
LMK 11/25/13

November 15, 2013

Lindsay King
City of Seattle, DPD
700 – 5th Avenue, Suite 2000
Seattle, WA 98104

Re:	2203 Eastlake Ave E Pre-Submittal Conference Notes
Project No.:	3016024
DPD approved date:	11/17/2013 (BMW)

Dear Ms. King:

The notes below are a record of the Pre-Submittal Conference held on September 26th, 2013, for the above referenced project. The people in attendance were: Bradley Wilburn and Lindsay King from DPD; Ketil Freeman from Council Central Staff; a representative from SPU; Trent Mummery and John Links from Metropolitan Homes (owners); Lee Michaelis from R. W. Thorpe & Associates (planning consultants); and Neal Thompson from Roger H. Newell, AIA.

The project consists of a split zoned parcel with the south 60 feet zoned NC1P-30 and the north 20 feet zoned LR2 RC. The owners desire to rezone the parcel to NC2P-40 was discussed at the conference. Towards the end of the meeting, the possibility of adding the adjacent parcel to the north at 2209 Eastlake Ave E to the contract rezone was discussed. Since the conference date of 9-26-13, that parcel has been added to the project scope with DPD. The new legal description for the parcel is: Lot 1 and 2, Block 8, Greene's Addition to the City of Seattle, Vol. 2 of Plats, Page 73, King County, WA. The parcel measures 120 feet along Eastlake Ave and 102.5 feet deep from Eastlake to the alley.

I Ketil Freeman, Legislative Analyst from City Council Central Staff discussed the rezone process.

1. Contract rezones are a quasi-judicial decision of the city council.
2. A flow chart of the quasi-judicial rezone process was submitted to the applicant.
3. "Appearance of fairness" requires there is no communication with Council members or staff after the MUP application.
4. DPD makes a recommendation to the Hearing Examiner on the rezone.
5. The Hearing Examiner takes information for the record on the rezone and gives a recommendation to Council.
6 Council Committee prepares decision and ordinance for full Council vote.
7. Mr. Freeman was not aware of a comprehensive plan to rezone the multi-family zones along Eastlake to commercial. The applicant should check with the appropriate DPD planning department to verify this.
8. The rezone for 2203 Eastlake will have a good chance of approval if it can meet the rezone criteria in Sec. 23.34.

II. SPU made note of the following permit requirements:
1 If greater than 2000 SF of new or replaced impervious surface is proposed then GSI (green stormwater infrastructure) is required.

III. Bradley Wilburn (Zoning) and Lindsay King (Land Use): The following items 1 through 6 in quotations are zoning questions or statements made by the applicant in the pre-submittal conference application. The response by DPD follows in italics.

The responses below are reflective of securing a zoning designation of NC2P-40

1. "Verify that live-work, not listed as a use in 23.47A.005 D.1, is limited to 20% of the street-facing, street-level façade on Eastlake If the work portion of the live-work unit, between the sidewalk and the residential area of the unit, is

designated as one of the uses listed in 23.47A.005 D.1 can live-work units occupy more than 20% of the façade on Eastlake?"

Both live-work and residential units are limited to 20% of the street-facing, street-level façade on Eastlake per Sec. 23.47A.004 G and 23.47A.005 D.

2. "Verify that E Boston is not required to meet the street-facing, street-level use and pedestrian requirements (23.47A.005) and development standards (23.47A.008) because it is not a principal street and a sloping site makes street-level commercial unlikely."

Residential or live-work uses are not limited to 20% of the street-facing, street-level façade on E Boston because it is not a principal pedestrian street in a pedestrian designated zone. Development on Boston is required to meet street-level standards per 23.47A.008. Note how building floor levels should step down on Boston per Sec. 23.86.023

3. "Verify that LR2 RC and LR3 zones qualify as residential zones that require a commercial setback per 23.47A.014."

Yes, the 15 foot triangular setback at Eastlake per 23.47A.014 B.1 and the side and rear yard setbacks in 014 B.3.a and B.4 apply to this property. The RC commercial designation for the adjacent LR2 property does not remove the need for a setback from residential property.

4. "Discuss the possibility and process for a contract rezone from split zone of NC1P-30/LR2-RC to NC1-40 (Remove P Designation). There is no P designation directly to the north, until you get to the next block which is a continuous overlay. This property / intersection is isolated from the other P designated properties. There are no properties designated as pedestrian south of here. Talking points for the meeting: a) Predominance of NC2P-40 and NC3P-40 along the Eastlake Ave E corridor, especially the west side of Eastlake; b) Past Contract Rezone at 2234 Eastlake Ave E (Vinemaple property) to NC2-40 sets precedence for the city to continue the NC2-40 zoning designation through the corridor; c) The proposal is consistent with development in the area."

- *Taking the pedestrian designation off during the rezone may be difficult for DPD to support There was some staff feedback that the pedestrian designation on Eastlake should stay.*
- *The 20% live-work / residential unit limit for street-facing, street-level uses could be increased as a design deviation through Design Review. Instead of removing the P designation from the zone, work through the issues using design departures. For the Design Review Board, it's important for the applicant to identify what the live-work unit would look like and it's relationship to the sidewalk on Eastlake.*
- *Contact Tom Hauger, DPD Comprehensive Planning, regarding whether there is any long-range plan to up-zone the LR2 on Eastlake. Also verify there are no changes necessary to the Comprehensive Plan for this site in order to review a Rezone application.*
- *Take advantage of the area's topography when looking at the impacts of increasing height from 30 to 40 feet Buildings on the east side of Eastlake will have a height advantage over your site due to topography*
- *DPD is not put off by the proposal, but we're inclined to keep the pedestrian designation.*
- *At the time of MUP submittal a thorough analysis of all rezone criteria in SMC 23.34 will be necessary.*

This concludes the meeting notes for the Pre-Submittal Conference.

Sincerely,

Neal Thompson
Roger H. Newell, AIA

Exhibit 7

RECEIVED
APR 17 REC'D
BY:

January 20, 2015

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality.

The University of Washington – the 3rd largest employer in the start of Washington and one of the largest recipients of health grants in the United States – sits at the N end of the Eastlake urban hub connecting South Lake Union, Fred Hutch, the biotech cluster and booming Amazon.

The Eastlake community connects two vital adjacent hubs and a natural candidate for further housing density and related retail services. The community is served by Metro Bus Routes 66 and 67 including electric overhead trolley providing essential transportation to support increased living density in the neighborhood.

This increased density also is a fits well as part of the City of Seattle's and goal of contributing to the comprehensive plan which is part to the Washington State Growth Management Act.

Currently the Eastlake community has inconsistent zoning ranging from low-rise 2 zoning to NC3- 65 zoning. The neighborhood is ripe for a complete up zone similar to those provided in South Lake Union, Broadway Avenue, Market Street in Ballard, University Way and several other major arterials in the University District and the likely proposed up-zoning in Uptown Queen Anne.

A rezoning of Eastlake Avenue E. will not change the charm, character and eclectic nature of the mostly single family, smaller, multi-plex and apartment inventory on Fairview, Minor, Yale, Franklin and Boylston Avenues and their East/West connecting side streets.

As a side note I live in the Eastlake neighborhood in a house boat, so I am not just making a pitch for a certain development that will not have some effect on my own life as to traffic and density, I am for apt. developers in the city but with one requirement and that is parking, they must have parking or no new project should happen.

Thank you.
Arthur L. Wahl

ARTHUR L. WAHL
2821 EASTLAKE AVE E #
SEATTLE, WASH
98102

Exhibit 8

December, 17, 2014

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: **Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.**

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC1P-40. The rezone is necessary to make this project a reality and allow and will help the Eastlake Community achieve its vision and neighborhood plan.

Up until 18 months ago I conducted my commercial real estate business from an office in the Eastlake neighborhood. Currently I am working in the Greenlake neighborhood and was drawn here largely due to the walkability and convenient services that are provided in the new upscale mixed-use properties that had recently been built in the area.

As more properties like the one proposed develop in the Eastlake neighborhood it will become a more pedestrian friendly and commercially vibrant neighborhood. Many other neighborhoods are finding that 40 to 65 ft development standards help attract the development dollars and type of iconic projects that transform neighborhoods in a positive way. Eastlake simply has not kept up with the rest of Seattle.

John Links has already addressed neighborhood concerns through the Early Design Guidance process and has a long standing reputation in Seattle as a high quality developer who creates structures that stand the test of time.

In sum, the proposed development at 2203 and 2209 Eastlake Avenue East will benefit the neighborhood. The project is contingent on the pending contract rezone to an NC1P-40, and I strongly urge the City of Seattle to approve the rezone.

Sincerely,

Ross Candoo
206.818.4715

Exhibit 9

Brian J. Bergman
2810 Eastlake Ave E
Seattle WA 98102
206-799-7799

December 15, 2014

Ms. Lindsay King
Department of Planning and Development
700 Fifth Ave, Ste. 2000
Seattle, WA 98124

Re: Rezone Support Letter for Project 3016024
2203 & 2209 Eastlake Avenue East

Dear Ms. King,

I support the above-referenced proposed development. I have worked in the Eastlake neighborhood for the past 14 years and know it well. Eastlake is one of the only neighborhoods that I know of in Seattle that does have uniform zoning codes. For instance, on Eastlake Ave E north of Fred Hutch, there are NC 30, NC 40, LR, IG, and C1 zones and many of these different zones are adjacent to one another along Eastlake Ave E. In my opinion, all of these properties from Eastlake Ave E to their alleys should be NC 40 zoning or higher.

I know the developer John Links, both personally and professionally and can attest to the caliber of his developments; he not only builds aesthetically pleasing buildings, he creates cutting edge interiors that residents crave. The Eastlake Community should support this development.

Additionally, the Eastlake neighborhood needs more mixed use properties. Having more retail options would reduce the dependence on cars as Eastlake doesn't have the services residents deserve, especially compared to other nearby neighborhoods.

Sincerely,

Brian J. Bergman

RECEIVED
DEC 19 RECD
BY:

Exhibit 10

2.0 summary context analysis | axonometric

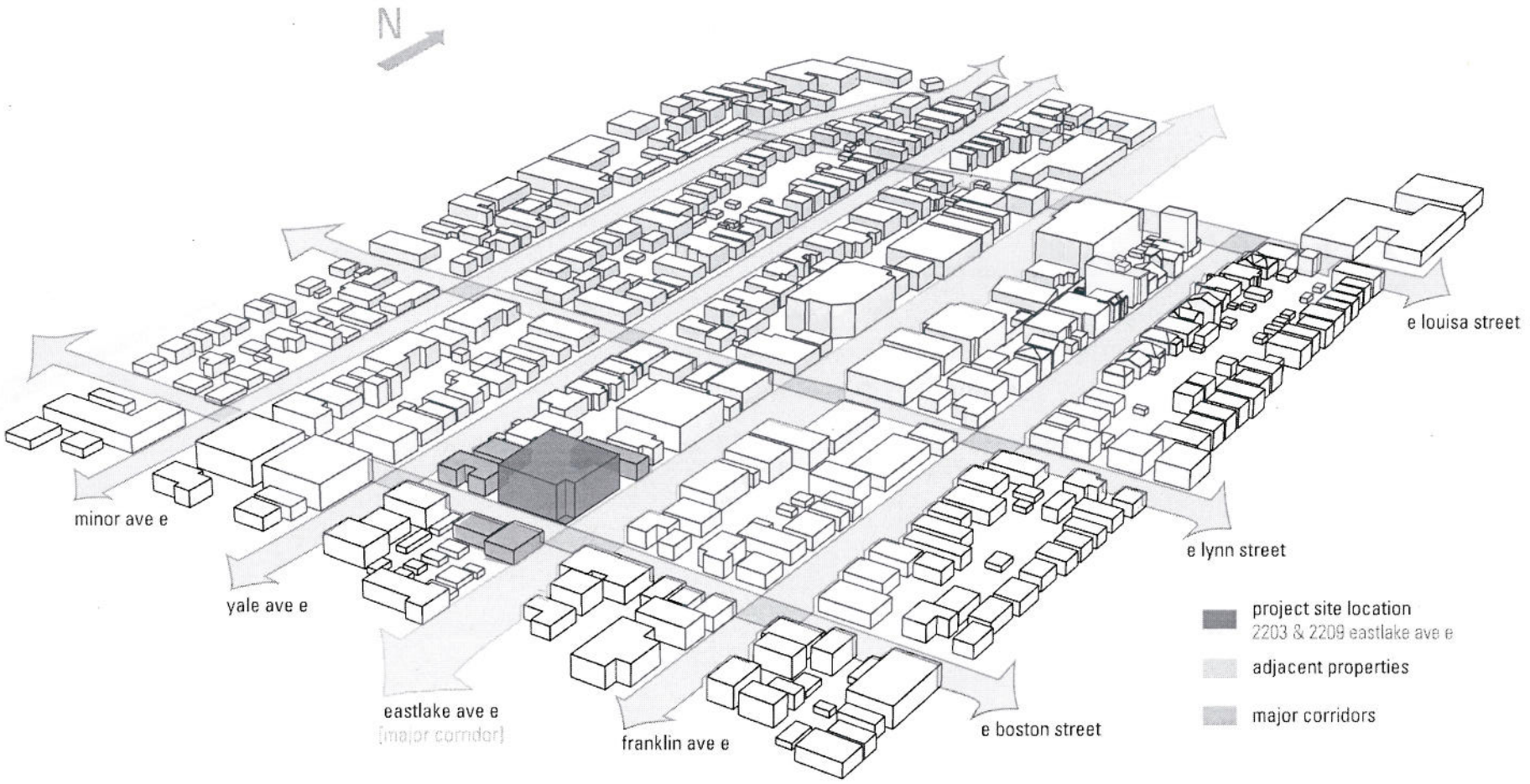


Exhibit 11

March 3, 2015

Director, Dept. of Planning and Development
701 Fifth Avenue, #1900
PO Box 34019
Seattle, WA 98124-4019

Public Resource Center
700 Fifth Avenue #2000
PO Box 34019
Seattle, WA 98124-4996

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVENUE AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

To the DPD director and the DPD Public Resource Center:

Attached to this letter, the Eastlake Community Council provides petitions with 124 signatures of people who have endorsed the following position and request, which ECC also endorses:

> We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

Please note that the requested public meeting is separate from any meeting of the Design Review Board. The DRB meetings should also be held in the Eastlake neighborhood, just as they were in the founding years of the design review program. As ECC has often pointed out to DPD: with so many large projects being proposed in Eastlake, it is harmful to public participation and to a good land use process for the DRB meetings about Eastlake neighborhood projects to be held at Seattle University, on the other side of I-5 and of Capitol Hill and farther even from Eastlake than downtown.

Sincerely,

Christopher K. Leman, President
Eastlake Community Council
info@eastlakeseattle.org
(206) 322-5463

117 E. Louisa #1 • Seattle, WA 98102

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
JOHANN WASSERMANN	jgwassermann@gmail.com	2507 MINOR AVE E	206.778.6671
Sandra C Wheeler	sandracwheeler@gmail.com	201 E BOSTON ST 98102	301.247.1728
Supriya Mitremail/Kale	sup-wick@gmail.	1135 18TH AVE E Seattle 98112	206.349.9033
Caitlin Heermans	CaitlinRoseSea@gmail.com	1017 BOREN AVE	206-604-3057
Preethi Ramani	ramani.preethi@gmail.com	1135 18th AVE E SEATTLE WA 98112	~~206~~425-269-7331
Emily Wheeler	egwheeler@gmail.com	1123 18th Ave E Seattle	206.384.2312
CHRIS PATTERSON	chpatterson@gmail.com	1123 18TH AVE E SEATTLE	206 3842309
Charles Wheeler	cbw@charleswheeler.net	201 E Boston ST Seattle, WA 98102	301 247 0400
Darnell Dudy	darnelldudy.com@hotmail.com	21318 92nd Ave West Edmonds WA 98026	425-226-4802
David C Campbell	jamn45@comcast.net	5703 25th Ave NE Seattle, WA 98105	- none -
David C Campbell	- none -	716 N. 49th Seattle Wa 98103	206-632-8175
Gerald West	GWEST@arc-usa.com	Illegible	Alaska 98624
Nate Reildan	N14bay@att.com	1229 Taylor ave N	206 301 4416
Cameron Lusvegas	cameronlusvegas@gmail.com	215 Queen Anne Ave N	~~47~~
Scott Monk	—	2209 Eastlake Ave E Seattle, WA	—
James Campbell	—	94 E Newton 98102	—
MATT PONTIOUS		11 E ALLISON ST. #3	206-719-5549
DAVID WILLIAMSON	tmp@commandcreate	2497 31ST AVE NE	415.254.2772
NICK CURTIN	nick.curtin	850 NE 91ST ST.	(604) 679-6

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
STEPHAN NAMISNAK	THECOLONELSCHICKEN@YAHOO	201 E BOSTON #100 98102	
Carol H. Namisnak	cnamisnak@	201 E. Boston, #100 98102	
Calm Smith	dragonfly@gmail.com	2017 Eastlake Ave E	206-518-8087
RYAN MURPHY	INFO@IVYBEHUB.COM	2226 EASTLAKE AVE. E.	206-745-0160
JIM KOOLICK	TYEECHUCK@YAHOO	2123 NW 85TH ST	206 784 1761
Matthew Burnett	mattyburnett@hotmail	100 E. Edgar Seattle	360-305-6999
Tim Haddox		117 E. Louisa St.	206-226-9976
Annie Lyman	Annielyman1230@Yahoo.	2044 Yale Ave E SEATTLE	
Kurt Abe		KMASAOABE@gmail.com	
Michael Garrett	skybot2@hotmail.com	214 E. Edgar	206-328-0327
Joan Bergman	jmbergman43@comcast.net	614 E. Lynn 98102	360-204-6780
LOU DALL	LOUDALL3@icloud.com	2260 PORTAGE BAY PL. E. 98102	206-324-3260
Bruce Davis	KING5704360COMCAST.NET	117 E. Louisa #482 Seattle, WA 98102	
Janet Yoder	JanetLYoder@gmail.com		
Robert Rudine	robertrudine@gmail.com	(206) 325-6645	
Mary Lou Pederson	SAMMAB@AOL.COM	2727 FAIR VIEW AVE E. #8 98102	206-709-1453
Carolyn Krall	Krallc@[illegible].net	2370 Yale Ave E 98102	206-779-9132
Chris Leman CHRIS LEMAN	clemanbu.oo.net	2370 Yale Ave 98102	206-322-5463

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Lydia Brennan	lydiafbrennan@hotmail.com	2228 Eastlake Ave E #6 Seattle 98102	303-549-6464
Ryan Brennan	ryanybrennan@msn.com	2228 Eastlake Ave E Seattle 98102	303-552-1268
Trevor Brennan	trevorybrennan@msn.com	2228 Eastlake Ave E Seattle 98102	303-552-1269
Scott M Brennan	SCOTTMBRENNAN@msn.com	2228 EASTLAKE AVE EAST APT6 SEATTLE WA 98102	303-909-1066
Alejandra Tavares	alix_tavares@hotmail.com	2228 Eastlake Ave E. Apt 3. Seattle Wa 98102	206-499-2089
Nanoatzin Castro	nanorub@gmail.com	2228 Eastlake Ave E. Apt 3 Seattle Wa 98102	206-457-7596
Sarah Quill	sarahquill@gmail.com	2228 Eastlake Ave E Apt 4 Seattle WA 98102	808-385-6979
Cheryl Dietrich Cheryl Dietrich	cherrelo1@yahoo.com	2228 Eastlake Ave E Apt 4 Seattle, WA 98102	910-818-6945
Donald Chang DONALD CHANG	donjing@comcast.net	2228 Eastlake Ave. E.	206-542-2397
Kathleen Carney	KathleenCarney@hotmail	2422 1st Ave W Seattle, WA 98119	206-769-9047
Clare Kanazawa	Kanazawa@gmail.com	"	206-351-3510
Paula Szlosy	pzaubcme.com	3118A Portage Bay Pl E	206-325-2108
Dan Brownlee	brownlee@astro.washington.edu	3118A Portage Bay Pl E	206 325 2108
Gail Jensen	gail1005@gmail.com	1926 Fairview E #303	206-323-6005
Don Gulden Donald C Gulden	dcgulde24@comcast.net	2624 W Viewmont Way W	206 286 8131
Liz Barbee	liz barbee@hotmail.com	3100 Fairview Ave E #203	206-320-0810
John Potter	"	3100 Fairview Ave E #203	206-320-0310
Cindy Nguyen	guangsinh@yahoo.com	2703 Bayview Ave E	206-300-8622

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVENUE AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature) e-mail address U.S. mail address Phone

1 Janice Schindler Janice Schindler janice.schindler@comcast.net
1519 229th Ave SE · Sammamish 98074 · 425-681-6303 (work in 98012)

2 Alexandra Bailey Alex Bailey allie.barman@gmail.com
201 E Boston St #3206
Seattle, WA 98102 585-734-8594

3 Calvin Chan 206-458-4790 calvin9175@gmail.com

4 Kelly Rowe 206-715-0190 rowe.kellyj@gmail.com

5 Chris Gan 253-632-9536 brainbumps@gmail.com

6 Kurt Pfaff 206-240-8351 SEWARD SCHOOL - TOTS

7 Alix Wandesforde-Smith alixws@msn.com

8 Randee Churchill 2065713651 randichurch@gmail.com

9 Sam Newbold snewbold@gmail.com

10 Grace Rayer gracerayer@gmail.com

11 Brittney Holdaas brittneyholdaas@gmail

12 Jeff Sorensen jpsoren@gmail.com

13 Shantau Fellows shantaufellows@outlook.com

14 Kevin Klein kevinaklein@gmail.com

15 Laurie Thomas tgoldbar@gte.net

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Callie Chestnut		2234 Eastlake AVE #301	
Emilie Kimball			
Jacob May	mayjacobr@gmail.com	2334 Eastlake Ave	
[illegible]			
Travis White			
Curtis Black			
Ben Veman		2234 Eastlake Ave E	
Jordan Petes		2234 Eastlake Ave E	
Dana Erickson		2234 Eastlake AVE E.	
John Markle	johnmarkle@uw.edu	2234 Eastlake Ave E #301	
Katherine Polak	katester@gmail.com	2234 Eastlake Ave E Apt 303	609 668 8433
Lauren Sleezer	lauren.sleezer@gmail.com	2234 Eastlake AVE E	
Jeff Finkelpaugh	jfinkler@gmail.com	2234 Eastlake Ave E	
John Burke	johnmburk@gmail.com	2234 Eastlake Ave. E	

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Sarah Armstrong Sarah Armstrong	sarah.armstrong.e gmail.com	201 E Boston St #3107 Seattle, WA 98102	206.214.5969
LISA TEMPOSKY	tcmposky@hotmail.com	10501 - 8th Ave NE #225 Seattle, WA 98125	206-290-3734
Gina Hart	ginaelyse@gmail.com	2907 NE 52nd St., #101 Seattle, WA 98105	206-819-2222
ANDREW JACKSON	ANDREW.JACKSON@COMCAST.NET	1414 12th AVE #503 SEATTLE, WA 98122	206-320-5912
Marianne Gendy Marianne Gendy	mgendy@seattlecca.org	6909 Weedin Pl. NE Seattle, WA 98115	336-473-0059
Farnaz Dormaosh	sdormaosh@gmail.com	98118	408-854-6005
Sharon San Jose	ssanjose@seattlecca.org	98105	206 370 4689
LUCY WU	lucywu91@gmail.com	98102	520 204 6682
Emily Walsworth	emilywalsworth@gmail.com	98118	206 288 6209
Alysha Duran	alyshaduran@hotmail.com	98199	206-999-6498
kim Reilly Brooke		98102	206-329-1111
Reilly Pittman	reillywp@gmail.com	2312 3rd Ave #533	206-999-0840

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

- We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Eugene Y. Son	zenoram@gmail.com	5106 Greenlake way N#B	206-375-5072
Will Clingerty	[illegible]	5552 Woodlawn Ave N	206 547 9591
Thuy Nguyen	tina_nguyen1027@live.com	825 NE 66th St.	509-438-8421
Kiley Koehler	KileyKoehler@charter.net	825 NE 66th St	5095213384
Kimberly Ong	kimberly.ong92@gmail.com	825 NE 66th St	6026-241-8930
Chris Clark	Chrisbuilds@comcast.net	9313 234th St	(425)2864716
Calvin Cline	C.Cline@hotmail.com	42227 7th Ave NE	(206)375-8980
Santa Velarquez	Sullmer420@Yahoo.com	9309 244th St	206 816 9439
Christian Gonzalez	christiengonz622@yahoo.com	19415 Linden Ave N.	206-356-1404

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
KAREN F. APPELMAN Karen F Appelman	kfappelman@aol.com	2020 YALE AVE E #201 SEATTLE WA 98102	206-323-7676
Kathleen W. Jendrick Kathleen W Jendrick	kwjendrick@yahoo.com	2022 yale Ave E #202 Seattle WA 98102	206-329-3065
ETTA K. CHAMBERS Etta K Chambers	—	2014 YALE AVE. E, SEATTLE, WA 98102	206-323-8286
Michelle A Solon Michelle A Solon	masolon@me.com	2020 yale Ave E. #201 Seattle, WA 98102	206-329.7689
LAURIE D. KOHLI Laurie D. Kohli	lkohli@porterkohli.com	2020 YALE Ave E. #301 Seattle, WA 98102	206-682-0224
PAULA McKINNON Paula McKinnon	paulamckinnon@msn.com	2022 YALE AVE E SEATTLE, W.A. #302	206 328 7227

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
STEPHEN LOCKE	STEPHENLOCKE@COMCAST.NET	1506 SW BRANDON ST 98106	206-651-5061
ELAINE LOCKE Elaine Locke	elainelocke@comcast.net	1506 SW BRANDON ST	206-651-5061
Timothy Locke	tim.locke.m@gmail.com	1506 SW Brandon St	206-607-7293

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Elizabeth O'Donoghue	lizodonoghue68@gmail	104 E Newton St	206-683-5626
Dan Schultery	dansing@gmail	12354 76th Ct. NE Kirkland	484-213-8008
EDWINA CHOUNG	echoung@uw.edu	4719 C 21st AVE NE, WA 98105	206-719-9173
Alyssa Hatsukami	hatsukami@gmail.com	4628 22nd Ave NE Apt C Seattle	(206) 714-4985
Jen Majeska	jen@dopen.com	2208 Eastlake Ave E #2 Seattle	206.909.9795
Mark Price	Mark@coyotes.org	2228 Eastlake Ave E #2 Seattle, WA 98102	747-777-2189

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
William M. Waring	urbandoc@hotmail.com	4127 SW Kenyon Seattle WA 98136	206-933-0885
Douglas Donohue	dougd@comcast.net	118 6th Ave N Seattle WA 98109	253-458-0718
Sharon Donohue	sharonkd@comcast.net	118 6th Ave N Seattle WA	253 458-0715

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVENUE ANDREQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle,WA 98102. Must have original signatures and contact information for each.Can have as few as onesigner. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on thelots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it beredesigned and resubmitted to be built within the existing zoning. We urgently request that the SeattleDept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear publiccomment regarding the proposed project and rezone.

name (print & signature)	e-mail address	U.S. mail address	Phone
(1) ADAM DREW	adamdrew@gmail.com	2037 Franklin AVE E apt 101 Seattle Wa 98102	206-949-9062
(2) Descie Svennungsen	descie@gmail.com	2037 Franklin AVE E #101 Seattle Wa. 98102	206-462-0658
(3)			
(4)			
(5)			
(6)			

Exhibit 12

City of Seattle
Department of Planning & Development
700 Fifth Avenue, Suite 2000, P.O. Box 34019, Seattle, WA 98124-4019

DPD Project No. 6378644

REQUEST FOR RELIEF FROM PROHIBITION ON STEEP SLOPE DEVELOPMENT OR MODIFICATION TO ECA SUBMITTAL REQUIREMENTS

TO BE COMPLETED BY APPLICANT

ECAS AND/OR BUFFERS MAPPED OR IDENTIFIED ON SITE

Geologic Hazard Areas

- [X] Steep Slope
- [X] Potential Slide due to Geologic Conditions
- [ ] Known Slide
- [ ] Liquefaction-prone
- [ ] Peat Settlement-prone

Fish and Wildlife Habitat Conservation Areas

- [ ] Shoreline Habitat*
- [ ] Riparian Corridor (Includes Riparian Management Area)
- [ ] Shoreline Habitat Buffer*
- [ ] Other Fish and Wildlife Habitat Area

Other

- [ ] Wetland
- [ ] Wetland Buffer
- [ ] Flood-prone
- [ ] Abandoned landfill

TYPE OF APPLICATION

[X] ***Relief from Prohibition on Steep Slope Development under Section 25.09.180B. Choose any that apply (Not an ECA exemption. Project subject to ECA review**.)***

- [ ] Proposed development is located where existing development is located, with no increase in impact on the steep slope [B2a]
- [X] Proposed development is located on steep slope areas created through previous legal grading activities [B2b]
- [X] Proposed development is located on steep slope areas that are less than 20 feet in vertical rise and that are 30 feet or more from other steep slope areas, and no adverse impacts on the ECA will occur [B2c]
- [ ] Application of development standards would prevent necessary stabilization of a landslide prone area [B2d]

[ ] **Modification to submittal requirements (not an ECA exemption. Project subject to ECA review**).** Request for modification to application submittal requirements per Director's Rule 3-2007. If more than one ECA is mapped or identified on the site, indicate applicable ECA for which modified submittal requirements are requested.

_____

_____

_____

*For Shoreline Habitat and buffer, regulations in SMC 23.60 also apply. A Shoreline Substantial Development Permit (SSDP) or Exemption may be required. See CAM 209A for information about exemptions from SSDP.

**Development may also be subject to SEPA. See CAM 200, *When Environmental Review is Required in the City of Seattle*.

FORM CONTINUES

SITE, PROJECT, AND OWNER/AGENT INFORMATION

Site Address: 2203 EASTLAKE AVE. E.

Description of proposed project:

DEMOLITION OF AN EXISTING SINGLE FAMILY RESIDENCE AND AN EXISTING COMMERCIAL BUILDING, AND CONSTRUCTION OF A 6 STORY MIXED USE STRUCTURE OVER 1 LEVEL OF UNDERGROUND PARKING, WITH 46 DWELLING UNITS

Please describe the reasons for your request:

THE STEEP SLOPE AREA IN QUESTION IS ADJACENT TO E. BOSTON STREET AND WAS CREATED THROUGH GRADING FOR THE ROADWAY. IN ADDITION, THE ENTIRE STEEP SLOPE WILL BE REMOVED AS PART OF THE PROPOSED PROJECT.

Request must be part of a specific development proposal submitted for DPD review and apply only to that proposal. Please provide the assigned DPD project number for the proposal:

6979644

Property Owner's Name: 2203 Eastlake Ave E LLC

Residence Address: 117 E Louisa St. Unit #143

City/State/Zip Code: Seattle, WA 98102

Telephone: 206-914-8130

Agent's Name: John Links

Address: 2803 Western Ave #610

City/State/Zip Code: Seattle, WA 98121

Telephone: 206-728-1912

Applicant's Signature:

Date of Application: 5-19-15

TO BE COMPLETED BY DPD STAFF

☐ Meets Criteria ☐ Does Not Meet Criteria

Reviewer _____ Date _____

Explanation or Conditions:

To obtain review of a decision on an application under SMC 25.09.180B, an interpretation must be requested under SMC 23.88.020.

Exhibit 13

DEPARTMENT OF PLANNING AND DEVELOPMENT

DEPARTMENT OF PLANNING & DEVELOPMENT

Project #	Address	Document	Format	Size	Document Date	Capture Date
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Waste Diversion Plan	pdf	000169231 165 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Ordinance/Structural Correction Response: Ordinance/Structural Correction ResponseV2	pdf	000060977 59 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Ordinance/Structural Correction Response	pdf	000155242 151 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Geotechnical Correction Response	pdf	000058562 57 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Drainage Correction Response	pdf	000039043 38 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for DRAINAGE	pdf	000049835 48 KB		05/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for CONVEYANCE	pdf	000049704 48 KB		05/06/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for Engineering Services	pdf	000057108 55 KB		05/12/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for ENERGY & MECHANICAL	pdf	000045491 44 KB		05/11/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for STRUCT ENG	pdf	000056572 55 KB		06/18/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 2 corrections for STRUCT ENG	pdf	000052678 51 KB		08/19/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 2 corrections for DRAINAGE	pdf	000053461 52 KB		08/27/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for Applicant Services	pdf	000052843 51 KB		08/20/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: SDOT Shoring Review Comment	pdf	000145269 141 KB		05/15/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for ZONING	pdf	000049140 47 KB		05/22/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for ORDINANCE	pdf	000052349 51 KB		06/09/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Contractor Disclosure	pdf	000573864 560 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Contractor Disclosure: Contractor DisclosureV2	pdf	000188469 184 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Owner's Authorization	pdf	000407528 397 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Geotechnical Report	pdf	002367966 2 MB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Screening & Submittal Checklist	pdf	001327038 1295 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Cover Sheet	pdf	001404120 1371 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Cooling and Heating Calculations	pdf	000080920 79 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Structural Calculations	pdf	052088968 49 MB		04/13/15
6378644	EASTLAKE AVE E 02203	Site Plan	tif	012953092 12		08/15/13

Project #	Address	Document	Format	Size	Document Date	Capture Date
	2203 Eastlake Ave E			MB		
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Shoring Calculations	pdf	004412487 4 MB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Drainage Report	pdf	002089050 2040 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Energy Code Forms	pdf	000381175 372 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Pre-Submittal Meeting Notes	pdf	000077779 75 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: PAR	pdf	000086417 84 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Geotech Inspections Schedule	pdf	000331810 324 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Supplemental Structural Calculations	pdf	002295267 2 MB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Potential Landslide Area Covenant	pdf	000361358 352 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Geotechnical Review Letter	pdf	000068890 67 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Residential Electric Heater Sizing	pdf	000080920 79 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Results Request for Relief From Prohibition on Development in Steep Slopes and Buffer	pdf	000051689 50 KB		07/02/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Statement of Structural Special Inspection	pdf	000302713 295 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: ECA Relief Request	pdf	000089828 87 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Construction Permit Authorization Letter	pdf	000118865 116 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Shoring Commitment Letter	pdf	000041662 40 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Recorded Easement	pdf	000554170 541 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Energy Code Forms	pdf	000348189 340 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Energy Correction Response	pdf	000052284 51 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Shoring Correction Response	pdf	000053348 52 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Conveyance Correction Response	pdf	000056424 55 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Fire Correction Response	pdf	000063169 61 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Intake Transmittal	docx	000043393 42 KB		04/15/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Approval Letter: Fire Department Plan Review	pdf	000036778 35 KB		05/14/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Construction: Exemption	pdf	000050323 49 KB	05/19/15	07/17/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Legal: Covenant Potential Landslide	pdf	000317248 309 KB	06/09/15	07/15/15

50 documents found

Bottom of Form

DEPARTMENT OF PLANNING & DEVELOPMENT

Exhibit 14

LEFT COLUMN TO BE COMPLETED BY APPLICANT.
RIGHT COLUMN FOR DPD USE ONLY.

A. BACKGROUND

1. Name of proposed project, if applicable:

   2203 & 2209 Eastlake Ave E Seattle, WA 98102

2. Name of applicant:

   Maria Barrientos, Barrientos, LLC

3. Address and phone number of applicant and contact person:

   2003 Western Ave #610

   Seattle, WA 98121

   Maria Barrientos – (206) 728-1912

4. Date checklist prepared:

   July 9, 2014

5. Agency requesting checklist:

   Department of Planning and Development (DPD)

6. Proposed timing or schedule (including phasing, if applicable):

   Construction anticipated to begin: August 2015 (on or before)

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

   None

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

   Phase I Environmental, dated September 5, 2013

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

   None

10. List any government approvals or permits that will be needed for your proposal, if known.

    Land Use (Master Use Permit – MUP)

    Building Permit

    Tenant Relocation Assistance Ordinance Permit

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project. There are several

Exhibit 15

4. Date checklist prepared: [help] Jun 9, 2014

5. Agency requesting checklist: [help] DPD

6. Proposed timing or schedule (including phasing, if applicable): [help]

Construction anticipated to begin in Fall 2015

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [help]

None

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [help]

Phase 1 Environmental, Dated September 5, 2013

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [help]

None

Exhibit 16

4. Date checklist prepared: [help] Jun 9, 2014

5. Agency requesting checklist: [help] DPD

6. Proposed timing or schedule (including phasing, if applicable): [help]

Construction anticipated to begin in Fall 2015

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [help]

None

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [help]

Phase 1 Environmental, Dated September 5, 2013

Traffic and parking studies

Geotechnical Study

View Analysis

Property history

SKB

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [help]

None

Building permit application 6378644
SKB

September 3, 2015

To: DPD Public Resources Center (PRC)
700 Fifth Ave, Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019
prc@seattle.gov

Please post the enclosed comments on your website associated with Project #3016024, 2203-2209 Eastlake Avenue East.

Thank you.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Avenue East, #304
Seattle, WA 98102
ibappelman@comcast.net
appelman@bmi.net
(206)235-4953

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Avenue East, #304
Seattle, WA 98102

September 3, 2015

Shelley Bolser, Land Use Planning Supervisor
City of Seattle Department of Planning and Development (DPD)
700 5th Avenue, Suite 2000
Seattle, WA 98124

RE: Summary of Legal & Procedural Issues, Project # 3016024

Dear Planning Supervisor Bolser:

The following comments summarize some of our legal and procedural issues concerning Project # 3016024. The project includes (a) the demolition of buildings at 2203-2209 Eastlake Avenue East; (b)the rezoning of the two lots of property from NC2/30 and LR2 RC to NC2/40; and (c) the rebuilding of a mixed use building, which is disallowed by the current zoning and so depends upon simultaneous rezoning and project review.

(1) Since Project #3016024 doesn't meet current zoning, the permit application must be denied because it is a violation of the Local Project Review Act, RCW 36.70B, to reconsider zoning once a project has been proposed. Simultaneous project review and rezoning is disallowed by the Act:

RCW 36.70B governs local project review in this State. RCW 36.70B.030(1) requires that, "Fundamental land use planning choices made in adopted comprehensive plans and development regulations shall serve as the foundation for project review." "Shall" means that the direction is mandatory. These land use planning choices CANNOT be reexamined during project review. RCW 36.70B.030(3) explains that, "During project review, the local government or any subsequent reviewing board shall not reexamine alternatives..." on such issues as "type of land use permitted on the site" or "density of residential development."

The note to RCW 36.70B.030 explains the findings and intent of the Washington Legislature: "Given the extensive investment that public agencies and a broad spectrum of the public are making and will continue to make in comprehensive plans and development regulations for their communities, it is essential that project review start from the fundamental land use planning choices made in these plans and regulations... The project review process...should not reanalyze these land use planning decisions in making a permit decision."

Normally, the requirement that zoning PRECEDE local project review frustrates the public because, as non-professionals, the public has difficulty understanding the implications of zoning until local projects that comply with the zoning are proposed. Therefore, if a project is proposed that complies with zoning and the public objects, the public's objections are dismissed because state law prohibits revisiting zoning during local project review.

In the case of Project #3016024 however, in 1985/1986 there was an "extensive investment" that Eastlake neighbors made "in the development regulations for their community." The developer is prohibited from proposing a local project inconsistent with zoning and DPD is prohibited from considering a local project inconsistent with zoning. If the developer wants to propose a local project inconsistent with local zoning, which the developer admits in this case, the developer FIRST MUST OBTAIN A REZONE BEFORE proposing a local project, so the current Project #3016024 must be rejected by DPD.

The Washington Administrative Code (WAC) further explains: "A basic principle of the Growth Management Act (GMA) and the Local Project Review Act is that land use decisions made in adopting a comprehensive plan and development regulations under chapter 36.70A RCW should not be revisited during project review (WAC 365-97-010).

(2) Since a quasi-judicial act cannot overturn a legislative act, this proposed rezone is disallowed. In 1985/86 when the City Council was establishing area-wide zoning for the Eastlake Community, rezoning this property to NC2/40, as is proposed here, was proposed then by the Mayor and specifically considered by the City Council. The City Council rejected the developer's proposed rezone showing legislative intent that the property remain NC2/30. That legislative act can only be reversed by a legislative act.

In 1985, the Mayor recommended that the corners of Eastlake Avenue East and Boston Street be rezoned to NC2/40. That Mayor's request included the 2203-2209 Eastlake Avenue East properties that are the subject of the current developer's NC2/40 rezone application (Exhibit 1).

The Eastlake Community Council opposed rezoning to NC2/40 claiming that an NC2/30 height limit would "result in structures of a more reasonable scale that will have less negative impact on the Eastlake Community in terms of parking, view blockage and streetscape, and will help to promote the types of neighborhood serving businesses desired for the community," and that would "help preserve and strengthen the residential neighborhood scale and character of Eastlake" (Exhibit 2 & 3).

The Eastlake Community Council continues to oppose the rezone for similar reasons that the City Council accepted when the property was last zoned. Exhibit 4 is the first two pages of a letter the Eastlake Community Council submitted opposing this rezone, which also explains the history of zoning on this property.

The City Council considered the rezoning in the developer's application back when the property was last rezoned. The City Council specifically considered and rejected zoning the property for 40-foot tall buildings, instead zoning the property for 30-foot tall buildings. Since legislative intent is to limit height of the buildings at 2203-2209 Eastlake Avenue East to 30 feet, the developer needs to seek a legislative rezone, not a contract rezone, to change the zoning.

(3) This project is an attempt to achieve an area-wide rezone improperly using a quasi-judicial process. The developer and supporters have made clear this application is a first step in building 40-foot tall buildings throughout the "Eastlake corridor." In order for the developer and

supporters to get the area-wide rezone they are seeking, they need to approach the City Council to pass and area-wide rezone, not a quasi-judicial spot rezone.

In the 8/23/13 Pre-submittal Conference Application (Exhibit 5), the developer indicates that the purpose of the application is to extend NC2-40 zoning throughout the "Eastlake corridor." On page 4 of 6, it reads, "Past Contract Rezone at 2234 Eastlake Ave E to NC2-40 (Vinemaple) sets precedence for the city to continue the NC2-40 zoning designation through the corridor." The notes show that during the pre-submittal conference the developer brought up this exact point about continuing the NC2-40 zoning throughout the corridor (Exhibit 6).

Most of the letters in support of the project are from businesses. A number of those letters make clear that what's being proposed is increased zoning height not just for the 2203-2209 parcels, but throughout the corridor. Here are a few of the letters specifically suggesting the project is rezoning the corridor:

A.L. Wahe of 2821 Eastlake Avenue E. writes: "Currently the Eastlake community has inconsistent zoning ranging from low-rise 2 zoning to NC3-65 zoning. The neighborhood is ripe for a complete up zone similar to those provided at South Lake Union, Broadway Avenue, Market Street in Ballard, University Way and several other major arterials in the University District and the likely proposed up-zoning in Uptown Queen Anne." (Exhibit 7)

Ross Candoo of Candoo Associates writes: "As more properties like the one proposed develop in the Eastlake neighborhood are finding that 40 to 65 ft development standards help attract the development dollars and type of iconic projects that transform neighborhoods in a positive way. Eastlake simply has not kept up with the rest of Seattle." (Exhibit 8)

And as Brian J. Bergman of 2810 Eastlake Avenue E. writes: "Eastlake is one of the only neighborhoods that I know in Seattle that does (sic) have uniform zoning codes. For instance, on Eastlake Ave E north of Fred Hutch, there are NC 30, NC 40, LR, IG, and C1 zones and many of these different zones are adjacent to one another along Eastlake Ave E. In my opinion, all of these properties from Eastlake Ave E to their alleys should be NC 40 zoning or higher." (Exhibit 9)

Though the developer and supporters have a right to seek higher density zoning through what they call the "Eastlake corridor," they don't have a right to use a quasi-judicial contract rezone to accomplish a legislative area-wide rezone. The area-wide rezone throughout some of the corridor was rejected in the earlier 1985/1986 zoning (Exhibit 1). This attempt to use a quasi-judicial rezone as a sort of creeping area-wise rezone must be rejected.

(4) City staff are blocking communications between citizens and Seattle City Councilmembers, who will make the ultimate decision in this rezone, in violation of RCW 42.36.060. This illegal blocking has prevented neighbors discussing the fairness and substance of this process with their elected officials.

City staff have blocked emails from neighbors going to councilmembers and falsely claimed that in a quasi-judicial process, there can be no communications between citizens and

councilmembers. RCW 42.36.060 provides for councilmember/citizen communications if those communications are placed on the record as follows:

> **42.36.060**
> **Quasi-judicial proceedings — Ex parte communications prohibited, exceptions.**
>
> **During the pendency of any quasi-judicial proceeding, no member of a decision-making body may engage in ex parte communications with opponents or proponents with respect to the proposal which is the subject of the proceeding unless that person:**
>
> **(1) Places on the record the substance of any written or oral ex parte communications concerning the decision of action; and**
>
> **(2) Provides that a public announcement of the content of the communication and of the parties' rights to rebut the substance of the communication shall be made at each hearing where action is considered or taken on the subject to which the communication related. This prohibition does not preclude a member of a decision-making body from seeking in a public hearing specific information or data from such parties relative to the decision if both the request and the results are a part of the record. Nor does such prohibition preclude correspondence between a citizen and his or her elected official if any such correspondence is made a part of the record when it pertains to the subject matter of a quasi-judicial proceeding.**
>
> **[1984 c 191 § 1; 1982 c 229 § 6.]**

The Municipal Research Service Center provides legal advice to cities and has posted on its website (http://mrsc.org/Home/Search.aspx?i=46&q=appearance%20of%20fairness) the answer to whether a councilmember can accept correspondence. The answer is Yes and is stated as follows: "Does the **appearance of fairness** doctrine prohibit a decision-maker from reviewing and considering written correspondence regarding matter...
No. Decision-makers can accept written correspondence from anyone provided that the correspondence is disclosed and made part of the record of the quasi-judicial proceeding. RCW 42.36.060"

(5) The main issue raised by this rezone application is whether a building that is completely incompatible with the neighborhood can be built in order to change the neighborhood to become compatible with the incompatible building?

Exhibit 10 shows the developer's "context analysis" of how the proposed building fits into the neighborhood. The proposed building dwarfs all surrounding buildings. But the developer and supporters claim the building fits right in to how the neighborhood is SUPPOSED to look. So whose judgment is used to determine the compatibility of the building?

Exhibit 11 is a petition signed by 124 Eastlake residents who oppose the expanded height, bulk, and scale of the building as not fitting into the neighborhood and request that the building to be redesigned to fit within the neighborhood using the current zoning.

SMC 23.34.008(B) "Match Between zone Criteria and Area Characteristics" provides that 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." Since the 30-foot limit to building height

in the current NC2/30 is higher than most of the surrounding buildings, surely NC2/30 is much more appropriate than NC2/40 as the great majority of neighbors have confirmed.

SMC 23.34.008(C)) "Zoning History and Precedential Effect" requires that "Previous and potential zoning changes both in and around the area proposed for rezone shall be examined." On examination, it is clear (Exhibits 1,2,3) that previous City Council zoning, including very substantial public involvement, rejected 40-foot tall buildings at this corner of Eastlake & Boston in favor of a 30-foot building height, which is the current zoning.

SMC 23.34.008(E)(1) "Zoning Principles" provides that, "A gradual transition between zoning categories, including height limits, is preferred. The proposed building doesn't transition to the considerably smaller surrounding buildings. The developer insisted on "big box" architecture to maximize floor area and rejected modulating building height to transition to the surrounding neighborhood.

SMC 23.34.008(G) "Changed Circumstances" requires that "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." The only changed circumstance is that this developer and business supporters want to create changed circumstances so they can claim circumstances have changed when they haven't. Circumstances haven't changed, NC2/40 zoning is inappropriate and the City must respect the judgment of the neighborhood of what's appropriate in the neighborhood.

SMC 23.34.009(C) "Height and Scale of the Area" requires that "The height limits established by current zoning in the area shall be given consideration," and "permitted height limits shall be compatible with the predominant height and scale of existing development..." A substantial number of neighbors believes that the proposed building is NOT compatible with surrounding height and scale.

SMC 23.34.009(D) "Compatibility with Surrounding Area" provides that "Height limits for an area shall be compatible with the actual and zoned heights in surrounding areas" and "a gradual transition in height and scale and level of activities between zones shall be provided..."

(6) Procedural irregularities suggest that DPD staff is much too close to the developer and that staff appears to be working for the developer rather than remaining neutral when answering questions arising from the development application. We provide the following example to illustrate this point.

Unbeknownst to the public, a permit related to the contract rezone was reviewed and approved without any public scrutiny. The permit was for Project #6378644, "Request for Relief from Prohibition on Steep Slope Development..." (Exhibit 12). The permit process appears to have begun by April 2015, but must have been known well before that by the developer and DPD, and was approved without any comments from a public that didn't know it existed (Exhibit 13).

The public SHOULD HAVE KNOWN about this steep slope permit because question A9 of the SEPA Checklist asks: "Do you know whether applications are pending for governmental

approvals of other proposals directly affecting the property covered by your proposal? If yes, explain."

The developer's original SEPA Checklist was posted on September 19, 2014. The developer answered, "None" to the question of related applications (Exhibit 14). I have only included in the exhibit page 2 from the SEPA Checklists, which contains the question of related applications. For an unspecified reason, the developer submitted an amended SEPA Checklist that was posted on May 28, 2015, weeks after the steep slope permit process had begun. The developer falsely answered, "None" to the question of related applications (Exhibit 15), which we know was false because the developer had already applied for relief from steep slope requirement.

Finally, months later on July 22, 2015, an apparent staff-amended SEPA Checklist (Exhibit 16) was posted revealing the existence of the related steep slope permit. The staff-amended SEPA Checklist was posted as an "annotated" checklist. Staff and the developer appear to have worked together to keep from the public the knowledge that steep slopes were a problem with the Project 3016024. Staff should have acted neutrally in dealing with the steep slope problem.

This has been a summary of some of our legal and procedural concerns. Additional comments may be forthcoming. Please consider these comments in deciding whether to recommend approval or disapproval of Project #3016024.

Thank you.

Sincerely,

Mid-Eastlake Neighbors:
Sandra Wheeler
Charles Wheeler
Sarah Armstrong,
Lydia Brennan
Scott Brennan
Ryan Brennan
Trevor Brennan
Donald Huang
Jing Huang
Karen Appelman
Ira Appelman
Kathy Jendrick
Michelle Solon
Stephan Namisnak
Carol Namisnak
Stephen Locke
MaryLou Pederson
Sam Pederson

Exhibit 1

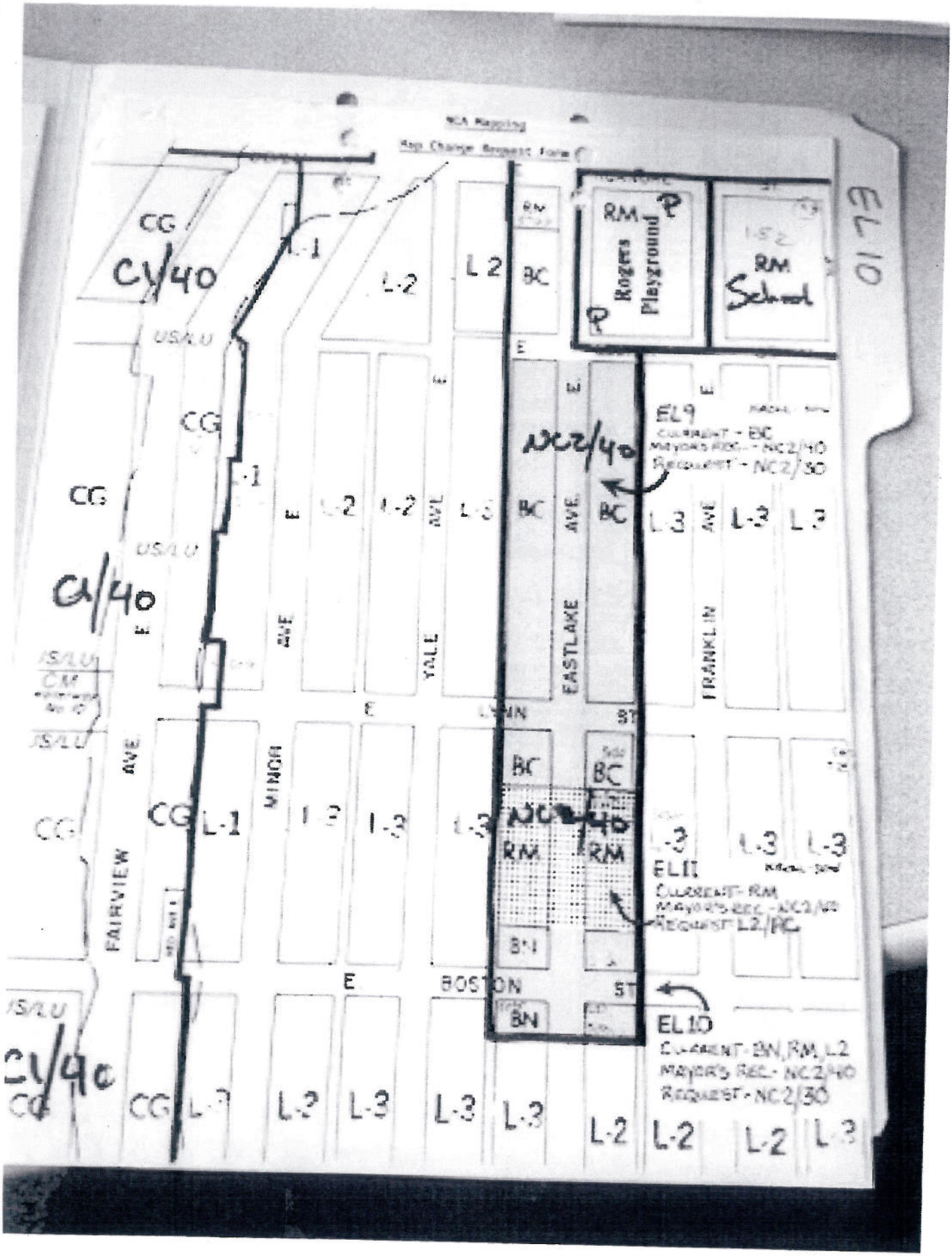

Map Change Request Form
RM
Rogers Playground
RM
School
EL9
CURRENT - BC
MAYOR'S REC. - NC2/40
REQUEST - NC2/30
NC2/40
EL11
CURRENT - RM
MAYOR'S REC. - NC2/40
REQUEST L2/RC
EL10
CURRENT - BN, RM, L2
MAYOR'S REC. - NC2/40
REQUEST - NC2/30
EASTLAKE AVE
FRANKLIN AVE
YALE AVE
MINOR AVE
FAIRVIEW AVE
LYNN ST
BOSTON ST
CG
BC
BN
RM
L-1
L-2
L-3
IS/LU
CM
EL 10

Exhibit 2

Map Issue: 61 10
NCA Mapping Staff Report

May 31, 1985

Each corner of the intersection of East Boston Street and Eastlake Avenue East.

Current Zoning: RS, RM, L2
Mayor's Recommendation: NC2/40
Request: NC2/30

Staff Recommendation: NC2/40
Committee Recommendation: 2-1 (35, RC) NC2/40 & NC 2/30 3-0 6-14-85

Existing Development: Commercial and multi-family
Surrounding Area Development: To the north commercial and multi-family, to the south, east and west single and multi-family

Surrounding Area Zoning: To the north RM(NC2/40) to the south and west L-3, to the east L-2.

General Area Description: Three out of the four corners have single purpose commercial uses. These include a dry cleaners, a business office and a deli/restaurant. The fourth corner is a duplex with a ballroom business in it.

Reasons for Request: The Eastlake Community Council is opposed to recommendations for heights over 30 feet. They cite the following reasons: A height limit of 30 feet (potential 58 feet) will result in structures of a more reasonable scale that will have less negative impact on the Eastlake Community in terms of parking, view blockage and streetscape, and will help to promote the types of neighborhood serving businesses desired for the community.

Community Response: None.

Match With Height Locational Criteria: The height locational criteria include consideration of the scale of existing development and of surrounding development. A 40 foot height limit would be compatible with the predominant height and scale of existing development. The tallest development in the issue area is about three stories.

Staff Recommendation: Staff recommends NC2/40 for each corner of the intersection of East Boston Street and Eastlake Avenue East.

E-29R.3/NCAdec

Exhibit 3

EL 10

NCA Mapping

Map Change Request Form

If you wish to request a different commercial zone or height limit than that recommended by the Mayor, and have not already done so, please fill out this form. Your request will be evaluated according to the Neighborhood Commercial Area Policies. You may supply additional information at a later date or bring it to the public meeting scheduled for your region. It is not necessary to have complete information to turn in this form -- the location of the property and your request are the essential elements.

Your Name and Address: Carol Dychaver - Eastlake Community Council Land Use Committee

2346 Franklin Avenue East, Seattle 98102

Location of Area (address or physical description - no legal descriptions please)

Eastlake Community - primarily along Eastlake and Fairview Avenues. See attached map.

Current Zoning: See attached map.

Mayor's recommendation [zone/height]: See attached map.

Your request [zone/height]: See attached map.

Reasons for your request: The attached map reflects zoning changes that are consistent with adopted community plans and goals and policies of the Eastlake neighborhood. We feel the changes are necessary to help preserve and strengthen the residential neighborhood scale and character of Eastlake. A complete discussion regarding this request will be submitted to the Council staff by February 28, 1985.

Please return this form to the Seattle City Council, 1100 Municipal Building, Seattle 98104 -- Attn: NCA Mapping.

1-14R.28/50:ec

Exhibit 4

117 E. Louisa St. #1
Seattle, WA 98102-3278

December 3, 2014

Director, Dept. of Planning and Development
701 Fifth Avenue, #2000
PO Box 34019
Seattle, WA 98124-4019

Public Resource Center
701 Fifth Avenue
PO Box 34019
Seattle, WA 98124-4019

REASONS WHY CITY MUST REJECT THE PROPOSED REZONE FOR THE PROJECT PROPOSED AT 2203 AND 2209 EASTLAKE AVENUE (MUP # 3016024)

To the DPD director and others responsible for review and action on applications:

Our Nov. 30, 2014 letter stated the Eastlake Community Council's opposition to the proposed rezone for the project proposed at 2203 and 2209 Eastlake Avenue East (MUP #3016024). The present letter details the reasons why City officials must reject this proposed rezone, which is so far from meeting the legal standard for a rezone that we believe it should not have been requested. At its end the letter also details problems and remedies in how this proposal is being considered.

ECC's authority to comment. Founded in 1971, the Eastlake Community Council is the neighborhood association for Eastlake; its membership is open to anyone who lives, works, or owns property in the Eastlake neighborhood (defined as the area between the Ship Canal and Mercer Street, and between I-5 and Lake Union). During the exercise in remapping of Seattle's commercial areas which led to the 1986 adoption of the present NC1 and L-2 zoning for these lots, ECC filed the original submissions proposing the zoning classifications that the City Council eventually adopted and that now apply to the property (more about this process below).

Under a memorandum of agreement with the City, the Eastlake Community Council also administered the City-funded process by which neighborhood stakeholders, in collaboration with DPD and other departments, produced the 1998 Eastlake Neighborhood Plan. The executive branch report to the City Council regarding this Plan stated that it was unexcelled among neighborhood plans for the quality and extent of its outreach efforts. The Eastlake Neighborhood Plan process considered and rejected zoning all changes, including at 2203 and 2209 Eastlake Ave.

Original rationale of the City Council for the current NC and L2 zoning. The current zoning for the lots at 2203 and 2209 Eastlake Avenue was adopted in the citywide commercial areas mapping process of the mid-1980s. At that time the Mayor had proposed NC2 (40 foot height) for both lots (the very zone that the applicant again proposes), but instead the City Council unanimously adopted the current

NC1 (30 foot height) for 2203 Eastlake Avenue and L2 (30 foot height) for 2209 Eastlake Avenue and adjoining lots. The rezone application acknowledges (p. 9) that this zoning decision was not the result of a mapping error. The Land Use Code does not allow the City Council to grant a rezone without a large number of other criteria being met. The current zoning for these lots should be presumed valid, with a heavy burden of proof upon anyone who proposes a rezone. Zoning should be done through citywide or neighborhood wide planning processes such as produced this particular zoning in the first place. Following is a legislative history of how the current zoning came to be, and then the rest of this letter sets forth reasons why the application to change this zoning lacks merit.

Reasons for City Council adoption of the L2 zone for the lot at 2209 Eastlake Avenue. In agreeing with the ECC request for the L2 zone for the mid-block east and west sides of Eastlake Avenue E. between E. Lynn Street and E. Boston Street, the City Council acted on the basis of the May 31, 1985 NCA Mapping Staff Report, Map Issue EL 11. This report gave the following summary of ECC's reasons for the request (quoted here verbatim):

- to downzone strip commercial areas which have not been extremely developed in commercial use
- lack of edges or buffer between residential and commercial uses
- insufficient parking in commercial zone results in parking spillover in residential streets, particularly Franklin and Yale
- concentrates commercial activity at several nodes along arterial to help eliminate the "strip" character of Eastlake
- provides for a more suitable pedestrian environment

The staff report, which the City Council evidently followed in adopting the recommended zoning, had the following analysis and recommendation (quoted here verbatim):

> To rezone from RM to L2/RC fits the following RC function statements: As a means to downzone small commercial areas which have not been extensively developed in commercial uses and where commercial services are available nearby. The area meets the criteria for physical factors favoring designations as RC, "lack of edges or buffer between residential and commercial uses and streets with adequate access and circulation." An RC designation would also break up the strip commercial areas on Eastlake. Staff recommends L2/RC for mid-block east and west of Eastlake Avenue E. between E. Lynn Street and E. Boston Street.

Reasons for City Council adoption of NC1 zoning for the lot at 2203 Eastlake Avenue. In a January 14, 1986 request (a letter to City Council land use committee chair Jim Street from ECC president Carol Eychaner and vice president Lynn Howell), ECC stated: "The four corners of Boston [are] the one area along Eastlake that legitimately qualifies for NC1 as it is characterized by very small scale, neighborhood serving businesses. The ECC believes that the scale of construction allowed by NC2 would destroy the character of this corner." The City Council evidently agreed with this reasoning, because it adopted NC1 zoning for the lots at this corner, despite the fact that the Mayor had recommended NC2.

Proposed rezone fails to meet Land Use Code requirements. Sections SMC 23.24.008 and 009 of the Land Use Code impose a high threshold for approval of a rezone, a threshold which this request does

Exhibit 5

City of Seattle
Department of Planning and Development (DPD)
700 Fifth Ave., Suite 2000, P.O. Box 34019
Seattle, WA 98124-4019
www.seattle.gov/dpd

Phone: 206-684-8850
Fax: 206-233-7866
Email: dpd_asc_support@seattle.gov

Pre-submittal Conference Application

RECEIVED
AUG 23 2013
DEPT OF PLANNING AND DEVELOPMENT

Project #: 3016024
Date: 08/23/2013

SECTION I
(Completed by applicant - fill out all sections below)

Contact Person for this project: Neal Thompson
Contact Address (include zip): c/o Roger H Newell, AIA 1102 19th Ave E, Seattle, WA 98112
Phone No: 206-322-1192 Fax No: 206-322-5161
Email: neal@rhnewellaia.com

PROJECT INFORMATION

Project Address: 2203 Eastlake Ave E

What is the Project Valuation (best guess, if necessary) $ 4,125,000

Check the box or boxes which most closely describe the type of questions you would like to address. See the explanations below for help in choosing a pre-submittal conference type. Construction Only and other conference types are scheduled separately and have separate fees. If you indicate a desire to schedule multiple conferences back-to-back, scheduling staff will try to accommodate you.

☐ **Construction Only Pre-submittal Conference:** An in-depth conference which primarily addresses specific issues as they relate to the technical aspects of the Building Code. Subject matter experts on the fire code, energy code, and geotechnical issues may also attend or have input. Specific questions must be submitted as part of the pre-submittal application along with the code citation. Conditions or alternatives may be approved, documented, and incorporated into the application package. Land Use and other City departments experts, will not be invited to attend this meeting.

☐ **Energy / Mechanical Questions?** If all questions are related to energy/mechanical please select Energy / Mechanical Pre-submittal Conference option below.

☐ **Geotechnical questions?** If all questions are related to geotechnical issues, a Geotechnical Coaching Appointment is needed instead of a construction pre-submittal conference. The coaching application is located @ http://www.seattle.gov/dpd/cms/groups/pan/@pan/@forms/documents/web_informational/dpdp022220.pdf

☐ **Energy / Mechanical Pre-submittal Conference:** An in-depth conference which will primarily address technical issues of the energy code and or mechanical code. Applicants who intend to comply with the energy code by other than the prescriptive requirements of the code are highly encouraged to discuss their approach with one of our technical experts prior to application submittal.

☐ **Sustainable Building Design Advice:** Check this option if you would like to talk with DPD experts about sustainable building design and related DPD programs, including:

☐ **Green Q** - An expedited permitting process for green single-family and townhome projects.
☐ **Priority Green Permitting** - A facilitated permitting process for projects incorporating innovative and sustainable design concepts.
☐ **Innovation Advisory Committee** - An advisory committee which works with applicants and DPD prior to construction application submittal to provide objective, technical input to reviewers regarding new and innovative technologies not currently recognized by technical code standards.
☐ **Living Building Pilot** - A demonstration program to assist developers seeking to meet the advanced sustainability standards set by the International Living Building Institute's Living Building Challenge.

☐ **Advice from other City Departments:** Check this option if you would like to talk with experts from SDOT, SCL or SPU about project design issues. Specific questions relating to other City department requirements must be submitted as part of the pre-submittal application along with the code citation where applicable. If you check this option, you must also check one of the Land Use Pre-submittal Options (Early Design Guidance, Streamlined Design Review or Land Use Pre-submittal Conference).

☐ **Early Design Guidance:** Check this option for required pre-submittal conference for Design Review projects.

☐ **Streamlined Design Review:** Check this option for townhouse and other projects in Lowrise zones required by the new Lowrise code.

☑ **Land Use Pre-submittal Conference:** A structured, in-depth conference which primarily addresses specific issues as they relate to the Master Use permits with written discretionary decisions such as SEPA, Design Review, Administrative Conditional Use, Variances, Rezones, etc. Specific questions must be submitted as part of the pre-submittal application along with the code citation.

Zoning Only Pre-submittal Conferences option is no longer available. To request a Zoning or Geotechnical Paid Coaching Appointment please see our Request for Paid Coaching Appointment form.

Please list all specific questions about your project that you would like to have answered, including the related code citations as applicable. If you have requested advice from other City Departments include any issues or questions for that City Department. The Conference Lead will evaluate the need for other agency participation in the meeting.

See the attached list of questions.

Is this a high-rise or atrium project?	☐ Yes	☑ No
If the project includes dwelling units, how many units are there?	35-40	
Does this project include demolition of any existing structure?	☑ Yes	☐ No
Is there new construction or remodel, or both?	☑ New	☐ Remodel
What is the gross floor area (square footage) of the proposed project? What is the existing floor area, if any?	Existing: 2700	Proposed: 44,522
How many parking spaces?	22-38	
Will you be requesting phasing of this project?	☐ Yes	☑ No
Is this project over 50,000 sf. or is it expected to use a larger amount of electrical usage?	☐ Yes	☑ No

Will you be pursuing green certification for your proposal such as BuiltGreen or LEED? ☐ Yes ☑ No

Identify any existing project numbers that may be associated with this project:

PROJECT DESCRIPTION:

Please provide a brief description of the project (example: "To Build a 4-story mixed-use building with 20 residential units and ground floor commercial space") followed by a more detailed narrative on the scope of the proposal. **List questions about your project that you would like answered.** Attach additional sheets as needed.

Establish use for a 4 story, 40 unit, mixed use building with 1800 sf of commercial and below grade parking for 22 vehicles. The site is split zoned NC1P-30 on the south 60 feet and LR2-RC on the north 20 feet of the property. The proposed project would include an application for a contract rezone from NC1P-30 and LR2-RC to NC1-40 for the whole site.

1. Verify that live-work, not listed as a use in 23.47A.005 D.1, is limited to 20% of the street-facing, street-level facade on Eastlake. If the work portion of the live-work unit, between the sidewalk and the residential area of the unit, is designated as one of the uses listed in 23.47A.005 D.1 can live-work units occupy more than 20% of the facade on Eastlake?

2. Verify that E Boston is not required to meet the street-facing, street-level use and pedestrian requirements (23.47A.005) and development standards (23.47A.008) because it is not a principal street and a sloping site makes street-level commercial unlikely.

3. Verify that LR2 and LR3 zones qualify as residential zones that require a commercial setback per 23.47A.014.

4. Discuss the possibility and process for a contract rezone from split zone of NC1P-30/LR2-RC to NC1-40 (Remove P Designation). There is no P designation directly to the north, until you get to the next block which is a continuous overlay. This property/intersection is isolated from the other P designated properties. There are no properties designated as pedestrian south of here. Talking Points:

- Predominance of NC2P-40 and NC3P-40 along the Eastlake Ave E corridor, especially the west side of Eastlake.
- Past Contract Rezone at 2234 Eastlake Ave E to NC2-40 (Vinemaple) sets precedence for the city to continue the NC2-40 zoning designation through the corridor.
- The proposal is consistent with development in the area.

SECTION II

(DPD STAFF ONLY – completed by Conference Lead)

Does it look like the project will be substantial alterations? ☐ Yes ☐ No

Does this project require applicant to complete City Light's form for Energy Consumption? ☐ Yes ☐ No

Potential MUP Components: _____

Within SESRA or other Overlay? ☐ Yes ☐ No

A designated Historic Landmark? ☐ Yes ☐ No

Is this project next to a designated Historic Landmark? ☐ Yes ☐ No

Does this project include a system analysis? ☐ Yes ☐ No

Other Information: _____

Zone: _____ Shoreline Environment: _____

GIS: _____ Overlays: _____

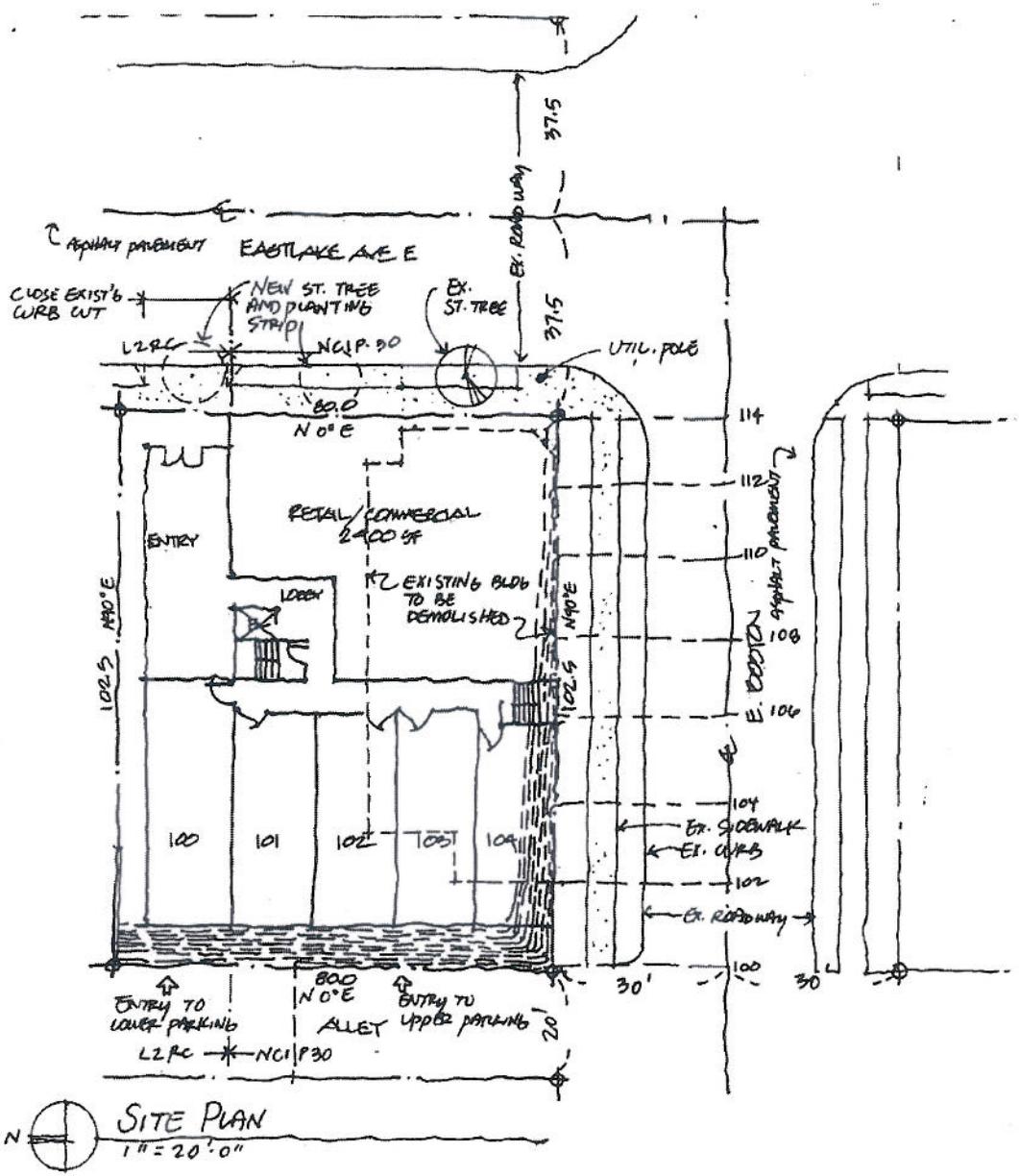
ECA (describe): _____

Will you pursue Priority Green or the Green Q on this project? ☐ Yes ☐ No

Are you seeking advice from the Innovative Advisory Committee on this project? ☐ Yes ☐ No

Pre-submittal Conference Notes (For DPD staff use only)

Meeting Date: _____ Attendees: _____



ADDRESS: 2203 EASTLAKE AVE E
OWNER: METROPOLITAN HOMES LLC
LEGAL: LOT 1, BLOCK 8, GREENE'S ADDITION
APN: 2902200490

Exhibit 6

3016024
11-15-2013
PRE-APPLICATION

Approved Notes
LMK 11/25/13

November 15, 2013

Lindsay King
City of Seattle, DPD
700 – 5th Avenue, Suite 2000
Seattle, WA 98104

Re:	2203 Eastlake Ave E Pre-Submittal Conference Notes
Project No.:	3016024
DPD approved date:	11/17/2013 (BMW)

Dear Ms. King:

The notes below are a record of the Pre-Submittal Conference held on September 26th, 2013, for the above referenced project. The people in attendance were: Bradley Wilburn and Lindsay King from DPD; Ketil Freeman from Council Central Staff; a representative from SPU; Trent Mummery and John Links from Metropolitan Homes (owners); Lee Michaelis from R. W. Thorpe & Associates (planning consultants); and Neal Thompson from Roger H. Newell, AIA.

The project consists of a split zoned parcel with the south 60 feet zoned NC1P-30 and the north 20 feet zoned LR2 RC. The owners desire to rezone the parcel to NC2P-40 was discussed at the conference. Towards the end of the meeting, the possibility of adding the adjacent parcel to the north at 2209 Eastlake Ave E to the contract rezone was discussed. Since the conference date of 9-26-13, that parcel has been added to the project scope with DPD. The new legal description for the parcel is: Lot 1 and 2, Block 8, Greene's Addition to the City of Seattle, Vol. 2 of Plats, Page 73, King County, WA. The parcel measures 120 feet along Eastlake Ave and 102.5 feet deep from Eastlake to the alley.

I Ketil Freeman, Legislative Analyst from City Council Central Staff discussed the rezone process.

1. Contract rezones are a quasi-judicial decision of the city council.
2. A flow chart of the quasi-judicial rezone process was submitted to the applicant.
3. "Appearance of fairness" requires there is no communication with Council members or staff after the MUP application.
4. DPD makes a recommendation to the Hearing Examiner on the rezone.
5. The Hearing Examiner takes information for the record on the rezone and gives a recommendation to Council.
6. Council Committee prepares decision and ordinance for full Council vote.
7. Mr. Freeman was not aware of a comprehensive plan to rezone the multi-family zones along Eastlake to commercial. The applicant should check with the appropriate DPD planning department to verify this.
8. The rezone for 2203 Eastlake will have a good chance of approval if it can meet the rezone criteria in Sec. 23.34.

II. SPU made note of the following permit requirements:

1 If greater than 2000 SF of new or replaced impervious surface is proposed then GSI (green stormwater infrastructure) is required.

III. Bradley Wilburn (Zoning) and Lindsay King (Land Use): The following items 1 through 6 in quotations are zoning questions or statements made by the applicant in the pre-submittal conference application. The response by DPD follows in italics.

The responses below are reflective of securing a zoning designation of NC2P-40

1. "Verify that live-work, not listed as a use in 23.47A.005 D.1, is limited to 20% of the street-facing, street-level façade on Eastlake If the work portion of the live-work unit, between the sidewalk and the residential area of the unit, is

designated as one of the uses listed in 23.47A.005 D.1 can live-work units occupy more than 20% of the façade on Eastlake?"

Both live-work and residential units are limited to 20% of the street-facing, street-level façade on Eastlake per Sec. 23.47A.004 G and 23.47A.005 D.

2. "Verify that E Boston is not required to meet the street-facing, street-level use and pedestrian requirements (23.47A.005) and development standards (23.47A.008) because it is not a principal street and a sloping site makes street-level commercial unlikely."

Residential or live-work uses are not limited to 20% of the street-facing, street-level façade on E Boston because it is not a principal pedestrian street in a pedestrian designated zone. Development on Boston is required to meet street-level standards per 23.47A.008. Note how building floor levels should step down on Boston per Sec. 23.86.023

3. "Verify that LR2 RC and LR3 zones qualify as residential zones that require a commercial setback per 23.47A.014."

Yes, the 15 foot triangular setback at Eastlake per 23.47A.014 B.1 and the side and rear yard setbacks in 014 B.3.a and B.4 apply to this property. The RC commercial designation for the adjacent LR2 property does not remove the need for a setback from residential property.

4. "Discuss the possibility and process for a contract rezone from split zone of NC1P-30/LR2-RC to NC1-40 (Remove P Designation). There is no P designation directly to the north, until you get to the next block which is a continuous overlay. This property / intersection is isolated from the other P designated properties. There are no properties designated as pedestrian south of here. Talking points for the meeting: a) Predominance of NC2P-40 and NC3P-40 along the Eastlake Ave E corridor, especially the west side of Eastlake; b) Past Contract Rezone at 2234 Eastlake Ave E (Vinemaple property) to NC2-40 sets precedence for the city to continue the NC2-40 zoning designation through the corridor; c) The proposal is consistent with development in the area."

- *Taking the pedestrian designation off during the rezone may be difficult for DPD to support There was some staff feedback that the pedestrian designation on Eastlake should stay.*
- *The 20% live-work / residential unit limit for street-facing, street-level uses could be increased as a design deviation through Design Review. Instead of removing the P designation from the zone, work through the issues using design departures. For the Design Review Board, it's important for the applicant to identify what the live-work unit would look like and it's relationship to the sidewalk on Eastlake.*
- *Contact Tom Hauger, DPD Comprehensive Planning, regarding whether there is any long-range plan to up-zone the LR2 on Eastlake. Also verify there are no changes necessary to the Comprehensive Plan for this site in order to review a Rezone application.*
- *Take advantage of the area's topography when looking at the impacts of increasing height from 30 to 40 feet Buildings on the east side of Eastlake will have a height advantage over your site due to topography*
- *DPD is not put off by the proposal, but we're inclined to keep the pedestrian designation.*
- *At the time of MUP submittal a thorough analysis of all rezone critena in SMC 23 34 will be necessary.*

This concludes the meeting notes for the Pre-Submittal Conference.

Sincerely,

Neal Thompson
Roger H. Newell, AIA

Exhibit 7

RECEIVED
APR 1 5 2015
BY:

January 20, 2015

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC2P-40. The rezone is necessary to make this project a reality.

The University of Washington – the 3rd largest employer in the start of Washington and one of the largest recipients of health grants in the United States – sits at the N end of the Eastlake urban hub connecting South Lake Union, Fred Hutch, the biotech cluster and booming Amazon.

The Eastlake community connects two vital adjacent hubs and a natural candidate for further housing density and related retail services. The community is served by Metro Bus Routes 66 and 67 including electric overhead trolley providing essential transportation to support increased living density in the neighborhood.

This increased density also is a fits well as part of the City of Seattle's and goal of contributing to the comprehensive plan which is part to the Washington State Growth Management Act.

Currently the Eastlake community has inconsistent zoning ranging from low-rise 2 zoning to NC3- 65 zoning. The neighborhood is ripe for a complete up zone similar to those provided in South Lake Union, Broadway Avenue, Market Street in Ballard, University Way and several other major arterials in the University District and the likely proposed up-zoning in Uptown Queen Anne.

A rezoning of Eastlake Avenue E. will not change the charm, character and eclectic nature of the mostly single family, smaller, multi-plex and apartment inventory on Fairview, Minor, Yale, Franklin and Boylston Avenues and their East/West connecting side streets.

As a side note I live in the Eastlake neighborhood in a house boat, so I am not just making a pitch for a certain development that will not have some effect on my own life as to traffic and density, I am for apt. developers in the city but with one requirement and that is parking, they must have parking or no new project should happen.

Thank you.
Cristina L. Wallace

CRISTINA L. WALLACE
2821 EASTLAKE AVE E #
SEATTLE, WASH
98102

Exhibit 8

December, 17, 2014

Lindsay King
Department of Planning and Development
700 Fifth Avenue, Ste. 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: **Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.**

Dear Ms. King,

I am writing in support of the proposed mixed-use 45-unit development on the corner of Boston Street and Eastlake Avenue at 2203 and 2209 Eastlake Avenue East – project #3016024. I also support the proposed rezone of the project to NC1P-40. The rezone is necessary to make this project a reality and allow and will help the Eastlake Community achieve its vision and neighborhood plan.

Up until 18 months ago I conducted my commercial real estate business from an office in the Eastlake neighborhood. Currently I am working in the Greenlake neighborhood and was drawn here largely due to the walkability and convenient services that are provided in the new upscale mixed-use properties that had recently been built in the area.

As more properties like the one proposed develop in the Eastlake neighborhood it will become a more pedestrian friendly and commercially vibrant neighborhood. Many other neighborhoods are finding that 40 to 65 ft development standards help attract the development dollars and type of iconic projects that transform neighborhoods in a positive way. Eastlake simply has not kept up with the rest of Seattle.

John Links has already addressed neighborhood concerns through the Early Design Guidance process and has a long standing reputation in Seattle as a high quality developer who creates structures that stand the test of time.

In sum, the proposed development at 2203 and 2209 Eastlake Avenue East will benefit the neighborhood. The project is contingent on the pending contract rezone to an NC1P-40, and I strongly urge the City of Seattle to approve the rezone.

Sincerely,

Ross Candoo
206.818.4715

Exhibit 9

Brian J. Bergman
2810 Eastlake Ave E
Seattle WA 98102
206-799-7799

December 15, 2014

Ms. Lindsay King
Department of Planning and Development
700 Fifth Ave, Ste. 2000
Seattle, WA 98124

Re: Rezone Support Letter for Project 3016024
2203 & 2209 Eastlake Avenue East

Dear Ms. King,

I support the above-referenced proposed development. I have worked in the Eastlake neighborhood for the past 14 years and know it well. Eastlake is one of the only neighborhoods that I know of in Seattle that does have uniform zoning codes. For instance, on Eastlake Ave E north of Fred Hutch, there are NC 30, NC 40, LR, IG, and C1 zones and many of these different zones are adjacent to one another along Eastlake Ave E. In my opinion, all of these properties from Eastlake Ave E to their alleys should be NC 40 zoning or higher.

I know the developer John Links, both personally and professionally and can attest to the caliber of his developments; he not only builds aesthetically pleasing buildings, he creates cutting edge interiors that residents crave. The Eastlake Community should support this development.

Additionally, the Eastlake neighborhood needs more mixed use properties. Having more retail options would reduce the dependence on cars as Eastlake doesn't have the services residents deserve, especially compared to other nearby neighborhoods.

Sincerely,

Brian J. Bergman

RECEIVED
DEC 19 2014
BY

Exhibit 10

2.0 summary context analysis | axonometric

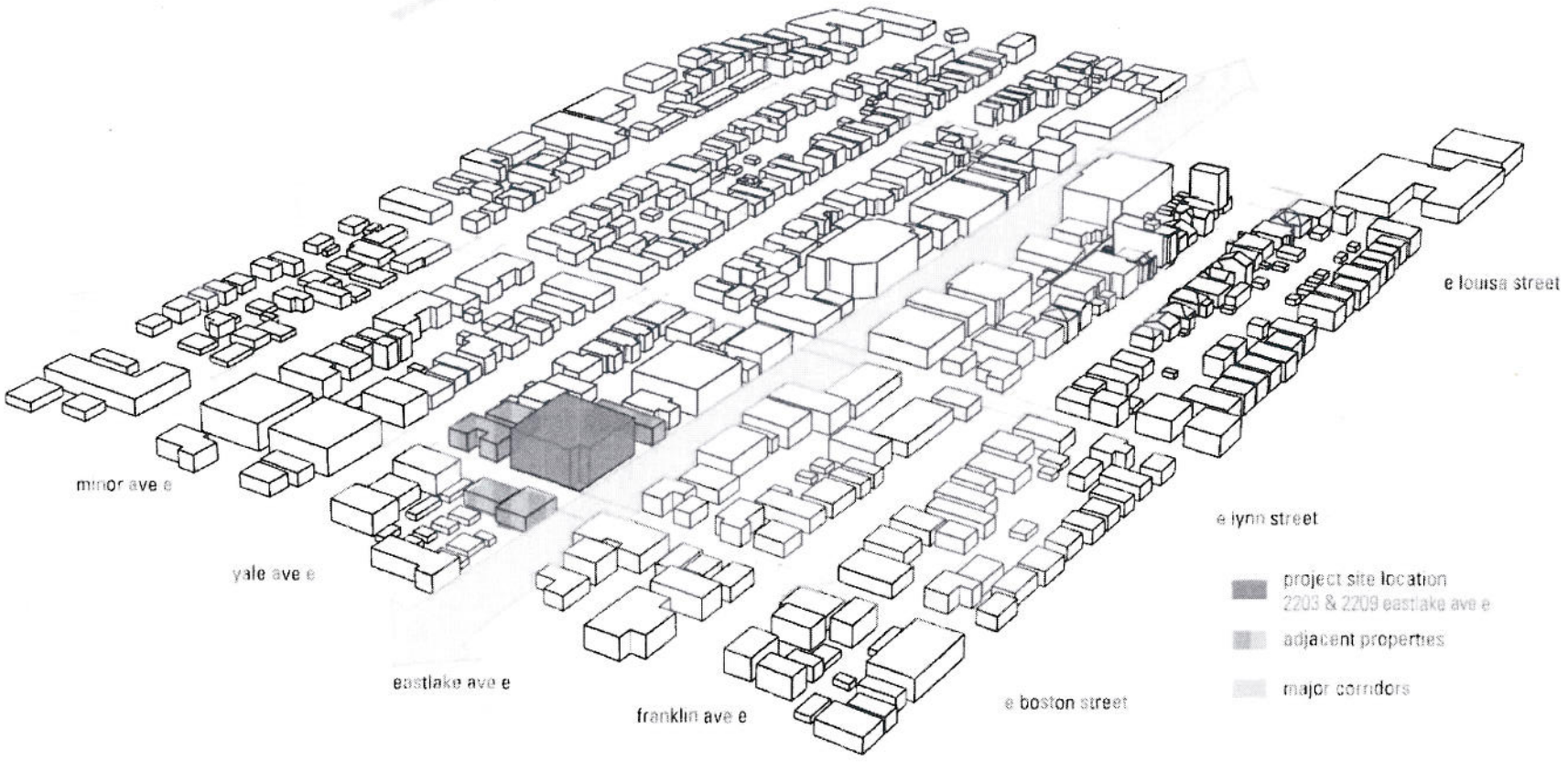


Exhibit 11

EASTLAKE COMMUNITY COUNCIL

March 3, 2015

Director, Dept. of Planning and Development
701 Fifth Avenue, #1900
PO Box 34019
Seattle, WA 98124-4019

Public Resource Center
700 Fifth Avenue #2000
PO Box 34019
Seattle, WA 98124-4996

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVENUE AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

To the DPD director and the DPD Public Resource Center:

Attached to this letter, the Eastlake Community Council provides petitions with 124 signatures of people who have endorsed the following position and request, which ECC also endorses:

> We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

Please note that the requested public meeting is separate from any meeting of the Design Review Board. The DRB meetings should also be held in the Eastlake neighborhood, just as they were in the founding years of the design review program. As ECC has often pointed out to DPD: with so many large projects being proposed in Eastlake, it is harmful to public participation and to a good land use process for the DRB meetings about Eastlake neighborhood projects to be held at Seattle University, on the other side of I-5 and of Capitol Hill and farther even from Eastlake than downtown.

Sincerely,

Christopher K. Leman, President
Eastlake Community Council
info@eastlakeseattle.org
(206) 322-5463

117 E. Louisa #1 • Seattle, WA 98102

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
JOHANN WASSERMANN	jgwasserm@gmail.com	2557 MINOR AVE E	206.778.6671
Sandra C Wheeler	sandracwheeler@gmail.com	201 E BOSTON ST 98102	301.247.1728
Supriya Mitkremath	supwick@gmail.	1135 18TH AVE E Seattle 98112	206.349.9033
Caitlin Heermans	CaitlinRoseSea@gmail.com	1017 BORGEN AVE	206-604-3057
Preethi Ramani	ramani.preethi@gmail.com	1135 18th AVE E SEATTLE WA 98112	~~206~~ 425-269-7331
Emily Wheeler	egwheeler@gmail.com	1123 18th Ave E Seattle	206.384.2312
CHRIS PATTERSON	chpatterson@gmail.com	1123 18TH AVE E SEATTLE	206 3842309
Charles Wheeler	cbw@charleswheeler.net	201 E Boston St Seattle, WA 98102	301 247 0400
Daniel Dudy	dandudy@comcast.net	2131B 9TH AVE EASTLAKE 98102	425-226-4002
David Mitchell	jmm45@comcast.net	5703 25th Ave NE Seattle, WA 98105	- none -
David C Campbell	- none -	716 N. 49th. Seattle 98103 Wa	206-632-8175
Gerald West	GWEST@hrm-usa.com	1146 W Galer alaska 98119	
Nate Reildale	N14beyond.com	1229 Taylor ave N	206 301 8416
Cameron Lusiegra	cameron.lusiegra@gmail.com	215 Boston Ave N	~~77~~
Scott Monk	—	2204 Eastlake Ave E Seattle, WA	—
James Campbell	—	94 E Newton 98102	—
MARK PENTOLD		11 E. ALLISON ST. #3	206-719-5549
DAVID WILLIAMSON	tmp@commandcreate	2497 31ST AVE NE	415.254.2772
NICK CURRAN	nick.curran	850 NE 91ST ST.	(604) 679-6

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
STEPHAN NAMISNAIL	THECOLONELSCHICKEN@YAHOO	201 E BOSTON #100 98102	
Carol H. Namisnak	cnamisnak@gmail.com	201 E. Boston, #100 98102	
Calm Smith	dragonfly@hooseboatfd.net	2017 Eastlake Ave E	206-518-8087
RYAN MURPHY	INFO@VYBEHUB.COM	2226 EASTLAKE AVE. E.	206-795-0160
JIM KOOLICK	TREECHUCK.YAHOO	2123 NW 85TH ST	206 784 1761
Matthew Burnett	mattyburnett@hotmail	100 E. Edgar Seattle	360-305-6999
Tim Hadden		117 E. Louisa St.	206-226-9776
Annie Lyman	Annielyman1230@Yahoo.	2044 Yale Ave E SEATTLE	
Kurt Abe		KMASAOABE@gmail.com	
Michael Garrett	skybot2@hotmail.com	214 E. Edgar	206-328-0327
Jon Bergman	jimbergman43@comcast.net	614 E Lynn 98102	360-204-6150
LOU DAHL	LOUDAHL@icloud.com	2260 POINTACOM PL. 98102	206-324-3260
Bruce Davis	KINGS70436@COMCAST.NET	117 E. Louisa #453 Seattle WA 98102	
Janet Yoder	JanetLYoder@gmail.com		
Robert Rudine	robertrudine@gmail.com	2727 Fair View	(206) 325-6645
Mary Lois Federson	SAMMARY@AOL.COM	AVE E. #8 98102	206-709-1453
Carolyn Krall	Krallc@[illegible].net	2370 Yale Ave E 98102	206-779-9132
Chris Leman	clemanBu.oo.net	2370 Yale Ave 98102	206-322-5463
CHRIS LEMAN			

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Lydia Brennan	lydiafbrennan@hotmail.com	2228 Eastlake Ave E #6 Seattle 98102	303-549-6464
Ryan Brennan	ryanybrennan@msn.com	2228 Eastlake Ave E Seattle 98102	303-552-1268
Trevor Brennan	trevoryhrennan@	2228 Eastlake Ave E Seattle 98102	303-552-1269
Scott M Brennan	SCOTTMBRENNAN@	2228 EASTLAKE AVE EAST APT# SEATTLE WA 98102	303-[illegible]-1266
Alejandra Tavares	alix_tavares@hotmail.com	2228 Eastlake Ave E. Apt 3. Seattle Wa 98102	206-4992089
Nanorte Castro	nanorub@gmail.com	2228 Eastlake Ave E Apt 3 Seattle Wa 98102	206-957-7596
Sarah Quill	sarahquill@gmail.com	2228 Eastlake Ave E Apt 4 Seattle WA 98102	808-385-6979
Cheryl Dietrich Cheryl Dietrich	cherrelot@yahoo.com	2228 Eastlake Ave E Apt 4 Seattle WA 98102	910-818-6943
DONALD H HWANG Donald Hwang	donjiwg@comcast.net	2228 Eastlake Ave. E.	206-542-2397
Kathleen Carney	KathleenCarney@hotmail	2422 1st Ave W Seattle, WA. 98119	206-769-9047
Clare Kanazawa	Kanazawa@gmail.com	"	206-351-3510
Paula Szlug	pzaubc@me.com	3118A Portage Bay Pl E	206-325-2108
Don Brownlee	brownlee@astro.washington.edu	3118A Portage Bay Pl E	206 325 2108
Gail Jensen	gail1005@gmail.com	1926 Fairview E #303	206-323-6005
Donald Gulden Don Gulden	dsgulde24@comcast.net	2624 W Viewmont Way W	206 286 8131
Liz Barbee	lizbarbee@hotmail.com	3100 Fairview Ave E #208	206 320 0810
John Potter	"	3100 Fairview Ave E #208	206 320 0310
Linsay Nguyen	quangandlinsay@gmail.com	3703 Bagley Ave E	206-300-8622

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVENUE AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature) e-mail address U.S. mail address Phone

1 Janice Schindler janice.schindler@comcast.net
1519 229th Ave SE · Sammamish 98074 · 425-681-6303 (work in 98012)

2 Alexandra Bailey allie.bowman@gmail.com
201 E Boston St #3206
Seattle, WA 98102 585-734-8594

3 Calvin Chan 206-458-4790 calvin9175@gmail.com

4 Kelly Rowe 206-715-0190 rowe.kellyj@gmail.com

5 chris gan 253-632-9536 brainburnPS@gmail.com

6 Kurt Pfaff 206-290-8351 SEWARD SCHOOL - TOTS

7 Alix Wandesforde-Smith alixws@msn.com

8 Randee Churchill 2065713651 ardichurch@gmail.com

9 Sam Newbold snewbold@gmail.com

10 Grace Rayer gracerayer@gmail.com

11 Brittany Holdaas brittneyholdaas@gmail

12 Jeff Sorensen jpsoren@gmail.com

13 Shantau Fellows shantaufellows@outlook.com

14 Kevin Klein kevinaklein@gmail.com

15 Laurie Thomas tgoldbar@gte.net

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Callie Chestnut		2234 Eastlake AVE #201	
Emilie Kimball			
Sarah May	mayjacobs@gmail.com	2234 Eastlake Ave	
[redacted]			
Travis White	twhite7@gmail.com	2234 Eastlake	
Curtis Black			
Ben Veman		2234 Eastlake Ave E	
Jordan Peters		2234 Eastlake Ave E	
Dana Erickson	danavence030	2234 Eastlake AVE.	
John Markle	johnmarkle@uw.edu	2234 Eastlake Ave E #301	
Katherine Polak	katester@gmail.com	2234 Eastlake Ave E 009 Unit 303	
Lauren Sleezer	lauren.sleezer@gmail.com	2234 Eastlake AVE E	
Jeff Tinkpaugh	jtinkler@gmail.com	2234 Eastlake Ave E	
John Burke	johnjburke@gmail.com	2234 Eastlake Ave. E	

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Sarah Armstrong Sarah Armstrong	sarah.armstrong e gmail.com	201 E Boston St #3109 Seattle, WA 98102	206.214.5969
LISA TEMPOSKY	temposky@hotmail.com	10501 - 8th Ave NE #225 Seattle, WA 98125	206.290.3734
Gina Hart	ghaelyse@gmail.com	2907 NE 62nd St. #101 Seattle, WA 98105	206-819-2222
ANDREW JACKSON	ANDREW.JACKSON@COMCAST.NET	SEATTLE, WA 98122	206-310-5912
Marianne Gendy Marianne Gendy	mgendy@seattlecca.org	6909 Weedin Pl. NE Seattle, WA 98115	336-473-0059
Farnaz Dormanesh	sdormanesh@gmail.com	98118	408-854 6005
Sharon San Jose	ssanjose@seattlecca.org	98105	206 370 4689
LUCY WU	lucywu91@gmail.com	98102	520 204 6682
Emily Walsworth	emilywalsworth@gmail.com	98118	206 288 62[illegible]
Alysha Duran	alyshaduran@hotmail.com	98199	206 999-6498
Kim Reilly Bricker		98102	206-329-1111
Reilly Pittman	reillywp@gmail.com	2312 3rd Ave #533	206-999-0840

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

- We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Eugene Y. Son	zenoram@gmail.com	5106 Greenlake way N#B	206-375-5072
Will Ellyett	[illegible]	5552 Woodlawn Ave N	206 547 9591
Thuy Nguyen	tina_nguyen1027@live.com	825 NE 66th St.	509-438-8421
Kiley Koehler	KileyKoehler@charter.net	825 NE 66th St	5095213384
Kimberly Ong	kimberly.ong92@gmail.com	825 NE 66th St	626-241-8430
Chris Clark	Chrisbuilds@comcast.net	9313 23rd Ave SW	(425)286-4716
Calvin Cline	C.Cline@Hotmail.com	4222 7th Ave NE	206/335-3980
Santa Velazquez	Svillmer490@Yahoo.com	9309 24th St	206 816 9459
Christian Gonzalez	christiengonz22@Yahoo.com	1911 S Linden Ave N.	206-756-1404

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
KAREN F. APPELMAN Karen F Appelman	kfappelman@aol.com	2020 YALE AVE E #201 SEATTLE WA 98102	206-323-7676
Kathleen W. Jendrick Kathleen W Jendrick	kwjendrick@yahoo.com	2022 yale Ave E #202 Seattle WA 98102	206 329-3065
EITA K. CHAMBERS Eita K Chambers	—	2014 YALE AVE. E. SEATTLE, WA. 98102	206-323-8286
Michelle A Solon Michelle A Solon	masolon@me.com	2020 yale Ave E. #201 Seattle, WA 98102	206-329.7689
LAURIE D. KOHLI Laurie D. Kohli	lkohli@porterkohli.com	2020 YALE Ave E. #301 Seattle WA 98102	206-682-0224
PAULA MCKINNON Paula McKinnon	paulamckinnon@mail.com	2022 YALE AVE E SEATTLE WA. #302	206 328 7227

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
STEPHEN LOCKE	STEPHENLOCKE@COMCAST.NET	1506 SW BRANDON ST 98106	206-651-5061
ELAINE LOCKE Elaine Locke	elainelocke@comcast.net	1506 SW BRANDON ST	206-651-5061
Timothy Locke	tim.locke.m@gmail.com	1506 SW Brandon St	206-607-7293

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
Elizabeth O'Donahue	lizodonahue68@gmail	104 E Newton St	206-683-5626
Dan Schultery	dansing@gmail	12354 76th Ct. NE Kirkland	484-213-8008
EDWINA CHOUNG	echoung@uw.edu	4719 C 21st AVE NE, WA 98105	206-719-9173
Alyssa Hatsukami	hatsukamia@gmail.com	4628 22nd Ave NE Apt C Seattle	(206) 714-4486
Jen Mahesh	jen@[illegible].com	2228 Eastlake Ave E #2 Seattle	206.769.9193
Mark Price	Mark@coyotes.org	2228 Eastlake Ave E #2 Seattle WA 98102	747-777-2189

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVE. AND REQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle, WA 98102. Must have original signatures and contact information for each. Can have as few as one signer. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on the lots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it be redesigned and resubmitted to be built within the existing zoning. We urgently request that the Seattle Dept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone.

name (print & signature)	*e-mail address*	*U.S. mail address*	*phone*
William M. Waring	urbandoc@hotmail.com	4127 SW Kelly Pl Seattle WA 98136	206-933-0885
Douglas Donahue	dougbd@comcast.net	118 6th Ave N Seattle WA 98109	253-458-0718
Sharon Donahue	sharonkd@comcast.net	118 6th Ave N Seattle WA	253 458-0716

PETITION OPPOSING THE PROPOSED REZONE AT 2203/2209 EASTLAKE AVENUE ANDREQUESTING A PUBLIC MEETING ABOUT THE PROJECT PROPOSED THERE

[Please send petition or drop it by to the Eastlake Community Council at 117 E. Louisa St. #1, Seattle,WA 98102. Must have original signatures and contact information for each.Can have as few as onesigner. For documents on the project: http://web6.seattle.gov/dpd/edms with #3016024.]

We the undersigned oppose the developer-proposed rezone for expanded height, bulk, and scale on thelots at 2203 and 2209 Eastlake Avenue. We oppose the project as currently proposed, and urge that it beredesigned and resubmitted to be built within the existing zoning. We urgently request that the SeattleDept. of Planning and Development hold a public meeting in the Eastlake neighborhood to hear publiccomment regarding the proposed project and rezone.

name (print & signature)	e-mail address	U.S. mail address	Phone
(1) ADAM DREW	adamdrew@gmail.com	2037 Franklin AVE E apt 101 Seattle Wa 98102	206-949-9062
(2) Descie Svennungsen	descie@gmail.com	2037 Franklin AVE E #101 Seattle Wa. 98102	206-462-0658
(3)			
(4)			
(5)			
(6)			

Exhibit 12

City of Seattle
Department of Planning & Development
700 Fifth Avenue, Suite 2000, P.O. Box 34019, Seattle, WA 98124-4019

DPD Project No. 6378844

REQUEST FOR RELIEF FROM PROHIBITION ON STEEP SLOPE DEVELOPMENT OR MODIFICATION TO ECA SUBMITTAL REQUIREMENTS

TO BE COMPLETED BY APPLICANT

ECAS AND/OR BUFFERS MAPPED OR IDENTIFIED ON SITE

Geologic Hazard Areas

- [X] Steep Slope
- [X] Potential Slide due to Geologic Conditions
- [ ] Known Slide
- [ ] Liquefaction-prone
- [ ] Peat Settlement-prone

Fish and Wildlife Habitat Conservation Areas

- [ ] Shoreline Habitat*
- [ ] Riparian Corridor (Includes Riparian Management Area)
- [ ] Shoreline Habitat Buffer*
- [ ] Other Fish and Wildlife Habitat Area

Other

- [ ] Wetland
- [ ] Wetland Buffer
- [ ] Flood-prone
- [ ] Abandoned landfill

TYPE OF APPLICATION

[X] ***Relief from Prohibition on Steep Slope Development under Section 25.09.180B. Choose any that apply (Not an ECA exemption. Project subject to ECA review**.)***

- [ ] Proposed development is located where existing development is located, with no increase in impact on the steep slope [B2a]
- [X] Proposed development is located on steep slope areas created through previous legal grading activities [B2b]
- [X] Proposed development is located on steep slope areas that are less than 20 feet in vertical rise and that are 30 feet or more from other steep slope areas, and no adverse impacts on the ECA will occur [B2c]
- [ ] Application of development standards would prevent necessary stabilization of a landslide prone area [B2d]

[ ] **Modification to submittal requirements (not an ECA exemption. Project subject to ECA review**).** Request for modification to application submittal requirements per Director's Rule 3-2007. If more than one ECA is mapped or identified on the site, indicate applicable ECA for which modified submittal requirements are requested.

_____

_____

_____

*For Shoreline Habitat and buffer, regulations in SMC 25.09 also apply. A Shoreline Substantial Development Permit (SSDP) or Exemption may be required. See DAM 3004 for information about exemptions from SSDP.

**Development may also be subject to SEPA. See DAM 102, When Environmental Review is Required in the City of Seattle.

FORM CONTINUES

SITE, PROJECT, AND OWNER/AGENT INFORMATION

Site Address: 2203 EASTLAKE AVE. E.

Description of proposed project:

DEMOLITION OF AN EXISTING SINGLE FAMILY RESIDENCE AND AN EXISTING COMMERCIAL BUILDING, AND CONSTRUCTION OF A 6 STORY MIXED USE STRUCTURE OVER 1 LEVEL OF UNDERGROUND PARKING, WITH 45 DWELLING UNITS

Please describe the reasons for your request:

THE STEEP SLOPE AREA IN QUESTION IS ADJACENT TO E. BOSTON STREET AND WAS CREATED THROUGH GRADING FOR THE ROADWAY. IN ADDITION, THE ENTIRE STEEP SLOPE WILL BE REMOVED AS PART OF THE PROPOSED PROJECT.

Request must be part of a specific development proposal submitted for DPD review and apply only to that proposal. Please provide the assigned DPD project number for the proposal:

6978944

Property Owner's Name: [redacted] 2203 Eastlake Ave E LLC

Residence Address: 117 E Louisa St. Unit #143

City/State/Zip Code: Seattle, WA 98102

Telephone: 206-914-8130

Agent's Name: John Links

Address: 2803 Western Ave #610

City/State/Zip Code: Seattle, WA 98121

Telephone: 206-728-1912

Applicant's Signature:

Date of Application: 5-19-15

TO BE COMPLETED BY DPD STAFF

☐ Meets Criteria ☐ Does Not Meet Criteria

Reviewer _____ Date _____

Explanation or Conditions:

To obtain review of a decision on an application under SMC 25.09.180B, an interpretation must be requested under SMC 23.88.020.

Exhibit 13

seattle.gov

GO

DEPARTMENT OF PLANNING AND DEVELOPMENT

DEPARTMENT OF PLANNING & DEVELOPMENT

Project #	Address	Document	Format	Size	Document Date	Capture Date
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Waste Diversion Plan	pdf	000169231 165 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Ordinance/Structural Correction Response: Ordinance/Structural Correction ResponseV2	pdf	000060977 59 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Ordinance/Structural Correction Response	pdf	000155242 151 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Geotechnical Correction Response	pdf	000058562 57 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Drainage Correction Response	pdf	000039043 38 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for DRAINAGE	pdf	000049835 48 KB		05/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for CONVEYANCE	pdf	000049704 48 KB		05/06/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for Engineering Services	pdf	000057108 55 KB		05/12/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for ENERGY & MECHANICAL	pdf	000045491 44 KB		05/11/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for STRUCT ENG	pdf	000056572 55 KB		06/18/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 2 corrections for STRUCT ENG	pdf	000052678 51 KB		08/19/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 2 corrections for DRAINAGE	pdf	000053461 52 KB		08/27/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for Applicant Services	pdf	000052843 51 KB		08/20/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: SDOT Shoring Review Comment	pdf	000145269 141 KB		05/15/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for ZONING	pdf	000049140 47 KB		05/22/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other Correction Letter: Cycle 1 corrections for ORDINANCE	pdf	000052349 51 KB		06/09/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Contractor Disclosure	pdf	000573864 560 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Contractor Disclosure: Contractor DisclosureV2	pdf	000188469 184 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Owner's Authorization	pdf	000407528 397 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Geotechnical Report	pdf	002367966 2 MB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Screening & Submittal Checklist	pdf	001327038 1295 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Cover Sheet	pdf	001404120 1371 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Cooling and Heating Calculations	pdf	000080920 79 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Structural Calculations	pdf	052088968 49 MB		04/13/15
6378644	EASTLAKE AVE E 02203	Site Plan	tif	012953092 12		08/15/13

Project #	Address	Document	Format	Size	Document Date	Capture Date
	2203 Eastlake Ave E			MB		
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Shoring Calculations	pdf	004412487 4 MB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Drainage Report	pdf	002089050 2040 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Energy Code Forms	pdf	000381175 372 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Pre-Submittal Meeting Notes	pdf	000077779 75 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: PAR	pdf	000086417 84 KB		04/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Geotech Inspections Schedule	pdf	000331810 324 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Supplemental Structural Calculations	pdf	002295267 2 MB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Potential Landslide Area Covenant	pdf	000361358 352 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Geotechnical Review Letter	pdf	000068890 67 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Residential Electric Heater Sizing	pdf	000080920 79 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Results Request for Relief From Prohibition on Development in Steep Slopes and Buffer	pdf	000051689 50 KB		07/02/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Statement of Structural Special Inspection	pdf	000302713 295 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: ECA Relief Request	pdf	000089828 87 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Construction Permit Authorization Letter	pdf	000118865 116 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Shoring Commitment Letter	pdf	000041662 40 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Recorded Easement	pdf	000554170 541 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Energy Code Forms	pdf	000348189 340 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Energy Correction Response	pdf	000052284 51 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Shoring Correction Response	pdf	000053348 52 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Conveyance Correction Response	pdf	000056424 55 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Other: Fire Correction Response	pdf	000063169 61 KB		08/13/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Intake Transmittal	docx	000043393 42 KB		04/15/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Approval Letter: Fire Department Plan Review	pdf	000036778 35 KB		05/14/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Construction: Exemption	pdf	000050323 49 KB	05/19/15	07/17/15
6378644	EASTLAKE AVE E 02203 2203 Eastlake Ave E	Legal: Covenant Potential Landslide	pdf	000317248 309 KB	06/09/15	07/15/15

50 documents found

Bottom of Form

DEPARTMENT OF PLANNING & DEVELOPMENT

Exhibit 14

LEFT COLUMN TO BE COMPLETED BY APPLICANT.
RIGHT COLUMN FOR DPD USE ONLY.

A. BACKGROUND

1. Name of proposed project, if applicable:

   2203 & 2209 Eastlake Ave E Seattle, WA 98102

2. Name of applicant:

   Maria Barrientos, Barrientos, LLC

3. Address and phone number of applicant and contact person:

   2003 Western Ave #610

   Seattle, WA 98121

   Maria Barrientos – (206) 728-1912

4. Date checklist prepared:

   July 9, 2014

5. Agency requesting checklist:

   Department of Planning and Development (DPD)

6. Proposed timing or schedule (including phasing, if applicable):

   Construction anticipated to begin: August 2015 (on or before)

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

   None

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

   Phase I Environmental, dated September 5, 2013

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

   None

10. List any government approvals or permits that will be needed for your proposal, if known.

    Land Use (Master Use Permit – MUP)

    Building Permit

    Tenant Relocation Assistance Ordinance Permit

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project. There are several

4. Date checklist prepared: [help] Jun 9, 2014

5. Agency requesting checklist: [help] DPD

6. Proposed timing or schedule (including phasing, if applicable): [help]

Construction anticipated to begin in Fall 2015

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [help]

None

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [help]

Phase 1 Environmental, Dated September 5, 2013

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [help]

None

Exhibit 16

4. Date checklist prepared: [help] Jun 9, 2014

5. Agency requesting checklist: [help] DPD

6. Proposed timing or schedule (including phasing, if applicable): [help]

Construction anticipated to begin in Fall 2015

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [help]

None

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [help]

Phase 1 Environmental, Dated September 5, 2013

Traffic and parking studies

Geotechnical Study

View Analysis

Property history

SKB

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [help]

None

Building permit application 6378644
SKB

Camacho, Rudy

From:	ibappelman@comcast.net
Sent:	Tuesday, June 09, 2015 11:16 PM
To:	PRC
Subject:	Comments attached for DPD Project # 3016024, 2203 Eastlake Ave E
Attachments:	Response Comments to Final Recommendation of East DRB 4-8-15.pdf

Public Resource Center
700 Fifth Avenue, Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019
PRC@seattle.gov

VIA EMAIL and CERTIFIED MAIL

Re: Comments on DPD Project # 3016024

Dear PRC:

Please enter the attached comments into the record for Project # 3016024 and post them on the DPD website for this project.

Thank you.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Avenue E., #304
Seattle, WA 98102
ibappelman@comcast.net

CITY OF SEATTLE
DEPARTMENT OF PLANNING & DEVELOPMENT

MID-EASTLAKE NEIGHBORS: Sandra Wheeler, Charles Wheeler, Sarah Armstrong, Lydia Brennan, Scott Brennan, Trevor Brennan, Ryan Brennan, Donald Huang, Jing Huang, Stephen Locke, Elaine Locke, Karen Appelman, Ira Appelman, Kathy Jendrick, MaryLou Pederson, Sam Pederson, & Don Gulden Public Commenters, v. EAST DESIGN REVIEW BOARD Respondents.	Project #3016024 RESPONSE TO FINAL RECOMMENDATION REPORT OF THE EAST DESIGN REVIEW BOARD APRIL 8, 2015 MEETING

I. Introduction

In 2013, Metropolitan Homes, with John Links as Managing Partner, proposed to the City of Seattle's Department of Planning and Development (DPD) Project #3016024 ("the Project"), the demolition of buildings at 2203 and 2209 Eastlake Avenue East and the construction of a mixed use building on the consolidated lot with 45 apartments, 39 parking spaces, and ground floor commercial space. Later, ownership

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

was transferred to 2203 Eastlake Ave East LLC (UBI# 603339430) with Maria Barrientos of Barrientos LLC (UBI# 601994487) as primary contact. On March 11, 2014, the original owner applied for early design guidance before the Design Review Board. The first Early Design Guidance meeting was held on May 14, 2014. The Second Early Design Guidance meeting was held July 23, 2014. The following comments concern the conduct of and report of the Final Recommendation meeting held before the East Design Review Board on April 8, 2015 at Seattle University. DPD released the official report of the "Final Recommendation of the East Design Review Board" (Exhibit A) on April 29, 2015.

We maintain that the East Design Review Board (1) violated the Eastlake Neighborhood Plan by (a) conducting the meeting far away from Eastlake; (b) having no members from the Eastlake Community on the Board; (c) discouraging interaction between the community, development team, and DRB members; (d) failing to analyze impacts, and describe and document benefits of approved departures; and (e) approving an oversized building that blocks views instead of preserving them; (2) violated the Seattle Municipal Code (SMC) by (a) conducting the meeting far away from the Eastlake community; (b) failing to synthesize public opinion; and (c) failing at the final meeting to review the record of public comments; review the projects conformance to the guidelines, and determine that the proposed design conforms with the guidelines; (3) violated the Seattle Design Guidelines by failing to explicitly apply the guidelines to the Project; (4) violated the Local Project Review Act (RCW 36.70B), which prohibits revisiting zoning once a project is proposed, by approving a project that depends on a contract-rezone change in zoning; and (5) violated RCW 42.20.040, the prohibition against filing false

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

reports, by filing a report that describes what **should** have happened at the April 8th meeting, rather than what really happened, covering up the lack of required deliberations and findings.

DPD did not machine-record the April 8, 2015 East Design Review Board meeting. The only records maintained by DPD are notes taken by DPD staff. For the April 8, 2015 Final Recommendation meeting, we made a video/audio recording and separate audio recording. The video/audio recording was made with a Canon "PowerShot" SX130IS video/audio camera that simultaneously records audio. The separate audio recording was made with a Sony IC Audio Recorder.

The meeting lasted about 65 minutes. The video recording consists of two .MOV files approximately 25 minutes and 40 minutes long, respectively. The separate audio recording consists of an MP3 file approximately 65 minutes long. We are sending, by separate cover, flash drives with the two .MOV files and one MP3 file to: (1) the Seattle office that is managing the Project at "City of Seattle, Dept. of Planning & Development, 700 5th Avenue, Suite 1800, ATTN: Shelley Bolser, Seattle, WA 98124-4019"; and (2) the Seattle office that posts submittals online at "Public Resource Center, 700 Fifth Avenue, Suite 2000, P.O. Box 34019, Seattle, WA 98124-4019."

A verbatim transcript was created from the .MOV and MP3 electronic files and is appended as Exhibit B. The Final Recommendation meeting on April 8th consisted of a developer presentation, Board questions, public comment, and Board deliberations. No microphones were used, so it was sometimes very difficult to hear every word, even

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

though the recording equipment was in the first row of the audience. During the first three parts of the meeting, the Board faced the audience. But for Board deliberations, the Board rearranged chairs and tables so Board members were at least partially facing each other. In this Board-centric configuration it was more difficult to hear and record the deliberations, so the transcript has occasional notations of [unintelligible word] or [unintelligible few words]. Since the video/audio and separate audio files have been filed with DPD for the record, anyone can check the transcript against the recordings.

II. VIOLATIONS OF THE EASTLAKE NEIGHBORHOOD PLAN

The Eastlake Neighborhood Plan was adopted in 1998/1999 with Seattle City Council Resolution Numbers 29838 and 29932. According to the accompanying work plan, "These plans enable people in neighborhoods to articulate a collective vision for growth and change over the next 20 years and identify activities to help them achieve that vision." The Community Design Element of the Eastlake Neighborhood Plan states the following goals for community involvement in the design review program:

"Policy CD-5. The design review program should: be neighborhood based; promote interaction between the community, the developer, designers, and decision-makers…Elements of the design review process should include: meetings located in the affected neighborhoods; a meeting format that fosters constructive interaction and departs from a rigid hearing format; neighborhood composition of the reviewing entity; analysis of impacts of requested development standard

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

departures; and a requirement that design benefits related to development standard departures be demonstrated, documented and conditioned on the project permit."

The Final Recommendation meeting of the East Design Review Board violated the Eastlake Neighborhood Plan in the following ways:

a. The design review process violated the Eastlake Neighborhood Plan because it was NOT neighborhood based. Meetings occurred miles away suppressing Eastlake Community involvement.

The East Design Review Board met many miles away from the Eastlake Community at Seattle University. An informational meeting on the Project, which was not part of design review, met in the Eastlake Neighborhood and drew a crowd of about forty (40) neighbors. Exhibit C is a photo of part of the crowd that showed up, as neighbors came and went during the meeting. Seventeen neighbors spoke; all but one were against the Project. Exhibits D and E show emails written by one of us asking the City Council to implore DPD to hold the Final Recommendation meeting of the East Design Review Board in Eastlake. DPD refused.

Exhibit F shows a response from Lisa Rutzick, Design Review Program Manager at DPD. Rutzick wrote that "for the purpose of consistency and predictability, the East Board always meets on the Seattle University campus." In fact, the meeting was supposed to take place on Seattle University campus proper, but was apparently moved across 12th Avenue to an outlying building (for consistency and predictability?) (Exhibit 2, *Transcript* 20: 23-27). Ms. Rutzick doesn't tell us what statute, ordinance, or

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

administrative interpretation puts "consistency and predictability" above public participation. As shown below, SMC 23.41.008(E)(2) requires that, "All meetings of the Design Review Board **shall** be held…in a location which is…conveniently located…" (emphasis added). "Shall" means mandatory.

We warned DPD what we believed they already knew, that holding the meeting so far away would greatly decrease public involvement, which is exactly what happened. Exhibit G shows a picture of the audience in the meeting miles away at Seattle University. Most of the audience are employees/contractors of the developer. Only about five or six Eastlake Community neighbors were able to attend this meeting so far away from Eastlake, and only four spoke. This far away meeting, as just shown, violates the Seattle Municipal Code, SMC 23.41.008(E)(2) because the meeting was NOT "conveniently located."

b. The design review process violated the Eastlake Neighborhood Plan because it was NOT neighborhood based. None of the five members of the East Design Review Board were residents of the Eastlake Community, but, instead, reside in much denser areas of the City.

The East Design Review Board (DRB) consists of four members from Capitol Hill (Gualy, Foltz, Brun, and Bigelow) and one member from First Hill (Orr-Cahall). (Exhibit B, *Transcript* 1:6-21). None of the Design Review Board members are from the Eastlake Community. These Board members have chosen to reside in a region of Seattle with much more massive buildings up to 65 feet, and, sometimes, much taller. It's

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

no surprise that when the developer proposes at 40-foot tall building on a lot zoned for 30 feet, these members wonder what the big deal is. You can build up to 65 feet, and sometimes much taller, in their neighborhood. But, as we shall see below, the design review process, when properly conducted, does NOT merely ask the Board, as was done here, whether they like the building. Rather, the properly done design review process applies the design standards to a project; that's why members of the affected community are required as members of the DRB.

c. The design review process violated the Eastlake Neighborhood Plan because it discouraged interaction between the community, the developer, designers, and decision-makers.

The East DRB Final Recommendation meeting employed the "rigid hearing format" discouraged by the Eastlake Neighborhood Plan. The developer presentation was strictly separated from public comment which was strictly separated from Board deliberations. Immediately before the public comment period, East DRB Chair Nataly Gualy made the following remark, prohibiting public question of the developer's team: "I would just like to remind members of the public that this is not a question and answer session with the applicant. This is an opportunity for you to say what you would like to see in the project" (Exhibit B, *Transcript* 17:13-17). Later, when Board deliberations were beginning, Chair Gualy made clear that public interaction with the Board was prohibited: "So with that we are now to go to our Board deliberation period. We ask that the room remain silent during this time" (Exhibit B *Transcript* 27:13-15). During the deliberations someone from the audience wanted to ask "one clarifying question." DPD Planning

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

Supervisor Bolser cut off the question saying, " But this is the time for the Board to deliberate, so we need to let the Board deliberate at this time," (Exhibit B, Transcript 31: 6-8).

d. The design review process violated the Eastlake Neighborhood Plan because, for development departures, it did NOT analyze impacts or demonstrate and document the community benefits of the departures.

The very brief, confused discussion of the four departures appears in the Exhibit B transcript on pages 36:13 to 38:11. None of this could possibly be considered analysis, demonstration, or documentation. Yet, the description of this part of Board deliberations in the report of the meeting makes very detailed and false claims about what actually happened at the meeting. We discuss this inconsistency between what happened at the meeting and what was alleged in the report in our section below on violations of state law prohibiting the filing of a false report.

e. The design review process violated the Eastlake Neighborhood Plan because it did NOT identify, preserve, enhance and create residential views. The Project significantly blocks views and nothing was required of the Project to protect views.

The developer concedes that the Project blocks views, and even provides simulations showing which views are blocked and by how much. Exhibit H shows the blockage of views to the West, including Lake Union and Queen Anne Hill. Exhibit I shows blockage of view to the Northwest, including Lake Union, Queen Anne Hill, and the Aurora Bridge. The developer has chosen views from high perches across the street at

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

45 feet from Exhibit H and the third floor for Exhibit I. A more thorough study of views blockage would probably include significant blockage of views of the Seattle Center/Space Needle, the Olympic Mountain Range, Queen Anne Hill, the Aurora Bridge and Lake Union. Nevertheless, the developer takes no steps to "identify, preserve, enhance, and create" residential views. Part of the problem is the Big Box architecture which maximizes profits while eliminating views and also maximizing neighborhood degradation. The East DRB demonstrated no interest in views providing no conditions to protect views. Incidentally, it's striking how the proposed building dwarfs the buildings around it (Exhibit I).

VIOLATIONS OF THE SEATTLE MUNICIPAL CODE

In the City of Seattle, Design Review is regulated by SMC 23.41. According to the SMC 42.31.002, design review should assure that development "sensitively fits into neighborhoods," and meets "neighborhood objectives," as design review should also "improve communication and mutual understanding among developers, neighborhoods, and the City early and throughout the development review process."

a. The design review process violated the Seattle Municipal Code because the meeting wasn't conveniently located for the Eastlake Community.

SMC 23.41.008(E)(2) requires that, "All meetings of the Design Review Board **shall** be held…in a location which is…conveniently located…" (emphasis added). "Shall" means that the provision is required and not optional. As previously shown, the April 8, 2015 meeting of the East DRB was NOT conveniently located and appeared to

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

suppress public attendance from about 40 community participants in a non-statutory meeting held in the community on the Project to only about 6 community participants at this meeting far away from the Eastlake Community. DPD Director Sugimura indicated that it was DPD policy to hold meetings in the affected neighborhoods if possible. However, for this important, statutory meeting of the East DRB where final recommendations were made, the meeting was held miles away from the Eastlake Community at Seattle University, discouraging and suppressing public participation.

b. The design review process violated the Seattle Municipal Code because the Board failed to "synthesize" community input, showing little concern for public comment.

SMC 23.41.008(A)(1) directs that "...the Design Review Board shall: Synthesize community input on design concerns..." Again, the use of the word "shall" means that the direction to "synthesize community input" is mandatory. The Exhibit B verbatim transcript proves that the Board spent very little time on community input, mostly dismissing community input as unimportant. We return to this subject showing in the Design Guidelines violations section more specifically how public input was treated. A reader of the false report of the East DRB meeting (Exhibit A) might conclude, erroneously, that the East DRB did synthesize public comment, but, in fact, virtually no time was spent on public comment, which it appears East DRB members did NOT even read public comment.

SMC 23.41.014(E)(1) directs that, "During a regularly scheduled evening meeting of the Design Review Board, other than the early design guidance public

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

meetings, the Board shall review the record of public comments on the project's design…" Again, the use of the word "shall' means that the review of public comments is mandatory. The Exhibit B transcript shows that no such review ever took place. In fact, it appears that members of the East DRB didn't even read the numerous comments submitted to DPD on this project. Instead of reading the comments, Board members apparently relied on a very brief summary from DPD Planning Supervisor Bolser (Exhibit B Transcript 25:1-21). As Washington State Courts have long determined, making decisions without even reading the record is arbitrary and capricious behavior "without consideration for and in disregard of the facts" that renders those decisions null and void.

c. The design review process violated the Seattle Municipal Code by failing to find that the four approved departures resulted in a development that better meets the intent of the adopted design guidelines.

SMC 23.41.012 directs that, "Departures may be allowed if an applicant demonstrates that departures from the Land Use Code requirements would result in a development that better meets the intent of the adopted design guidelines." The Exhibit B transcript at 35:13-37:17 shows that there was no discussion of the intent of the adopted design guidelines and no discussion that the departures better meet the intent of the adopted design guidelines.

d. The most serious design review violations of the SMC are failing to review the record of public comments, review the project's conformance to the guidelines, and make a determination that the project complies with design guidelines.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

SMC 23.41.014(E)(1&2) directs that, "During a regularly scheduled evening meeting of the Design Review Board, other than the early design guidance public meetings, the Board shall review the record of public comments on the project's design, the project's conformance to the guideline priorities applicable to the proposed project, and the staff's review of the project's design and its application of the design guidelines…At the meeting of the Design Review Board, a determination shall be made by the Design Review Board that the proposed design submitted by the project proponent does or does not comply with applicable design guidelines."

The only public meeting held on this project, other than the two early design guidance public meetings, was the Final Recommendation meeting on April 8th. The record of East DRB deliberations is seen in Exhibit B, Transcript 27:12-38:20.

It's clear from the record that the East Design Review Board failed to do any of the three tasks required by the SMC, since "shall" means mandatory. The Board did NOT review public comments. In fact, it appears that the Board members didn't even read public comments themselves, but rather get a very brief summary of scores of comments by DPD staff (Exhibit B, *Transcript* 25:1-25:21).

The Board did NOT review the conformance of the Project with the design guidelines. In fact, the Board never even mentions the design guidelines. Instead, the Board identifies and discusses generalized issues. The generalized issues identified by the Board, which they called "talking points" were: materials, courtyard, alley, departures, rooftop, transitions and height-bulk-scale. No guidelines were mentioned in the

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

deliberations. The next section expands on why this discussion of talking points violates the Board's SMC-required task to determine the project's conformance to the guidelines.

Finally, the Board did NOT determine that the Project "does or does not comply with applicable design guidelines." The Board is required by the SMC to go through the applicable design guidelines checking the project for conformity with each guideline, and then determine whether the Project does or does not comply. The transcript is clear that nothing like these required deliberations ever happened. What happened is that the Board had a general discussion of talking point, but made no specific determination of compliance with the guidelines.

VIOLATIONS OF THE DESIGN GUIDELINES

The most common and insidious error for design review groups is that the group believes that the question being asked in design review is, "Does the group like this design?" or "Is the group comfortable with this design?" In fact, by law, the group is constrained to apply the design guidelines to a project, not their particular feelings about what the project should be, no matter how expert they are or believe themselves to be. Therefore, the group should be stepping through the design guidelines, comparing the project to the specific language of each guideline, and answering the question, "Does this design comply with the Design Guidelines passed by the City Council?"

Elected officials, using a public process, pass laws that include design guidelines and procedures for applying those guidelines to local projects. If the guidelines were clear and numeric, such as specifying the height of a building and the

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

method for measuring height, design review groups would not be necessary. Design review groups are needed because it takes judgment and experience to determine whether a local project complies with the guidelines. Design Review Boards are NOT allowed to apply their tastes to the design of a project, only to determine if the project complies with the guidelines. Regardless of whether the DRB likes or doesn't like the proposed building, they are required to determine only whether it complies with the Design Guidelines, and only approve the project if it does.

We maintain that the East Design Review Board members relied on their own subjective feelings in approving the Project violating the requirement of the SMC that they determine whether the local project complies with the Design Guidelines. The false report of the Final Recommendation meeting (Exhibit A) shows what the East DRB was supposed to be doing, stepping through the Design Guidelines and deciding, for each guideline, whether the Project complies, but the video/audio recording, the separate audio recording, and the transcript prove that's not what the East DRB did.

There are eleven Design Guidelines covering Context & Site (CS1, CS2, CS3), Public Life (PL1, PL2, PL3, PL4) and Design Concept (DC1, DC2, DC3, DC4). These are summarized in the Final Recommendation report (Exhibit A, pp. 11-14).

During the public comment period, Eastlake resident Sarah Armstrong referred to the design guideline that "requires that the proposal complement or transition to neighboring buildings. So you can see that the height of the proposed building would starkly contrast to the one-story apartment building across the alley to the west of the

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

site." Ms. Armstrong also refers to a design guideline that "requires the developer use topography to make this a successful fit with neighboring buildings. And as you can see, the height carries across the building and it's nearly seventy feet when you get to the alley. So seventy feet is in stark contrast to the buildings on the alley. So in a phrase of how I would like the design to, I would like the design to comply, the design be required that it step down to consider the neighboring buildings." (Exhibit B, Transcript 19:7-17)

The DRB did NOT determine that the proposed building transitions to the surrounding buildings. Curtis Bigelow claimed that the building "fits very well into the Eastlake bulk and scale," but doesn't show the required transition to surrounding buildings (Exhibit B Transcript 28:4-5). Dan Foltz also looks elsewhere in Eastlake for similar buildings and said "in the first and or second EDGs, we focused a lot on massing and there were concessions made by the applicant in order to maximize the impact of those reductions, so kind of, I've already, at least once or twice, looked at the massing critically," but again, Foltz doesn't show the required transition to surrounding buildings (Exhibit B Transcript 28:11-17). The question isn't whether the applicant has made concessions from a project way out of compliance with the design guidelines; the question is whether the project now complies with the guidelines. Krystal Brun appears to amend the guidelines so, according to her, you don't need to follow the guideline on the alley side saying, "Yes. I agree. Unfortunately with the topography such as this area that's always going to be. You're always going to have that feeling. But, I mean it's the back of the building. Well, I won't say the back of the building, but it's the alley side" (Exhibit B, Transcript 30:3-5)

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

Here, the Board members aren't following the guidelines to transition to surrounding buildings. The Board members are merely expressing their approval of the massing of an over-sized building that doesn't transition well to surrounding buildings. As previously mentioned, all five Board members have chosen to live in neighborhoods (Capitol Hill and First Hill) with much larger height limits. Naturally, they are comfortable with oversized buildings in Eastlake, but if the DRB consisted of Eastlake residents in compliance with the Eastlake Neighborhood Plan, the lack of transition from the Project to surrounding buildings would likely not be overlooked.

After the Board discussed the departures, it was time under SMC 23.41.014(E)(2) to determine whether the proposed project does or does not comply with applicable design guidelines. Of course, at that point, the DRB hadn't determined the conformance of the project with any of the guidelines They neglected to make that determination as required by law. Instead, Chair Natalie Gualy said, "So with that said it sounds like we are in agreement of. We're all in agreement of this project moving forward." Three Board members said, "Agreed"; the East Design Review Board adjourned. (Exhibit B, Transcript 38:12-15)

VIOLATION OF THE LOCAL PROJECT REVIEW ACT (RCW 36.70B)

This project doesn't meet current zoning so the Design Review Board and DPD are prohibited from considering the project. State law makes a clear distinction between the procedures that lead to development regulations, like zoning, and the procedures that lead to local project approval such as the design review considered here.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

Local agencies, such as this Board and DPD, are prohibited from revisiting previous zoning decisions, and so cannot consider this project because it doesn't meet current zoning.

RCW 36.70B governs local project review in this State. RCW 36.70B.030(1) requires that, "Fundamental land use planning choices made in adopted comprehensive plans and development regulations shall serve as the foundation for project review." "Shall" means that the direction is mandatory. These land use planning choices CANNOT be reexamined during project review. RCW 36.70B.030(3) explains that, "During project review, the local government or any subsequent reviewing board shall not reexamine alternatives..." on such issues as "type of land use permitted on the site" or "density of residential development."

The note to RCW 36.70B.030 explains the findings and intent of the Washington Legislature: "Given the extensive investment that public agencies and a broad spectrum of the public are making and will continue to make in comprehensive plans and development regulations for their communities, it is essential that project review start from the fundamental land use planning choices made in these plans and regulations... The project review process...should not reanalyze these land use planning decisions in making a permit decision."

Normally, the requirement that zoning PRECEDE local project review frustrates the public because, as non-professionals, the public has difficulty understanding the implications of zoning until local projects that comply with the zoning are proposed.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

Therefore, if a project is proposed that complies with zoning and the public objects, the public's objections are dismissed because state law prohibits revisiting zoning during local project review.

In the case of this project, in 1985/1986 there was an "extensive investment" that Eastlake neighbors made "in the development regulations for their community." The developer is prohibited from proposing a local project inconsistent with zoning and the Design Review Board and DPD are prohibited from considering a local project inconsistent with zoning. If the developer wants to propose a local project inconsistent with local zoning, which the developer admits in this case, the developer FIRST MUST OBTAIN A REZONE BEFORE proposing a local project, so the current project should have been rejected by the DRB and should be rejected by DPD.

The DPD and DRB have been made aware that they may be violating state law. Two comment letters from Aramburu & Eustis LLP were submitted to DPD before the April 8th meeting (Exhibit J and Exhibit K). During public comment at the meeting, the violation of the Local Public Review Act was again raised (Exhibit B, Transcript 22:22-23:2). Nevertheless, DPD and the DRB appear to have ignored the apparent violation of state law. DPD hasn't provided any rationale that explains how doing zoning and project review at the same time is legal. The DRB didn't even mention the apparent violation of the Local Project Review Act.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

VIOLATION OF RCW 42.20.040: FILING A FALSE REPORT

We are concerned that the report of the East Design Review Board Final Recommendation meeting is a false report, making it appear that the Board systematically considered the design guidelines, when, in fact, Board members did NOT reference design guidelines at the meeting, as evidenced by the video/audio and separate audio recordings and the transcript of those recordings. RCW 42.20.040 provides penalties for, "Every public officer who shall knowingly make any false or misleading statement in any official report or statement…"

The recordings show that the East Design Review Board April 8th meeting was unsystematic and confused – no motions, no votes, no determinations, no findings. The **few** "decisions" were of the form, "We want to do this, right?" The report paints a very different picture of systematic review of the design guidelines, but the report is false.

The report begins on page 1with the false claim that only four of five Board members were present. In fact, five members of the Board were present. Exhibit L is a screen-shot of these city officials taken from the video/audio recording. From left to right, they are DPD's Shelley Bolser, followed by the five DRB members in the order they introduced themselves at the beginning of the meeting: Natalie Gualy, Dan Foltz, Christina Orr-Cahall, Krystal Brun, and Curtis Bigelow (Exhibit B, Transcript 1:5-21).

The report fails to name Krystal Brun, the new member of the East Design Review Board. Exhibit M shows Brun's LinkedIn page indicating that she became a DRB member in August 2014. The Board's early design guidance meetings on this Project were

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

in May 2014 and July 2014, so the Project is new to Brun and this is the first time this Board as a whole has deliberated on this project.

The report lists eight of the eleven design guidelines along with sub-guidelines on pages 11-14, but the DRB did NOT go through these guidelines. The so-called "final recommendations" on pages 10-11 reference the listed guidelines, as if the Board applied those guidelines to the project, but, in fact, those guidelines weren't referenced during the meeting.

The report makes many statements of what happened at the meeting that find no support in the recordings. For example, the report claims that, "The Board felt the design with the southeast courtyard and related landscape plan provided a more substantial public benefit than maintaining the Exceptional Tree." No such discussion appears on the recordings. Architect Mariano briefly mentions the Exceptional Tree (Exhibit B, Transcript 5:7-21) and the report references a "Second Recommendation" meeting, which appears to be the second early design guidance meeting, but THIS is the meeting for the Board to make its recommendations and the recordings don't show any recommendation.

The report puts words in the **Board's** mouth for issues where the Board made no motion, took no vote, and made no determinations or findings. For example, on page 10 the report claims, "The Board noted that the question of building massing and related analysis had been previously addressed in the Early Design Guidance…" The Board didn't note that. Dan Foltz made that statement (Exhibit B, Transcript 28:10-17) to cut off discussion on the subject of massing that most interested the public.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

The report claims on page 15 that the Board approved the first departure because the departure provided entries to the building that are more directly connected with the adjacent sidewalk providing an overall design that would better meet the intent of Design Review Guideline PL-3. But it's clear from the transcript that didn't happen (Exhibit B, Transcript 36:13-28-37:1-2). The Board didn't support that reason for the departure, which is probably necessary to get a departure. The Board supported the departure based on a speculative height the building may achieve based on rezoning.

We request that the Director carefully review the recordings and transcript of the East Design Review Board Final Recommendation meeting BEFORE relying on the report of that meeting (Exhibit A) to make any recommendations to the Hearing Examiner and City Council.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

Exhibit A

City of Seattle

Department of Planning & Development
D. M. Sugimura, Director

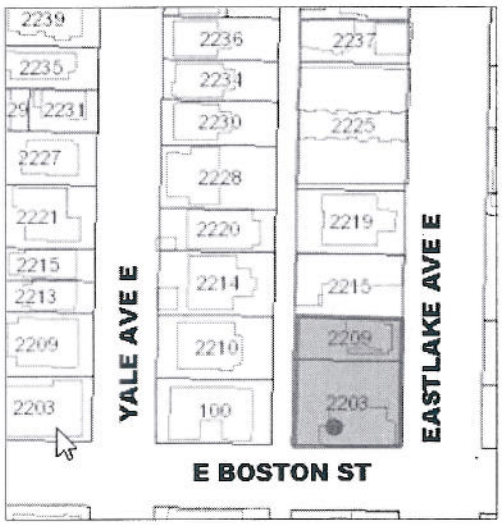
DESIGN REVIEW

FINAL RECOMMENDATION OF THE EAST DESIGN REVIEW BOARD

Project Number:	3016024
Address:	2203 Eastlake Avenue E
Applicant:	Maria Barrientos, Barrientos LLC
Date of Meeting:	Wednesday, April 08, 2015
Board Members Present:	Natalie Gualy (Chair) Curtis Bigelow Dan Foltz Christina Orr-Cahall
Board Members Absent:	Kevin Price
DPD Staff Present:	Shelley Bolser

SITE & VICINITY

Site Zone:	Split zoned Neighborhood Commercial One (NC1-P30) and Lowrise Two (LR2 RC)
Nearby Zones:	North: LR2 RC South: NC1P-30 East: NC1P-30 West: LR3
Lot Area:	12,296 sq. ft.
Current Development:	Retail store and office building.



Surrounding Development: The subject site is located on the northwest corner of Eastlake Avenue E and E Boston Street. The subject lot is currently split zoned Neighborhood Commercial One with a Pedestrian Overlay (NC1P-30) and Lowrise Two multifamily with a Residential Commercial Overlay (LR2 RC). Lots to the south and east are zoned NC1P-30. Lots to the north are zoned LR2 RC. Lots to the west, across the alley are zoned Lowrise Three (LR3). The site contains two parcels with two existing commercial buildings. The site contains an approximately 10 foot grade change from the east to the west property line. The west lot line, along the alley, is the low point of the site. To the north is a two story motel. To the south is a one story restaurant and to the east is an office building and a multistory residential structure. To the west across the alley is a multifamily structure.

ECAs: None.

Neighborhood Character: This neighborhood, located within the Eastlake Residential Urban Village, includes multifamily housing, community services, restaurants and shopping. Eastlake Avenue E contains a number of multi-story multifamily mixed use structures and one story commercial structures. To the west, three blocks, is Lake Union. Two blocks to the east is Interstate 5. Uses along Eastlake Avenue Street are varied and include single family homes, multifamily apartment buildings, multi-story mixed used building and commercial structures. Zoning along Eastlake Avenue E is primarily Neighborhood Commercial with heights ranging from 30-40 feet. Pockets of Lowrise multifamily zoning are also located on Eastlake Avenue E particularly south of the Eastlake Avenue E and E Boston Street intersection. Zoning is almost entirely multifamily one half block to the east and west of the Eastlake corridor. The majority of buildings are between one and two stories with a few three and four story structures. Within walking distance from the site, services include a restaurants, grocery stores, shopping, and parks. Natural amenities in the area include Lake Union.

Eastlake Avenue E is a major Metro bus corridor providing service from Downtown Seattle to many districts north of Lake Union. Eastlake Avenue E provides connections to the Burke Gilman Trail. Eastlake Avenue E is designated as a principal arterial street.

After the first EDG meeting, an Exceptional Tree was identified near the north property line. The 26" Japanese Maple was determined to be in good health.

PROJECT DESCRIPTION

Council Land Use Action to rezone a parcel of land from NC 1P 30' and LR2 RC to NC 2P 40' (CF #314127). Project includes future construction of a 5-story structure containing 45 residential units and 3,423 sq. ft. of commercial space at ground level. Parking for 39 vehicles to be provided below grade. Existing structures to be demolished.

EARLY DESIGN GUIDANCE MEETING: May 14, 2014

DESIGN PRESENTATION

The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number (3016024) at this website: http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The EDG packet is also available to view in the project file (project number 3016024), by contacting the Public Resource Center at DPD:

Mailing Address: **Public Resource Center**
700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

PUBLIC COMMENT

The following comments, issues and concerns were raised during the public comment portion of the Early Design Guidance meeting:

- Would like to see the height of the structure reduced to maintain existing views.
- Would like to see the retail spaces located partially below grade to reduce the overall structure height.
- Felt an upper level setback should be provided on the south façade at the 3rd floor level to preserve views adjacent to the right-of-way.
- Noted the building would benefit from an additional ground level setback on the south facade, adjacent to the sidewalk to provide additional landscaping.
- Felt proposal is out of scale with the existing structures.
- Concerned building will reduce available sunlight on Eastlake Ave E.
- Felt proposal should contribute to the historic character of the neighborhood by providing thoughtful streetscape, planting, signs, and lighting.
- Preferred high-quality materials used throughout the building.
- Preferred massing Scheme One which is a story lower.

- Would like to see landscaping maximized at ground level.
- Would like to see a more traditional building and material application respectful of the surrounding neighborhood.

SECOND EARLY DESIGN GUIDANCE MEETING: July 23, 2014

The packet includes materials presented at the meeting, and is available online by entering the project number at this website:
http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp
or contacting the Public Resource Center at DPD:

Address: **Public Resource Center**
700 Fifth Ave., Suite 2000
Seattle, WA 98124
Email: PRC@seattle.gov

PUBLIC COMMENTS

Several members of the public were in attendance at the Second Early Design guidance meeting held on July 23, 2014. The following comments, issues and concerns were raised:

- Felt the maximum allowed building height should be measured from the low point of the site to the top of the stair and elevator penthouse.
- Would like to see the courtyard designed to be open and inviting.
- Felt a third massing option which maintains both the tree and courtyard should be provided.
- Felt the tree massing option can incorporate an appropriate corner treatment.
- Expressed concern about the reduced north setback, noting the smaller setback would impact light and air to adjacent properties.
- Expressed concern regarding the height and bulk of a four story façade on Eastlake Ave E.

FINAL RECOMMENDATION MEETING: APRIL 8, 2015

The packet includes materials presented at the Recommendation meeting, and is available online by entering the project number at this website:
http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp

or contacting the Public Resource Center at DPD:

Address: **Public Resource Center**
700 Fifth Ave., Suite 2000

Seattle, WA 98124
Email: PRC@seattle.gov

DESIGN DEVELOPMENT

The applicant noted that the proposed development design is focused on providing large windows and curated retail spaces to complement the Eastlake neighborhood.

There is an Exceptional Tree on site near the alley, which is currently growing in a structure. The applicant noted that the project arborist evaluated the tree and found that due to the existing conditions, the tree would be unlikely to survive adjacent development. The applicant showed graphics demonstrating the impacts tree retention would have on the proposed development, and explained that the proposal is to remove the tree in favor of providing better landscaped usable open space on the site.

The applicant summarized changes to the design in response to the Second EDG meeting and DPD staff input, including modified setbacks and departure request for the north façade, extending the building near the northeast corner to create a strong street wall, with an upper level setback of 3'3" above the base. A 5'3" upper level setback was shown at the Boston St (south) façade, to preserve public views toward Lake Union to the west. The alley façade would also be setback 8'3" above the base. The applicant explained that landscaping and paving will be designed to provide public seating opportunities in the plaza and street edges, with layered landscaping at the south edge and adjacent to the alley residential units. The Boston St façade was shown with a cable rail system for climbing vines.

The applicant noted that the intent of the proposed design concept is to create a heavy masonry base with a lighter top, in response to similar nearby context. Dark bronze metal accents would be used at windows and balcony railings. The intent of the signage and lighting plans express minimalism and integration with the building design. In response to Board questions, the applicant further clarified that the north façade treatment would possibly include green screens with climbing vines, or art.

Two of the departures were clarified at the meeting. The floor to floor height was requested to be 12'3" in order to have commercial spaces with entries at the same grade as the sidewalk. The departures for setbacks were in response to the increased setbacks at the south, west, and northwest edges and the Board's request to hold the street edge at Eastlake Ave E.

PUBLIC COMMENTS

Several members of the public were in attendance at the Final Recommendation Meeting held on April 8, 2015. The following comments, issues and concerns were raised:

- The analysis of the context in the presentation should have focused on the subject property block rather than sites further north and south on Eastlake Ave E. The immediate context is lower height buildings.
- The proposed development should be designed with minimal or no structures on the roof, similar to nearby context.
- The proposed development massing should step down on all sides, in response to the lower height buildings and the change in topography to the west.
- The public notice of the meeting location was confusing.
- Concerned about traffic and vehicular circulation in the alley.
- The entry ramp in the southeast plaza should be lower or flat to make the plaza more usable.
- The departure to reduce the floor to floor height for the commercial spaces should not be granted in order to make the commercial spaces more viable for future uses.
- Concerned with the review process that requires design review meetings in advance of a rezone decision.
- Any commercial parking provided in the garage should have proper signage and easy circulation.
- The overhead pedestrian weather protection should be deeper than 3'.
- The overall development is too large for the neighborhood.

The DPD Planner also summarized public comment that related to design review, and was received by DPD prior to the Recommendation meeting:

- The building should be designed to transition to lower nearby buildings and zones (CS3 and DC2)
- The proposed design should be designed using the examples in Guideline CS2 to:
    - Reduce height, bulk, and scale
    - Maintain light and air to nearby buildings and streets
    - Preserve public views from adjacent streets to Lake Union
    - Step down to the west, with the topography
- Rooftop stair towers should be oriented east-west to maximize views across the site and minimize appearance of building height
- Support for the proposal's increased retail along Eastlake
- Support for the proposal's positive impact on pedestrian activity
- Support for the overall design
- Support for the removal of existing curb cuts that impact pedestrians and bicyclists
- Development along Eastlake should focus on the streetscape as a hub of the neighborhood, rather than a corridor
- Support for the proposed southeast corner plaza

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the

following siting and design guidance. The Board identified the Citywide Design Guidelines of highest priority for this project.

EARLY DESIGN GUIDANCE May 21, 2014

1. **Massing. The Board felt Massing Option 3 should move forward to MUP submittal with the following guidance:**
   a) The Board preferred Massing Option 3 which locates the central entry courtyard at the corner of Eastlake Avenue E and Boston Street. The Board agreed the corner courtyard promotes pedestrian activity, provides a gateway to the community, and sets a precedent for a more open intersection (CS2-C, PL1-A2, PL3-A2).
   b) The Board noted Massing Option 3 was preferable with commercial uses on each street and live work uses wrapping onto the alley. At the Recommendation Meeting, the Board requested vignettes of each façade to show how the commercial spaces relate to the pedestrian experience (CS2-B2, PL3-B3).

2. **Eastlake Avenue. The preferred massing proposal includes commercial space at ground level with residential units above.**
   a) The Board provided guidance to maintain a strong street wall along Eastlake Ave E to the north property line in the area of the required setback (CS3-A).
   b) The Board also noted they were amenable to additional departure requests along the north setback. The Board felt the structure adjacent to Eastlake Avenue E should be located adjacent to the north property line. The Board provided guidance that further reduction in the north setback should facilitate a generous south setback to provide a larger courtyard space and landscape buffer along the south street property line (CS2).
   c) The Board encouraged the applicant to consider an optional second EDG meeting to resolve any proposed changes to the massing location along the north and south property lines (CS2).
   d) The Board provided guidance stating the ground level street façade must maintain a strong street edge, but that the upper levels should be setback. The Board felt the provided setback should provide relief from the large façade on Eastlake Ave E. The Board did not state a setback requirement but thought an investigation of successful upper level setbacks in the neighborhood could inform an appropriate setback (CS2-D4 and D5).
   e) The Board felt the applicant should investigate use of the setback as a private amenity feature for residents (CS2-B).

3. **Entry Courtyard. The preferred massing option locates a common entry courtyard at the corner intersection.**
   a) The Board felt the courtyard provides the opportunity for the building to transition from the commercial Eastlake façade to the quieter more residential Boston street. At the Recommendation Meeting, the Board requested information on the design of

the courtyard to create a quality open space activated by spillover of commercial uses and resident's path of travel (PL1, PL3).

b) The Board noted the applicant should study existing neighborhood developments such as the Cloe and Eastlake lofts for examples of successful activation of space (PL3).

4. **Boston Street. The preferred massing option locates live work units at the ground level with residential units above.**
   a) The Board noted the south façade needed a more successful transition to the residential neighborhood. The Board felt this transition could be achieved in a variety of ways, but felt the applicant should investigate an upper level setback above the live work units. Board provided an example of a two story live work base with a setback above as potential solution (CS2-D).
   b) The Board noted the live work entry off Boston was important to break the up the ground level massing while providing additional opportunities to incorporate landscaping. At the Recommendation Meeting, the Board requested vignettes of the pedestrian experience and the live work entry treatment (PL3-B).

5. **Roof. The Board noted the overall grade transition down to Lake Union will provide views onto the roof surface.**
   1. The Board felt the roof should be developed as a 5th façade. The Board noted that the addition of the green roof would help add visual interest to the roof plane (CS2)
   2. At Recommendation, the Board would like to see additional detail on the development of the roof as a common amenity space maximizing the existing views to the lake (CS2-B).

6. **Material and Architectural Context. The Board felt the architectural and material concept should be informed by existing building context.**
   a) The Board felt the proposed building should incorporate material cues, such as brick, to reference the existing context (CS3-A4, DC4-A).
   b) The Board noted the application should include durable long lasting materials at the base. The Board requested complete material demonstration at the Recommendation Meeting (CS3-A-4, DC4-A).
   c) The Board would like to see the architectural concept evolve to include large windows (DC2).
   d) At the Recommendation Meeting, the Board requested street level vignettes demonstrating the material application on Eastlake Ave E and Boston Street facades (DC4).

SECOND EARLY DESIGN GUIDANCE: July 23, 2014

A second EDG meeting was held to determine whether the exceptional tree should be maintained on site with a revised massing alternative.

At the Second Early Design Guidance meeting, the Board discussed the response to the EDG and offered the following recommendations for the proposal to meet the applicable Design Review Guidelines identified at the EDG meeting.

1. **Massing. The Board unanimously preferred massing scheme 1 which maintains an open entry courtyard at the intersection of E Boston Street and Eastlake Ave E.**
    a) The Board felt the courtyard massing option provides a more substantial public benefit than maintaining an Exceptional Tree that cannot be seen from either right-of-way (CS2-A, CS2-B, CS2-C).
    b) The Board agreed the preferred massing option provided the better design solution by incorporating a more generous setback at ground level along E Boston Street and the alley. The Board felt the additional setback space should be treated to provide a visual amenity to passing pedestrians (PL1-A).
    c) The Board was pleased with the upper level setbacks provided on floors 2-4 adjacent to the right-of-way. The Board agreed the revised street facade massing provided an appropriate response to the First Early Design Guidance provided (CS2-D).
    d) At the Recommendation Meeting the Board would like to see rendering and perspectives taken from each side of the building (CS2-D).

2. **Courtyard. At the Recommendation Meeting, the Board would like to see a fully designed courtyard space with hardscape material, landscape plantings, materials, lighting and signage identified.**
    a) The Board felt the entry courtyard should include a substantial tree canopy to soften the hard edge of the building and provide human scale (PL1-A, PL3-A, DC4-D).
    b) The Board agreed the example courtyard imagery provided within the 2nd Early Design Guidance packet suggested a positive direction for the courtyard treatment (PL1-A, PL3-A).
    c) The Board did not fully understand the use and design of the trellis within the courtyard area. If the trellis is maintained moving forward the Board would like to see more detail on the materials and landscaping proposed. The Board was particularly concerned with how the trellis will look in winter (DC4-D1).
    d) The Board noted the context has a small neighbor character. The Board would like to see the courtyard space developed with a sense of intimacy (PL1-A, PL3-A0, DC4-D).

3. **Live Work Unit Along the Alley. The Board supported living spaces along the alley with entrances to live work and residential units.**
    a) The Board noted the applicant should explore how the live work entry on the alley will function if the space is ever converted to a residential use. The Board felt the entry should be visible but also maintain a sense of privacy (PL3-A).
    b) The Board expressed support for slightly elevated terraces along the alley to provide a sense of separation between the alley and the residential uses (PL2-B).

4. **E Boston Street. The Board discussed the substantial grade change on E Boston Street and noted the live work unit is two stories. The Board felt additional efforts were necessary to define the relationship between the live work unit and the adjacent sidewalk.**
    a) The Board provided guidance to explore how the building, live work floor levels, and fenestration meet the adjacent sidewalk grade. At the Recommendation Meeting, the Board would like to see how the live work unit is designed to create a comfortable transition between the unit, sidewalk, and the alley (PL3-B).
    b) At the Recommendation Meeting, the Board would like to see a detailed landscape plan which provides a multilayered landscape buffer within the setback space provided on E Boston Street (DC4-D).

5. **Architectural Concept. The Board supported the modern, highly transparency architectural and material concept presented with the 2nd Early Design Guidance Packet.**
    a) The Board felt the architectural and material concept should be informed by existing building context. The Board did note they support the use of masonry at ground level (CS3-A4, DC4-A).
    b) The Board noted the level of transparency and size balconies presented within the 2nd Early Design Guidance packet created a handsome building that should be maintained as the design progresses (DC4-A).

FINAL RECOMMENDATIONS: APRIL 8, 2015

1. **Height, Bulk, and Scale. The Board discussed the design response to the nearby context, including the adjacent block and the context of the Eastlake neighborhood beyond that block, based on images in the packet and the Board's experience visiting the site and neighborhood.**
    a) The Board noted that the question of building massing and related analysis had been previously addressed in the Early Design Guidance meetings, and the design is consistent with the Board's guidance on massing. (CS2-D, DC2-A)
    b) The setbacks as shown for the upper building levels help to ease the massing transition to adjacent development and address the change in topography from east to west. (CS1-C, CS2-D)
    c) The Board acknowledged that the sloped topographical conditions of the Eastlake neighborhood can be challenging, but the proposed setback at the alley creates a sufficient transition to the west. (CS1-C, CS2-D, DC2-A)
    d) The Board agreed that the upper level balconies were designed to provide visual interest without adding additional bulk to the building. (CS2-D)

2. **Exceptional Tree.** The Board felt the design with the southeast courtyard and related landscape plan provided a more substantial public benefit than maintaining the Exceptional Tree. As the Board noted in the Second Recommendation meeting, the tree can only be seen from the alley, but the street facing courtyard will have open space available for public use (CS2-A, CS2-B, CS2-C, DC4-D)

3. **Materials. The Board recommended approval of the materials palette, which provides a quiet façade, elegant overall composition, and expresses the architectural concept.** (CS2-C, CS3-A, DC2-B, DC4-A)

4. **Courtyard. The proposed southeast courtyard is designed to clearly identify the primary building entry and provide usable open space adjacent to the street.**
   a) The Board recommended approval of the courtyard design, with the ramp to provide direct access to the residential entry. The ramp serves to delineate the potential outdoor seating area from the entry route. (PL3-A)
   b) The Board recommended approval of the courtyard design, removal of the trellis that was proposed at EDG, and the overall design response to the corner. (CS2-B, PL1-A)

5. **Alley. The Board recommended approval of the vehicular alley access, and noted that the 20' public right of way in the alley is wider than many other alleys with garage entries. Therefore, the Board did not recommend any additional design measures related to safety.** (PL2-B)

6. **Roof Deck. The Board recommended approval of the roof deck design. The Board suggested the applicant consider expanding the roof deck to the east edge of the building to activate the street frontage and provide visual interest for neighbors uphill to the east, but declined to recommend a condition for that change.** (DC2-B, DC4-D)

7. **North Façade. The Board noted the applicant's proposal to include green screens with climbing vines or art at the north façade, in the area without fenestration. The Board suggested that the applicant consider a variation in siding or other visually interesting treatment, since the façade is visible from Eastlake Ave E. However, the Board declined to recommend a condition for this item.** (CS2-D-5)

DESIGN REVIEW GUIDELINES

The priority Citywide and Neighborhood guidelines are summarized below. For the full text please visit the Design Review website.

CONTEXT & SITE

CS1 Natural Systems and Site Features: Use natural systems/features of the site and its surroundings as a starting point for project design.

CS1-A Energy Use

CS1-C Topography

CS1-C-2. Elevation Changes: Use the existing site topography when locating structures and open spaces on the site.

CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

CS2-A Location in the City and Neighborhood

CS2-A-1. Sense of Place: Emphasize attributes that give a distinctive sense of place. Design the building and open spaces to enhance areas where a strong identity already exists, and create a sense of place where the physical context is less established.

CS2-A-2. Architectural Presence: Evaluate the degree of visibility or architectural presence that is appropriate or desired given the context, and design accordingly.

CS2-B Adjacent Sites, Streets, and Open Spaces

CS2-B-1. Site Characteristics: Allow characteristics of sites to inform the design, especially where the street grid and topography create unusually shaped lots that can add distinction to the building massing.

CS2-B-2. Connection to the Street: Identify opportunities for the project to make a strong connection to the street and public realm.

CS2-B-3. Character of Open Space: Contribute to the character and proportion of surrounding open spaces.

CS2-C Relationship to the Block

CS2-C-1. Corner Sites: Corner sites can serve as gateways or focal points; both require careful detailing at the first three floors due to their high visibility from two or more streets and long distances.

CS2-D Height, Bulk, and Scale

CS2-D-1. Existing Development and Zoning: Review the height, bulk, and scale of neighboring buildings as well as the scale of development anticipated by zoning for the area to determine an appropriate complement and/or transition.

CS2-D-2. Existing Site Features: Use changes in topography, site shape, and vegetation or structures to help make a successful fit with adjacent properties.

CS2-D-3. Zone Transitions: For projects located at the edge of different zones, provide an appropriate transition or complement to the adjacent zone(s). Projects should create a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zone and the proposed development.

CS2-D-4. Massing Choices: Strive for a successful transition between zones where a project abuts a less intense zone.

CS2-D-5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy of residents in adjacent buildings.

CS3 Architectural Context and Character: Contribute to the architectural character of the neighborhood

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-4. Evolving Neighborhoods: In neighborhoods where architectural character is evolving or otherwise in transition, explore ways for new development to establish a positive and desirable context for others to build upon in the future.

PUBLIC LIFE

PL1 Connectivity: Complement and contribute to the network of open spaces around the site and the connections among them.

PL1-A Network of Open Spaces

PL1-A-1. Enhancing Open Space: Design the building and open spaces to positively contribute to a broader network of open spaces throughout the neighborhood.

PL1-A-2. Adding to Public Life: Seek opportunities to foster human interaction through an increase in the size and quality of project-related open space available for public life.

PL2 Walkability: Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.

PL2-B Safety and Security

PL2-B-1. Eyes on the Street: Create a safe environment by providing lines of sight and encouraging natural surveillance.

PL2-B-2. Lighting for Safety: Provide lighting at sufficient lumen intensities and scales, including pathway illumination, pedestrian and entry lighting, and/or security lights.

PL2-B-3. Street-Level Transparency: Ensure transparency of street-level uses (for uses such as nonresidential uses or residential lobbies), where appropriate, by keeping views open into spaces behind walls or plantings, at corners, or along narrow passageways.

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-1. Design Objectives: Design primary entries to be obvious, identifiable, and distinctive with clear lines of sight and lobbies visually connected to the street.

PL3-A-2. Common Entries: Multi-story residential buildings need to provide privacy and security for residents but also be welcoming and identifiable to visitors.

PL3-A-3. Individual Entries: Ground-related housing should be scaled and detailed appropriately to provide for a more intimate type of entry.

PL3-A-4. Ensemble of Elements: Design the entry as a collection of coordinated elements including the door(s), overhead features, ground surface, landscaping, lighting, and other features.

PL3-B Residential Edges

PL3-B-3. Buildings with Live/Work Uses: Maintain active and transparent facades in the design of live/work residences. Design the first floor so it can be adapted to other commercial use as needed in the future.

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-A Massing

DC2-A-2. Reducing Perceived Mass: Use secondary architectural elements to reduce the perceived mass of larger projects.

DC2-B Architectural and Facade Composition

DC2-B-1. Façade Composition: Design all building facades—including alleys and visible roofs— considering the composition and architectural expression of the building as a whole. Ensure that all facades are attractive and well-proportioned.

DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.

DC4-A Exterior Elements and Finishes

DC4-A-1. Exterior Finish Materials: Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

DC4-A-2. Climate Appropriateness: Select durable and attractive materials that will age well in Seattle's climate, taking special care to detail corners, edges, and transitions.

DC4-B Signage

DC4-B-1. Scale and Character: Add interest to the streetscape with exterior signs and attachments that are appropriate in scale and character to the project and its environs.

DC4-B-2. Coordination with Project Design: Develop a signage plan within the context of architectural and open space concepts, and coordinate the details with façade design, lighting, and other project features to complement the project as a whole, in addition to the surrounding context.

DC4-C Lighting

DC4-C-1. Functions: Use lighting both to increase site safety in all locations used by pedestrians and to highlight architectural or landscape details and features such as entries, signs, canopies, plantings, and art.

DC4-C-2. Avoiding Glare: Design project lighting based upon the uses on and off site, taking care to provide illumination to serve building needs while avoiding off-site night glare and light pollution.

DC4-D Trees, Landscape, and Hardscape Materials

DC4-D-1. Choice of Plant Materials: Reinforce the overall architectural and open space design concepts through the selection of landscape materials.

DC4-D-2. Hardscape Materials: Use exterior courtyards, plazas, and other hard surfaced areas as an opportunity to add color, texture, and/or pattern and enliven public areas through the use of distinctive and durable paving materials. Use permeable materials wherever possible.

DC4-D-3. Long Range Planning: Select plants that upon maturity will be of appropriate size, scale, and shape to contribute to the site as intended.

DC4-D-4. Place Making: Create a landscape design that helps define spaces with significant elements such as trees.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation was based upon the departures' potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departures.

1. **Street Level (SMC 23.47A.012):** The code requires a minimum commercial floor to floor height of 13 feet in order to obtain an additional four feet in height. The applicant proposed a floor to floor height of 11'-4 to 12'-2" in order to allow for commercial entries to be level with the adjacent sidewalk and avoid stairs or ramps to the commercial spaces.

   This departure would provide an overall design that would better meet the intent of Design Review Guideline PL-3 by providing entries that are more directly connected with the adjacent sidewalk, and Design Review Guideline CS2-B by designing the commercial spaces to connect to the sidewalk and respond to the change in topography.

   The Board unanimously recommended that DPD grant the departure, based on the proposed design with direct connections between the sidewalk and commercial spaces. The Board also observed that if the Director approves the additional 4' of building height, and a 13' floor to floor base were required, the overall building would be 10" taller than the proposed development.

   The proposed departure is for the floor to floor height only. The DPD Director will make the decision whether to grant the additional 4' height as a Type I decision, based on several criteria in SMC 23.47A.012.

2. **Setbacks (SMC 23.47A.014.B.1):** The code requires a setback at the intersection of a side and front lot line in a residential zone. The resulting setback is a 15 foot triangular area at the northeast corner of this site. The applicant proposed a zero-foot setback in this area.

   This departure would provide an overall design that would better meet the intent of Design Review Guideline CS3-A by maintaining a strong street wall along Eastlake Ave E, consistent with the Board's first Early Design Guidance for this proposal.

   The Board unanimously recommended that DPD grant the departure.

3. **Setbacks (SMC 23.47A.014 E):** The code requires 15 foot setback for structures over 13 feet in height abutting a lot in a residential zone. The applicant proposes to eliminate the setback along the north property line for a length of 30'9" near the east edge, and provide a 5'3" setback for the north façade in the western portion of the property.

   The proposed design with a reduced setback on the north, courtyard on the southeast corner, strong street wall on Eastlake Ave E, and upper level setbacks better meets the intent of PL1-A and CS2-D. The Board clarified that the proposed design creates a strong street wall, provides windows on a portion of the north façade, and results in a design that transitions well to nearby context.

   The Board unanimously recommended that DPD grant the departure.

4. **Setbacks (SMC 23.47A.014.E):** The code states no entrance, window, or other opening is permitted closer than 5 feet to an abutting residentially zoned lot. The applicant proposed windows and openings within 5 feet of a residentially zoned lot to the north of the site. The residentially zoned lot is currently occupied by a lodging use with a surface parking lot adjacent to the subject site. Windows on the east façade would be within 1'5" of the north property line.

   This departure would provide an overall design that would better meet the intent of Design Review Guideline CS3-A by maintaining a strong street wall along Eastlake Ave E, consistent with the Board's first Early Design Guidance for this proposal. The addition of windows on the east façade will not create privacy impacts to the existing neighbor to the north or any future development at that site. The addition of windows on the east façade is consistent with the rest of the design concept and expression of the building design, and therefore better meets the intent of DC-2.

   The Board unanimously recommended that DPD grant the departure.

RECOMMENDATION

The recommendation summarized above was based on the design review packet dated April 8, 2015, and the materials shown and verbally described by the applicant at the April 8, 2015 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design with no conditions.

Exhibit B

CITY OF SEATTLE
DEPARTMENT OF PLANNING AND DEVELOPMENT (DPD)

VERBATIM REPORT OF PROCEEDINGS
EAST DESIGN REVIEW BOARD (DRB)
FINAL RECOMMENDATION MEETING
PROJECT # 3016024
APRIL 8, 2015

SPEAKERS:

For the DPD:	**SHELLEY BOLSER**
For the EAST DRB:	**NATALIE GUALY, CHAIR** **DAN FOLTZ** **CHRISTINA ORR-CAHALL** **KRYSTAL BRUN** **CURTIS BIGELOW**
For the Applicant:	**MARIA BARRIENTOS** **MIKE MARIANO**
For the PUBLIC:	**SARAH ARMSTRONG** **CHARLES WHEELER** **EMILY WHEELER** **IRA APPELMAN**

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

April 8, 2015 PROCEEDINGS 7:40PM

NATALIE GUALY: Thanks for being here. My name is Natalie Gualy. I'm Chair of the East Design Review Board. I'm also the development representative. I live on Capitol Hill and I work for a local Seattle development company. So now I'm going to have my colleagues introduce themselves.

DAN FOLTZ: I'm Dan Foltz. I'm an architect. I live on Capitol Hill and I represent residential interests.

CHRISTINA ORR-CAHALL: Hi. I'm Christina Orr-Cahall. I live on First Hill. I'm an architectural historian, and I represent the community.

KRYSTAL BRUN: My name's Krystal Brun. I live in Capitol Hill. I'm an engineer and I represent Get Engaged.

CURTIS BIGELOW: My name is Curtis Bigelow. I'm an architect. I represent… business interests…sorry. And I live in north Capitol Hill.

NATALIE GUALY: So we are here to review the project at twenty-two zero three Eastlake Avenue East. DPD received an application from Maria Barrientos to develop a five-story structure containing forty-five residential units and three thousand square feet of commercial space at ground level. Parking for thirty-nine vehicles will be provided below grade, and the existing structures will be demolished. The project is subject to design review process because of its size-

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

threshold in this zone. Previous meetings we have had for this project were on May 14, 2014 and July 23, 2014. At the EEG, the Board heard public comment and offered early design guidance at that meeting. Tonight the Board will review the additional design materials the developer has produced, we will further clarify the proposal details, consider and vote on departures requests if any, and we will offer design recommendations for this project moving forward. Tonight's overview of the meeting will go as follows. We will have a twenty minute presentation by the architect. We'll have ten minutes for Board clarifying questions. We'll then jump to twenty minutes of public comment period. And then we'll have 25 minutes of Board deliberation. Parties of record and the public will be notified of the next step in the process and what further steps can be taken. And I just want to remind the public that this is a chance for your voice to be heard so please, as the architect is making their presentation, be mindful of comments you've made to better enhance this project. So I'm now going to turn it over to Land, to Shelley who's [unintelligible word] land use planner.

SHELLEY BOLSER: Hi there. I'm Shelley Bolser and a lot of you might have remembered me from last week's meeting. And apparently, if we want to have a nice day, we just have a meeting for this project. So I'm covering for Lindsay King who is the planner assigned to this project, and she's out on parental leave. And I will be taking it through the recommendation process at least, and possibly further into the rezone process. Tonight's meeting, specifically, is only about design review issues and so there are agendas by the front table there, and on

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

the back of the agenda are the design review guidelines, and that's what the Board is tasked with, specifically, so they cannot comment on or opine on the rezone or anything related to that. That's DPD's role. And what they can do – they're a Board of volunteers -- and their job is to recommend to DPD about how the design that's going to be presented tonight, responds to those design review guidelines, and then also the direction from the previous early design guidance meetings. So following this meeting, if this is the last meeting for this project for design review. Then the Board would recommend approval, perhaps with conditions, we would move forward and I would continue with the rezone analysis and also the environmental review. About two weeks after tonight's meeting they'll be a report of the meeting, a summary that goes out in the mail. And if you've signed in at any point for this project or tonight, you'll receive a copy of that, and also notice of any future milestones for this project, like whenever the recommendation is available going to the hearing examiner. Let's see here. I think that is pretty much it. And my contact information is at the bottom of the agenda in case you haven't gotten that before. Thanks.

NATALIE GUALY: So we are getting a late start because of the other meeting running a little over. So, sorry for that, public. We apologize for that. We will try to stay on task and on time as much as possible going forward. So you have 20 minutes, and I'll notify you when you have five minutes left in your presentation.

MIKE MARIANO: Thank you.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

MARIA BARRIENTOS: So I just wanted to open up to frame what it is we're trying to achieve with this building. And just point out, which I think everyone knows, that the Eastlake neighborhood, while it's really eclectic, is very rich with all the different architectural styles in the neighborhood. And our goal is here to provide a very attractive, well-designed building for people to live in and share the great neighborhood that Eastlake is. We plan for larger units, and we do have several, you know, including two-bedroom units. The others points I wanted to make is our experience managing properties, our tenants, the people that live in our buildings tend to tell us that some of the more, most important features that they look for are really large windows, decks so that they can have access to the outdoors. The sense of arrival is really important in the lobby so you're going to see that reflection in what our goals are in our design. The other thing that we feel is really important is how we, curating our retail and our retail store fronts are reflecting input from retailers, and the types of people we would like to be there that are more neighborhood oriented, local retailers so that it can really enliven the pedestrian front. And those have been some big goals of ours, is that: the retail, the big windows, the decks that you'll see reflected in that.

MIKE MARIANO: So my name is Mike Mariano. I'm an architect with Schemata Workshop. Also from the design team is Peggy Heim who's an architect with Schemata as well. And we have Karen Kiest, from Karen Kiest Landscape Architects. So they'll be available to answer questions as things go on to that point. So you've heard a lot from me talking about neighborhood and what a

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

tremendous sense of place the Eastlake Community has. It's just, it's an intense sensation of landscape and immersion in this great neighborhood over there [unintelligible word] topography and they all contribute to this sense of place in the neighborhood. So early design guidance, we took you through some early concepts EDG 1, where we had a corner plaza set back kinda north for a little bit and we came back for a second EDG to talk about the exceptional tree, the Japanese maple in the middle, I'm going to talk about that briefly after this. But based on the discussions we had last summer we opted for the corner plaza as being a better amenity than the tree space in the northeast, northwest corner of the building. So this is the existing site, the existing dry cleaner, the existing parking lot, existing two-story house, and the exceptional tree. At the north end here, this is the motel with the parking lot adjacent to it. So again this is the tree location. These are some views of that tree. We had an arborist come out, take a look at it. The multi-trunk configuration, the fact that it was contained in a planter for a number of years has kind of resulted in it not being a tree that's expected to survive a whole lot longer. So that was our approach and our assessment of that, and we decided to go ahead and opt for exploring space around the building and other locations, including the plaza space at this corner. So Eastlake & Boston has a tremendous sense of arrival as you move north on Eastlake, also down street to Boston as you descend to the lake. The graphic I have up on the screen here, the dark is actually the proposed, so what we're presenting tonight to you, EDG is the red dashed line. So when we last talked, the red dashed line came up to the north end of the property. And what

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

we've done now, is we've stepped it back a distance to provide windows and to provide buffer so that transition [unintelligible word] residential zone to the West. We've really made an effort to keep that plaza intact. You'll actually see the recesses we talked about last summer. Around the building we've pulled it out slightly to make up for some of the loss FAR at the north, but for the most part all concepts are intact. The views on the top are really design guidance, and again, bottom images are for tonight, so the image on the top looking northbound on Eastlake, you'll see the cutout of the building, and the corner plaza still remains in the proposal this evening. Looking west along Boston street, the early concepts we presented were a heavy masonry base, or a heavy base with a lighter more transparent top. And that's what we've continued to explore through the whole process. Other views, looking down Eastlake, so southbound. This is the building as it stood in early design guidance two, where we had a light row cut into the building and then we were pulling out to the property line at your guidance and suggestions to kinda explore that whole street edge and go ahead and do that. For the proposal tonight, we've actually, we've maintained about a third of the façade up against that property line, to hold the street edge, but we've recessed the rest of it back. So what you're seeing next to the adjacent motel are some windows to provide better daylight into those units and it provides a little more relief on the facade. The landscape plan which Karen Kiest has been working with us on -- this is really central to our approach to the project which has been let's go ahead and make this as lush a building as we can, around the perimeter of it, to really anchor it back into

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

the Eastlake neighborhood. Across the street to the right, across the street to the east is the Jean Zema project which has a nicely forested, very lush site. Jakuty and Serafina to the south which are very lushly landscaped as well. So the idea of kind of enhancing that with this new public space at the corner of the building is what we're looking to do here. The intent is that this becomes a very welcoming place to people as they walk by the building whether they're going down Boston to the lake or north or southbound on Eastlake. You'll see landscape really all the way around including just to the north end. We know not a whole lot wants to grow on the north side, we're doing some low level plantings there. This buffer on the alley is also provided there and we've got a tremendous right of way here that we're working again to create a really great [unintelligible word] landscape. Up at the roof top which, you know we like to think of this as the fifth façade of the building, it's gotta look good as well. It's providing a tremendous amount of amenity space for the residents in the building. The penthouse structure which you'll see the stair and the elevator lined in the middle here. The idea there is that it's really equidistant to, really the Eastlake side as well as the alley side and maintains a sufficient distance away for the north and south property lines as well. And so we tuck that into the center of the building to really minimize views. These are some third story windows that provide some daylight into the studio units on the Eastlake side of the building. These extend no higher than the guardrail at about 42 inches, so they're actually 24. Those, we looked at putting those along the street frontage here, and decided, you know, let's hold them back, it will help minimize the bulk of

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

the building as it's perceived from Eastlake. Cues of buildings, you know we studied a lot, a lot of buildings in the neighborhood, and these are a few that we picked up cues on specifically looking at the rich pedestrian experience and the retail experience of, and the zoo to the north and there's another Spanish style building at the corner of Lynn and Yale that we really liked. It has a nice heavy masonry base and lighter top. The Vox, which is at the other end of our block, so we're essentially the south bookend of this block. The Vox building is essentially the same height as the project that we're talking about tonight. And it provides a similar scale to get a sense of what that pedestrian role might be like too as you turn the corner. The Dean Zema project across the street, modularity and rigidity of that is really interesting. Obviously that's a wood building, very low scale, but there's some cues we picked up on on that. And then the Serafina project across the street. So, looking at the materials in the neighborhood, now again kind of picking up on this idea of the heavier masonry base and the lighter more transparent top, we've got a materials board here that you all can come up and look at it afterwards, but we are looking doing kind of a warm tope-colored masonry base and then a lighter top. The paving we're proposing has kind of a natural aggregate mix of local rock in it. So it actually is rooted in the region as well. A lot of the materials will be a darker bronze or painted bronze or black-brown color. So this is the corner. So Eastlake going off to the right, Boston descending down to the left. You can see on the left here, that we have this setback that is provided above the base of the building. You can also see that at the north end of the block where we pulled all of

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

the façade of the residence back and this is being, the guidance of talking to you at the two EDG meetings, working through it and feeling that it really is the best approach for the building. You'll see the corner plaza, obviously cut out, and this is really supposed to be this very inviting part of the building where it really allows the landscape to spill off the sidewalk and in. We terraced down, and we've got about an 18-foot right-of-way that we're fully landscaping with the sidewalk. You'll see some terraced planters up close in some later views. This is the view from Boston, just to the southwest. The outline of the adjacent multi-family project. Again, a heavier masonry base that raps around the corner. We are treating the windows in this commercial base as a commercial quality window. And then as you move up to this lighter top you've got more of a residential grade window, which will still be a dark color window and relate, but it's got a finer scale to it. This is a view down Eastlake. To the left here, is just the outline ghosting of the motel here and the parking lot adjacent to it, so you see how we're holding the street edge here and, in essense, waiting for a future development to come along, but we've set back about two-thirds of that façade. So again, now we have just a bunch of windows there. And that kind of helps soften the whole edge of the building. We feel like with the modulation here, that it doesn't need a lot of ornamentation or anything to adorn it, but we're open for some discussion there too. These are some sections through the building that I'm talking about what I was just mentioning, which is the setbacks. So, this is Eastlake, this is the walkway that brings you up to the residential entry. This is that setback on Eastlake – approximately three feet. This is Boston, so

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

looking down the street and we are providing about a five-foot setback off the property line there. And then when you drop down to the alley, we're about eight feet back, with the upper façade of the building. Starting to move down a little closer to the people realm of the building, and working with Karen, we've come up with a very flexible space here that can accommodate a lot of different programs in the future. We've got some outstanding retail points that you'll have heard of, which very much share with the idea of the pedestrian realm kind of continuing down here so as people are walking down the sidewalk, it kind of rolls into this plaza and the plaza really becomes part of that public space. The landscape you'll see off to the south here on Boston, so again, everything just kind of flooding into the plaza. A bunch of images off the right of how we might interface the building with the street right of way and the sidewalk. This is at the corner plaza at Boston off to the left and Eastlake to the right. So again, the landscape really filling in and carrying people into the plaza space. We're not providing a lot of extra canopies and things. It all depends on what that tenant takes over this wants to do. And these are fully operable window walls that allow the inside space to spill out. We've got a small ramp that takes you up to the residential entry here. Well, really again, this is kind of enhancing that gateway aspect of this intersection of Boston & Eastlake. Walking up into the residential lobby, so we've got the canopy that projects out. There's a slight buffer off to the right with some landscape buffer here that separates that program space of the plaza. It might converted to a specific use via the retail space [unintelligible few words] this ramp that brings you up, it's a very

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

gradual ramp. Now looking south on Eastlake this is essentially standing next to the driveway next to the motel, here looking down the façade, so, you know, picking up cues at Serafina across the street and up the street, just trying to figure out how we can make this just as rich an experience for people walking by as we possibly can. These windows will be operable so that the inside can spill out depending on the tenant. The canopy provides rain shelter. You're also seeing up close the masonry materials we're using down here. So again, introducing a good material that's going to last a long time a really, a really well-scaled building for the neighborhood. This is a section through the alley, so looking northbound on the alley, and we have a slight buffer that brings you up to the residential level. This is one of the two-story high lofts that opens to that. But you can see the landscape buffer there as well as the eight-foot setback to the property. This is a blow-up of the alley view and then Boston. So again the wide street right-of-way, that we're planting very lushly. We've got a buffer. I was just pointing out a section along the two units in the back. So these are the two, two-story loft units the building. Again, we're working with Karen to make sure that we get just the right plant material in there. This is a section of Boston Street, so effectively looking down hill towards Lake Union. Again, we've got almost eighteen feet of this multi-layered landscape that we've really put a lot of thought into, like how materials can pose what the landscape is and it's kind of rich landscape experience year round. This is that whole Boston elevation, so this is where you can see it, the plaza at the corner and the landscape carrying around down Boston Street back to the alley. We've got a series of

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

planters that are effectively part of the building, but we've taken that opportunity to make these terraced planters kind of enhance the landscape so, you've got all the groundcover and you've got trees but you also have these planters that pull the landscape up off the building.

NATALIE GUALY: You have five minutes left.

MIKE MARIANO: Thank you. This is a corner. This is the alley. This is looking up Boston Street. So, again, these are these landscape planters. This is the multi-layerd landscape that we have down here. The entry to the residential unit on the corner here has a slight buffer to it. You'll also see some cable trellice that we're carrying up the façade. This south façade was a great opportunity to actually take that landscape and bring it up vertically on the façade. South elevation of the building, so that's just what we were just talking about. Signage – really our approach to signage has been the building is a very restrained and elegant one and finish and massing, and signage really gives a cue as to what's inside. Now, we've gone for a very contemporary feel on the inside of the building, clean, modern, and some warm hues and clues and things. So that's what's recalled by the signs on the outside, just kind of a hint of what people encounter when they enter the building. Lighting, we're really focused on the retail along Eastlake and going into the plaza and then just back on the alley, very limited, matt white fixtures, very concealed. We don't want any stray light to escape the site, trying to hold that very contained, very minimal. So, I provided an update of the departure sheets, slight rephrasing of some of the wording in there, but no significant change – really the

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

first departure is a floor-to-floor height for the commercial use of the street level. And then the second departure is directly associated with the setback on the north side. And I'll talk about those two individually. So, we did a study of the Serifena elevation looking at what back, what the street level was, the sidewalk, and what the clearance was up above. And essentially we carried that over to our site. So what we'd like to do is, in lieu of providing a 13 foot first floor height, floor to floor height for that first floor, we'd like to actually reduce it to 12 foot 3, and our interest there is in talking with potential retail tenants, and it's really important that we get at grade access. We don't want any ramps or steps in the units, and reducing this height allows us to maintain continuity of that Eastlake sidewalk as it ascends up to the north just slightly. But again, you know, looking at adjacent buildings we feel like it's a reasonable solution. Now, the other departure is the setback, so, the orange color is the reduced setback that we'd like to request. And the then blue is the additional setback that we're providing. So, the corner plaza here we've shaded in a slightly lighter blue, but we've got darker blue setback to the side here. The whole plaza sets back. If you go off to the south elevation here on the alley we've got additional setback that we're providing again on Eastlake additional setback there. You go to the north façade we've got additional setback that we're providing on the alley, and on Eastlake. And then it's this north elevation, so this is the Eastlake elevation view, looking at the very north end of the building. So in order to reinforce that street façade, what we've done is extend the portion of that building. A part of the last unit at the very north end of the building, actually out to the

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

property line, within 12 inches of it. And, so, we'd like a departure for that. And then, on the other side, we've got about two thirds of that façade that's actually pulled back five feet, so it's a reduced departure there. But what I'd like you to do is look at a balance between the blue and the orange here is what we're trying to do. Really, the transition to the multi-family lower-intensity use to the north we feel is achieved with the setback we have here, and we also know that eventually that site's going to be redeveloped to, so this help maintain that street, that Eastlake street elevation . And that is the end of what I was going to show you.

NATALIE GUALY: Thank you very much. So we're now going to jump to Board clarifying questions. So Dan, would you like to begin?

DAN FOLTZ: Yea. Very nice presentation. Thank you for that. Just one clarification, and it was on your very last departure. It's the blue versus brown. Is there true equity there? The section is going to be deceiving, so do you have a volumetric or anything on the brown versus the blue?

MIKE MARIANO: We have a tremendous amount of study that we've done, looking at the volume and like shadow studies that show you as, we have not calculated the actual volume. You understand?

DAN FOLTZ: Yea, I do.

MARIA BARRIENTOS: And this was, the reason for the departure is a direct response from our first EDG meeting where the Board asked us to set the building back, and so before we had a bigger setback on the north side. In order to

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

set back Eastlake and Boston, we discussed it with you all about moving it north. And, at the time, we came back to the second EDG meeting, we had no setback. Since then, working with the planners we decided to have some zone transition, so setback some on the north side. The main reason we did it was to create a better zone transition, but the unintended consequence, which was good, was to be able to add windows on that side to provide more light. That wasn't the driver, but it was a nice consequence of that.

SHELLEY BOLSER: Mike, can you show a site plan showing where the setbacks are?

MARIA BARRIENTOS: It's probably easier to see that, yea.

MIKE MARIANO: You know I've got, I've got the early study, I mean, you've got more detail in your packets, but, in here. Really it's, you know, this is a good diagram. So then, the dashed line shows what we had last talked with you about at the EDG meeting. So where we thought we would just pull the [unintelligible few words], and go ahead and pull that north edge. But in lieu of that, we're going to go ahead and pull the north edge for that distance, and then recess the rest back about five feet, which may allow us to get a bunch of windows in there too, while still roughly maintaining, really, what we are, when you asked about volume, I don't really know exactly how volume but as far as FAR goes, it's balanced.

DAN FOLTZ: Thank you very much.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

NATALIE GUALY: Christina?

CHRISTINA ORR-CAHALL: Yea, I have only one, first, really good presentation. Thank you. I have only one question, so, and I realize the motel isn't going to be there forever, but in this current plan does the motel still continue to sort of have its driveway cut through and use your alley at the exit.

MARIA BARRIENTOS: Yes.

MIKE MARIANO: They do. It's my understanding that the alley is so steep that few people actually use it.

CHRISTINA ORR-CAHALL: O.K.

MIKE MARIANO: But we do maintain… we don't affect that at all.

CHRISTINA ORR-CAHALL: So that still works in this plan?

MIKE MARIANO: Uh huh. Uh huh.

CHRISTIANA ORR-CAHALL: Great. Thank you.

MIKE MARIANO: Sure.

KRYSTAL BRUN: I don't have any questions. Thank you.

CURTIS BIGELOW: I'd like to echo the excellent presentation. Thank you. My only question was the difference between AD and now from the Eastlake setback. Is it really only nine inches?

MIKE MARIANO: Yea. It's probably closer to forty or so.

MARIA BARRIENTOS: Yea.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

MIKE MARIANO: I mean, we've really tried to not impact the approach that we talked with you early on about setting it back from the Eastlake façade, you know, that what you see on the street of the box. As our southern book end on the block, it seemed like [unintelligible two words].

MARIA BARRIENTOS: I think when we did the setback on the north, we had to creep into Eastlake a little bit. So that, yea, we didn't crunch the units, so that they were weird.

MIKE MARIANO: That's my presentation.

NATALIE GUALY: O.K. Thank you very much. So with that said, we're going to now go to public comment period. I would just like to remind members of the public that this is not a question and answer session with the applicant. This is an opportunity for you to say what you would like to see in the project. Ideally, if you do that in the form of the City's Design Guidelines. And also just a kinda reminder that our Board does not have purview over parking requirements or zoning. So Shelley kind of touched on that earlier so. Do we have any members of the public who would like to make any comments? Yes.

SARAH ARMSTRONG: I prepared a presentation. I didn't realize I needed to bring a projector. So, I hopefully, the pictures I've printed out will be visible to everybody in the group. I'll direct them to the Board. I agree that it was a lovely presentation, but I think that it excluded some considerations that I'd like to make sure factor into your decision here tonight. This is the block immediately to the north of the properties. We've seen pictures of the motel which is a two-story

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

building. I believe it's zoned for three. There's a condo building that was built in 1968 that is also three stories. It has relatively recent sales so I would anticipate that it would remain a three story building for the near future. There's this cute little cottages which is actually listed as a condominium. It's built in 1921, also recent sales. I anticipate that this one to one-and-a-half story building would remain in the neighborhood. And then we're all familiar with the fly shop here, which is actually zoned for NC1-30, I believe, but when they redid the building at the corner, they didn't make any modifications to the fly shop, so something tells me that's going to be here for the long term. But enough about the north; I want to talk to you about the south end of the site, which is where I live. This is a map of the area with three blocks to the south. This is Newton Avenue down here. Not until you get to this commercial building do you find a building that is three stories. So I wanted to draw to scale that this building is at the edge of a transition zone. And it's not as much I actually walk, I actually walk every day to work, and it's not 'til you get there that you see anything that exceeds three stories. Some close up pictures, I'll just race through these. This is from the site going, actually this going north to south. Sorry. South to north toward the site. As you can see, these are the buildings. This is probably the closest one in scale, but as you can see, still within the height that it was allowed to be built, and I'd like to point out there's pretty minimal content on the roof top. There's just not a lot of stuff beyond the height that they were allowed to build to. Moving up the street to the north, another great examples of all buildings that have been built at the current allowed height. One thing that I think is really

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

interesting about this building. I think this one really wanted to be taller, and in order to be taller, it's actually partially subterranean. It's a little bit lower to the ground. So the main floor is a little bit lower than street level. And then the site here; so, getting to the design guidelines that I really would like to point out. This is a picture of the building on the alley, and this is actually a picture of the buildings that abut the building on the alley. Design Guideline D1 requires that the proposal complement or transition to neighboring buildings. So you can see that the height of the proposed building would starkly contrast to the one-story apartment building across the alley to the west of the site. Design Guideline D2 requires the developer use topography to make this a successful fit with neighboring buildings. And as you see, the height carries across the building and it's nearly seventy feet when you get to the alley. So seventy feet is in stark contrast to the buildings on the alley. So, in a phrase of how I would like the design to, I would like the design to comply the design be required that it step down to consider the neighboring buildings. Buildings across the street and, this is actually the proposed site, so I think this is actually a screen shot that I snapped from a late version of the developers plans. You can see this orange square, just how it relates in scale to the buildings immediately surrounding it. Three more design guidelines that I don't think the project as proposed meets. D3 requires that projects, sorry, 2D3 requires that projects located at the edge of less intensive zones provide an appropriate transition or a step in height, bulk and scale. And the development proposed to NC2 standards removes that transition. At sixty feet in height above Eastlake, the proposed building would completely dwarf well-

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

established buildings in the vicinity, and you can see that in this picture here. 2D4 requires that projects strive for a successful transition between zones for a project that abuts a less intense zone. The proposed development does not following the indicated strategies of lowering building height, breaking up its mass, or matching the scale of adjacent properties. 2D5 requires that projects respect adjacent properties and minimize disruption. The proposed building would block light, air, and sunlight, and loom above properties in the vicinity. This building is fifty-seven feet seven inches as proposed. If you haven't been to the site, and you've mentioned the driveway at the Eastlake Motel so I know you're familiar with the site. If you have not been, I encourage you to please go down and visit the site. Eastlake Avenue is not nearly as wide as it's portrayed in some of the earlier pictures that were shown above, and I urge you tonight to not approve the building as it's design is represented this evening. Thank you.

NATALIE GUALY: Thank you very much. We appreciate your time. Do we have any other members of the community who would like to make some comments [unintelligible two words].

CHARLES WHEELER: Yea. I have one or two. I'm Charles Wheeler. The meeting location tonight waa supposed to be across the street.

SHELLEY BOLSER: Yea. That was…

CHARLES WHEELER: In the Engineering Building. You may have people there. You probably should watch for them as I suggest you all watch. The

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

other thing is the Design Guidelines for the alley. There's a setback for it. The alley is really small, in the back of the building. You just can't [unintelligible few words].

NATALIE GUALY: O.K. Thank you very much. Do we have any other members of the public? Yes.

EMILY WHEELER: Hi. Emily Wheeler. Two comments. One, the ramp in the plaza seems to, seems to kind of break up that usefulness of the plaza. I'm sure there's a reason, there's a reason why it's there. But it really seems like it breaks up the potential use of that plaza having that ramp come through. That ramp could be pushed half inside half outside, or all the way inside. Somehow make that plaza actually more useable instead of having it two-thirds flat and one third ramp with a railing. It seems like not a good urban plaza like shoving that our there. These kind of actually go together. Sarah said it does not seem to meet the height, bulk and scale requirements as far as stepping down to the adjacent zoning. Half, a quarter of the site, I guess, is technically zoned L2-30, and the zone, the hotel to the north is L2-30 so that's 30 feet tall; this building is pushing 60 feet tall. That's not transitioning. I think allowing a variance or a deviation of pushing that Eastlake façade all the way to the property line. Maybe that would be fine up to thirty feet; the top two, the top floor needs to not push all the way to the edge. I think there should be some discussion about that so that the building could step down to that L2 zone to the north. The intent of this site is to [unintelligible word] the rest of it. And again as you go to the alley, the zoning behind it. I think actually is L3. Yes, it's still thirty feet, it has a higher FAR, but it's still thirty feet on the other side of the alley,

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

and we're talking about a seventy foot tall building. I know it's developer work and we're trying to make a profit here, but it seems to me if we're trying to step down to the zoning which is what the Design Guidelines say you need to do that top floor should be half a floor and should step down to the alley, and should not be so greatly exceeding what the Guidelines recommend. And, I'm kind of a little bothered by not, you know they have a 13 foot floor to floor, I think there's a point to that, as far as, so in studying this someone's decided that 13 feet is what commercial businesses really need, and they want to take of nine inches. It seems , that's it.

NATALIE GUALY: O.K. Thank you very much. Do we have any other members of the public? So I think we have

IRA APPELMAN: Yes. I'd like to speak.

NATALIE GUALY: O.K.

IRA APPELMAN: My name is Ira Appelman and I'm speaking also for Karen Appelman, who couldn't make it here. We've provided comments and I don't know if the Board has, I just request that the Board review all the comments that have been provided by the public before it makes any decisions. In our comments we pointed out, and I'll be very brief on how it's illegal for the Board to discuss this because of RCW 36.70B, which essentially says that project review cannot revisit zoning. So they're separate issues. You zone first. And then you do project review later. And the reason why that's important is in general for the public they'd love to have both of them at the same time because in most of these projects if the public objects they'd like to revisit the zoning. But, the way state law is written, you can't

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

revisit zoning once you come to project review. So, since this doesn't fit, as the developer admits, within the zoning, you're prohibited from doing it under state law. My second point and I've written, so I've provided written comments and I think the, written comments have been provided by a lawyer for a building across the street. My second objection to this meeting is that it's far away from where the building is and this violates the policy of DPD to encourage public participation. And, just as proof, we had forty to fifty people at a meeting within the neighborhood, but now we have less than ten within the neighborhood. And that's because this is far away. And Karen couldn't make it, which I think she might have been able to make it if it was, if it was in the neighborhood. I think the main problem of the building that people have is how massive it is, and, you've got this drawing within your packet. And you can see that that building is huge, and it's huge with respect to the buildings around it, and it's huge with respect to any of the buildings in the neighborhood. And so I think that's the problem that people have with it and there are a couple of places which are quoted in the handout as to which design guidelines that violates, and I think Sarah did a great job. Two things – you said, there is in here something about commercial parking, about parking, and it's about DC1. And, we haven't heard anything about how commercial, parking for the commercial buildings is going to work. We don't have any wayfinding for people who want to use the commercial part of this, and we don't really, based on the, at least, maybe I've missed something, but I don't see anything there on the vehicular access and circulation of DC1 for those cars that are arriving, not as residents, but as using the

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

commercial areas, and those commercial areas are important because the developer is depending upon them to create this vibrant connection between the street and the building. So, we're sort of wondering why that hasn't been mentioned. Maybe it is, but I missed it. The other part about transportation is that if somebody wants to, I mean, there's discussions about weather protection. If somebody is in that building as a resident, and wants to catch a cab or a bus or a car, they really aren't able to do that without getting soaked or chilled, by the wind coming from the WSW. And the tiny little overhang at the entrance to the building is still well back from the street level, so you'd never be able to see anything on the street. And it seemed to me, based on the drawings that the overhang in the front due to the, which they're calling a canopy, but it's really due to the balconies up on front. I think they're a lot smaller. They're only three feet by three inches but on the drawing it looks like they come out almost half way into the sidewalk, which I don't think they do. So I think the drawing is inaccurate. And I don't think three feet three inches is going to provide much weather protection. Anybody who's been out in the rain and wind, you're going to get completely soaked given that amount. So those are the comments that I have, but the main problem is the huge massing of the building.

NATALIE GUALY: O.K. Thank you very much for your comments. We've also received some emails.

SHELLEY BOLSER: Yea.

NATALIE GUALY: So Shelley will be going over those.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

SHELLEY BOLSER: So, public comments received since MUP intake. And I'm directed only to summarize the Design Review related comments for it. So we've received many, many, many comment letters, but a lot of the issues have to do with the proposed rezone and environmental review, so I'm just only sticking to the Design Review comments here. So, a few of them said the building should be designed to transition to the lower nearby buildings and lower zoning heights. The proposed design should be designed to use the design examples in CS2 including things like reducing the height, bulk, and scale, maintaining light and air for nearby buildings and streets, preserving public views from adjacent streets to Lake Union, stepping down to the West with the topography. Somebody mentioned that a rooftop stair tower should be oriented East-West to maximize views across the site and minimize the appearance of building height. There was support for the proposal's increase retail along Eastlake. And support for the causal impact on pedestrian activity. Support for the overall design and support for removing the existing curb cuts since those impact pedestrians and bicyclists. And, a comment that development along Eastlake should focus on the streetscape as the hub of the neighborhood development corridor. And there was support for the proposed SE corner plaza. So, as I mentioned, DPD will continue to review all the other comments that we have received in regards to the rezone, the environmental impacts, the meeting location, the overall process. But the Design Review Board's authority is only to recommend how does the proposal meet the Design Review Guidelines. So the Board cannot deny the project, but they can recommend further design review with specific

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

changes related to the Design Review Guidelines, recommend conditions related to compliance with the Design Guidelines, or recommend approval with no conditions.

NATALIE GUALY: O.K. Thank you very much for that Shelley.

SHELLEY BOLSER: There's one other public comment.

NATALIE GUALY: O.K.

EMILY WHEELER: Sure. Just reading in your submittal packet, I want to read proposed departure regarding the height. It says departure request to half the four foot height bonus with the floor to floor height on Eastlake Avenue of eleven for the north commercial space and twelve foot two at the south commercial space. I would recommend, and I hope you guys would consider, not giving this developer an additional four feet of height if they can't meet the thirteen foot limit. And that something, not part of this discussion?

SHELLEY BOLSER: It's not. The floor to floor height, I know it's very confusing, but the floor to floor height is a departure. The additional four feet, is a decision that's made by the zoning reviewer based on separate criteria. So, you can definitely submit comment and I'll let some other here know. Yea, I know. I'm sorry it's so confusing.

MARIA BARRIENTOS: Can I just respond? I think the packet, that we changed the word zoning. There's been a zoning correction. We said we had phrased that incorrectly and so we rephrased it to only talk about the floor to floor height. We had just written it wrong.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

SHELLEY BOLSER: O.K. Emily, you want the packet?

EMILY WHEELER: Is there still a four foot bonus included in this? Is that how we get to 60 feet from 40 feet?

SHELLEY BOLSER: Mike, will you let us know? Are you guys requesting?

MIKE MARIANO: Yes. We are taking the four foot bonus.

SHELLEY BOLSER: For height? O.K. So that's part of something zoning review Yes. Floor to floor height is a departure that is up for discussion.

NATALIE GUALY: O.K. So with that we are now going to go to our Board deliberation period. We ask that the room remain silent during this time. If some of you would like to speak, we ask that you go outside. If we're not speaking loud enough, please let us know and we'll [unintelligible few words]. Thank you. [The DRB members moved the desks so they could face each other.] So we're actually doing good on timing. So, talking points? Height-bulk-scale, certainly, materials, courtyard, alley, departures obviously, what else?

CHRISTINA ORR-CAHALL: Roof-deck. Garden, whatever you want to call it.

CURTIS BIGELOW: Transitions with neighboring

NATALIE GUALY: Yea I think that will probably go with height-bulk-scale. Anything else? So height-bulk-scale.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

CURTIS BIGELOW: I actually was looking with the public comment about page five that shows the, I'll call it [unintelligible few words] of the neighborhood and this building in it. Actually, to me it looks like it fits very well into the Eastlake height-bulk-scale. There are some small buildings, but there are quite a few large scale buildings on that street. I think it fits very well.

DAN FOLTZ: I do too. I think as you continue north there

NATALIE GUALY: You might speak up a little.

DAN FOLTZ: Sorry. I agree. I think as you head north there's large examples of what you're making. Also, if you step into the way-back machine, I believe I remember correctly that in the first and or second EDGs, we focused a lot on the massing and there were concessions made by the applicant in order to maximize the impact of those reductions, so kind of I've already, at least once or twice, looked at the massing critically.

CURTIS BIGELOW: I think their gesture of pushing back the upper story is very, it helps the whole street thing.

KRYSTAL BRUN: I agree with that. I think that the pedestrian experience, especially with along Eastlake, it feels, the way that they've crafted it, I think it takes the height of the building away from the people on the street below, and I think that the use of materials kind of emphasizes that. I really like the balconies as a way to add some interest to the façade, but also it doesn't overemphasize the fact that the building is set back a little ways, either.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

CHRISTINA ORR-CAHALL: [unintelligible few words]

NATALIE GUALY: So I think one of the questions, given public comment, so we see our zoning envelope which is on page 15. Do you actually mind pulling that up so that the public can see, as well, the section.

MIKE MARIANO: I don't have that one in our slide show. There's too much minutia in there.

NATALIE GUALY: So I guess one of the biggest concerns in terms of public comment is stepping back and reducing, stepping back on the back side, back of house, actually, nope, I take that back. I take my comment back, what I was about to say.

CURTIS BIGELOW: They set back the whole building along the alley.

NATALIE GUALY: Right. Do we think that's sufficient?

CURTIS BIGELOW: It's more than five feet; it's eight or nine?

NATALIE GUALY: The question is I guess is, contextually, do we think that's sufficient?

CURTIS BIGELOW: I do. There are many buildings in this neighborhood [unintelligible two words]. We've looked at many buildings in the alley where the alley side grows, which is the alley side.

NATALIE GUALY: Right.

CURTIS BIGELOW: It's the back of all property.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

NATALIE GUALY: Right.

CURTIS BIGELOW: It seems like appropriate [unintelligible few words].

NATALIE GUALY: What do you guys think?

DAN FOLTZ: I agree.

KRYSTAL BRUN: Yea. I agree. Unfortunately with the topography such as this area that's always going to be. You're always going to have that feeling. But, I mean, it's the back of the building. Well, I won't say the back of the building, but it's the alley side.

NATALIE GUALY: Right. With the comments that we have said, as well, I'm in support of this, of this massing, given the context of what we see. Obviously, we've all been to this site so we know what the site is. But when we look at, you know, something like this as on page 5, we do see that specifically going north, further down Eastlake there are buildings comparable in overall massing with this. They might not have the same height, but they're still three stories.

UNKNOWN: [unintelligible few words]

NATALIE GUALY: So next we have materials.

EMILY WHEELER: If you're basing this on [unintelligible word]

NATALIE GUALY: I think we're basing it on my site experience being there, driving down Eastlake, walking down Eastlake, biking down Eastlake. I'm

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

kind of deriving this more from personal experience engagement with the neighborhood and not just this.

EMILY WHEELER: What about the zoning to the north?

SHELLEY BOLSER: So one quick clarifying question is O.K. But this is the time for the Board to deliberate, so we need to let the Board deliberate at this time.

NATALIE GUALY: O.K. So we were at materials. Where does everybody feel with the palette that the applicant has presented?

CHRISTINA ORR-CAHALL: I think it's quiet and elegant,

DAN FOLTZ: I agree to.

CHRISTINA ORR-CAHALL: Which I think is good, given the massing, that it is quiet and elegant.

NATALIE GUALY: Right. I agree.

CHRISTINA ORR-CAHALL: And of quality.

NATALIE GUALY: Yea. I agree. The materials are durable and long lasting. O.K. Discussion on the courtyard.

CURTIS BIGELOW: We talked about the courtyard at the last EDG and we had quite a long discussion on it, and it used to have a trellis over it. I think removing the trellis has really opened it up in a positive way. I think it's nice. It is, I

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

think that the comment about the ramp is true but I think that adds to its interest, kind of allows it to have a multi-level.

CHRISTINA ORR-CAHALL: I think it differentiates the use of entrances to this base versus we you really are able to flow out and still allow handicaped access easily and things like that.

NATALIE GUALY: Yea I just want to make that clarification Mike. That is a ramp that's required for ADA access. Is that correct?

MIKE MARIANO: It is. It's a one in twenty ramp so it's pretty gentle.

MARIA BARRIENTOS: Yes, that's right.

NATALIE GUALY: O.K. Thank you. Yea. The renderings that were proposed for the courtyard in terms of its landscaping that's really a unique spot and great application for that courtyard.

DAN FOLTZ: Here, here.

NATALIE GUALY: O.K. , jumping to the alley.

CURTIS BIGELOW: I've noticed, one of the members of the public said it's a narrow alley and according to the survey it's a twenty foot wide alley, which seems generous for an alley. If you look on page nine, it notes it as a twenty foot right-of-way. Which seems very good sized. There's already a parking lot.

CHRISTINA ORR-CAHALL: Well, that's the reason I raised the question about the motel. Was could they meet that corner.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

CURTIS BIGELOW: It's seems like it's the appropriate place for auto access, and I actually think put [unintelligible word] proposal [unintelligible two words] really wonderful addition

NATALIE GUALY: Right.

KRYSTAL BRUN: Is there, can you clarify, is there any intent to have commercial access to the parking, or is it strictly residential?

MARIA BARRIENTOS: We don't know to be honest, what we're going to do operation, but we have designed it so that there is access both at that level we could put a different gate in a different location, but we've also oriented our elevator and stairs so that people could come up into our lobby. We've separated our lobby so that can come up an access the commercial without, you know, breaking any security for the residents that are in the residential side. I can't promise exactly how we're going to operate but we've designed the possibility into the building.

NATALIE GUALY: O.K. Thank you for that. Do we have any follow-up with the alley? What about the roof-deck?

CHRISTINA ORR-CAHALL: I like roof decks. I like that so many of us are seeing more and more of the roofs buildings like this, and there was a public comment about it running East to West. I think it makes sense where it is running now, but I was wondering if in fact you could maybe make it larger and extend it somewhat to the East so that the view from up above would actually, kind of be

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

enhanced a bit. I know that's extra money, but I think it would make a lot of neighbors higher up that hill quite happy.

MARIA BARRIENTOS: Expand the roof deck.

MIKE MARIANO: Not in the center?

CHRISTINA ORR-CAHALL: Extend East so into the L. No no no. Yea. And not the whole roof, but an L on that side which has a little bit of vista in the street. I think it, just a suggestions that I think would be neighborly, and I think could benefit the building. I think the buildings would use it.

NATALIE GUALY: I think, for me, it's something I'm fine with the applicant exploring, but I don't think it would greatly enhance the building enough that I would make it a condition.

CHRISTINA ORR-CAHALL: Well, I'm not making it a condition. I'm asking to look at it.

NATALIE GUALY: Just to explore it?

CHRISTINA ORR-CAHALL: I actaully think if you did move it a little bit East and nail it down it would, it has the potential to sort of animate from above and from below to the, to the courtyard.

NATALIE GUALY: O.K., anything else regarding the rooftop? O.K., then it looks like we're going to jump to the

CHRISTINA ORR-CAHALL: I have one more landscape question.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

NATALIE GUALY: Oh go ahead.

CHRISTINA ORR-CAHALL: I realize that you think this motel is going to go down at some point. I wonder if there's anything temporary to do to that totally blank façade.

MARIA BARRIENTOS: Show that façade. We talked to the motel owners and originally we had thought we would put a green screen, which we would still be willing to do. I think we struggle with green screens on a north facade. I think if anyone walks by the placard, we've replanted that three times now. It just doesn't grow very well in our climate, the climbing vine. The screen itself provides a relief and its attractive so we could consider it, or we could do more paint, or we even talked this afternoon about whether it might be appropriate to, because we just did an art piece for artists on another building, where we've actually got another blank side on the pedestrian side and we got some pretty cool proposals from artists and we could do something a little more interesting, you know, as it wraps around.

CHRISTINA ORR-CAHALL: I just think that would be nice, and not just for the motel, but from the standpoint when you're driving down that street. And again, I think you're probably right that it will vanish and so something that's temporary, but whether it's an art piece, or, you know, a screen piece, or planting, or whatever, just something to soften that would be nice. So thank you for, I'm glad you've investigated that.

MARIA BARRIENTOS: Yea, we realize [unintelligible] that big, but yea, it is blank.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

CONTRACTOR: I think there are still some vines poking around in one of the walls, actually.

NATALIE GUALY: O.K. So on to the departures. It looks like they have four of them. Yea

SHELLEY BOLSER: I just wanted to make sure that was sort of something that the applicant can consider, not making it a condition.

CHRISTINA ORR-CAHALL: I'm not making it a condition as long as they're taking it seriously, and I must say I always favor planting over painting, things like that, but I'm also not good at what grows. I do not have a green thumb.

NATALIE GUALY: O.K. So, going to the departure list, we have four departures. Three are kind of clumped together, one is independent. So the first departure is the four to four height for commercial uses at street level. Zoning requires that it be 13 feet; they are proposing the north commercial face at 12 foot 2 and 11 foot 4. We commonly have this departure come up. Usually we have departure come up for the grade change. It sounds like the main motivation for this is to keep the regulating line from Serafina across the street over. I'm inclined to support this, not so much for the regulating line, but knowing that if we were to go up it would just make the building taller.

CURTIS BIGELOW: I agree.

KRYSTAL BRUN: Yea, I agree.

CHRISTINA ORR-CAHALL: I agree.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

DAN FOLTZ: Yea. I was totally lost, myself, the connection trying to be made with Serafina.

MIKE MARIANO: It's more of a discrete study of what worked across the street and not necessarily carrying that data across.

DAN FOLTZ: Yea, I agree with that.

NATALIE GUALY: O.K. So we would, are inclined to support that. And then the other departure. Set back requirements for lots abutting or across the alley from residential zones. The departure requested to eliminate triangular 15 foot setback from residential zone at the northeast corner of the site. I guess I should just go all of them, the departure requested reduces the setback residential zone to the north of the site, and then, the departure requested to have windows and openings within five feet of the abutting residential zone lot. Proposed design includes windows within a foot and a half of the abutting residentially zoned lot to the site. Mike, do you mind if I ask clarification again, the main intent on how this betters the design of the building.

MIKE MARIANO: It's really these windows simply being within this distance of the property line. So, from our perspective it maintains the transparency of those units, just holds the street edge. Rather than carry that blank façade around the Eastlake side, it's transparently activated.

NATALIE GUALY: Board?

MIKE MARIANO: It's a land use issue.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

CURTIS BIGELOW: [unintelligible few words] departures at EDG, I highly encouraged them to hold the street edge and make a great façade. And I think they've done an excellent job of it. So I would support all three of these.

NATALIE GUALY: O.K.

KRYSTAL BRUN: I am inclined to support them for the reasons [unintelligible] as well.

DAN FOLTZ: Agreed.

CHRISTINA ORR-CAHALL: Agreed.

NATALIE GUALY: O.K. So with that said it sounds like we are in agreement of We're all in agreement of this project moving forward?

BOARD: Agreed. Agreed. Agreed.

NATALIE GUALY: O.K. Thank you very much.

MARK MARIANO: Thank you to the Board members whose terms have expired and you're still working.

[MEETING ADJOURNED]

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

Exhibit C

Exhibit D

From: "Marwaha, Jasmine" <Jasmine.Marwaha@seattle.gov>
Subject: RE: EASTLAKE: A Community NOT a Corridor
Date: April 2, 2015 at 4:26:44 PM PDT
To: 'Karen Appelman' <KIAppelman@aol.com>
Cc: "Rutzick, Lisa" <Lisa.Rutzick@seattle.gov>, "Auriemma, Anthony" <Anthony.Auriemma@seattle.gov>

Hi Karen,
The Design Review Board, as you probably know, is divided into seven geographic districts, and meetings take place within that district. According to the design review calendar, there is another project up for review at the East Design Review Board Meeting, for which TOPS would not be a convenient location.
http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/upcomingreviews/
I'm not sure if DPD has ever moved a Design Review Board meeting location for a particular project. The challenge may be that each District encompasses many neighborhoods, and DPD is trying to find the best location to find a right balance.
I am cc-ing Lisa Rutzick, who manages the Design Review Program at DPD, in case she has more to add.
Best,
Jasmine

Jasmine Marwaha
Legislative Aide to Councilmember Mike O'Brien
Seattle City Council
206-684-8800

Follow Mike on:

From: Karen Appelman [mailto:KIAppelman@aol.com]
Sent: Friday, March 27, 2015 12:39 PM
To: Marwaha, Jasmine
Subject: Re: EASTLAKE: A Community NOT a Corridor

Hi Jasmine:
Thanks so much for checking to make sure the DPD public meeting on an Eastlake community project was moved from far away at Seattle University to TOPS in the Eastlake community. As you may know, there are actually TWO meetings on that development project. The more important meeting, the Design Review Board Recommendation meeting, is still scheduled, also at Seattle University, on April 8th.
I emailed DPD's Shelley Bolser yesterday to ask that the April 8th meeting also be moved to our community. Would it be possible for you to check to make sure the April 8th meeting is also moved to TOPS? The purpose of the DRB Recommendation meeting is to inform the community and take public input that may influence the final recommendation. As before, scheduling the meeting miles away from the Eastlake community will necessarily, greatly reduce attendance and frustrate the purpose of the meeting. Many Eastlake community neighbors won't have the opportunity to understand and comment on the project if the meeting is not held at TOPS.
I received an email today from DPD Director Sugimura with the following acknowledgment of the importance of holding meetings in the community:

"I agree that having this meeting in the impacted neighborhood makes the most sense. There are times when we cannot find the appropriate space for public meetings in the neighborhood itself and we must find nearby locations. While not ideal, we do our best to find locations that are accessible and can accommodate the anticipated meeting size."
As we've seen, TOPS at Seward is most often available. We are hoping that with a little encouragement from the Mayor and City Council, DPD will implement its own policy and agree to hold meetings on projects that impact the Eastlake community at TOPS.
Thanks for working to increase the public accessibility of meetings that affect the neighborhoods. Please be sure to express our thanks to Councilmember O'Brien for caring about the Eastlake community.
Best regards,
Karen
Karen I. Appelman, 206-323-7636, KIAppelman@aol.com

Exhibit E

From: "Auriemma, Anthony" <Anthony.Auriemma@seattle.gov>
Subject: RE: EASTLAKE: A Community NOT a Corridor
Date: April 2, 2015 at 5:30:43 PM PDT
To: 'Karen Appelman' <KIAppelman@aol.com>
Cc: "Rutzick, Lisa" <Lisa.Rutzick@seattle.gov>, "Marwaha, Jasmine" <Jasmine.Marwaha@seattle.gov>

Hi Karen,
Thanks for writing me as well. You had asked if Councilmember Rasmussen could intervene on the Eastlake community's behalf and make sure the April 8 meeting is held at TOPS. I'm almost 100% sure that the meeting you are referring to deals with the development and proposed rezone at 2203 Eastlake Avenue E, but I do want to confirm that. In addition to your prior e-mail, our office recently received a separate request from the Eastlake Community Council to move the April 2 meeting regarding this development from Seattle University to TOPS School.
Unfortunately, Councilmembers are specifically prohibited from reading anything or talking to anyone about projects that concern proposed rezones, until the issue comes before Council for consideration. Therefore, I am actually prohibited from sharing your message with Councilmember Rasmussen or discussing anything with him related to this issue. Below I am sharing the message I recently sent to the Eastlake Community Council, which helps further explain why Councilmember Rasmussen is prohibited from intervening on the Community Council's behalf with DPD.
I'm sorry this is not a satisfactory answer, but this is just unfortunately not an issue that Councilmembers can intervene in. I do hope that Jasmine's e-mail does help explain why this meeting will be at Seattle University.
Thanks,

Anthony Auriemma
Legislative Assistant
Office of Seattle City Councilmember Tom Rasmussen
206.684.8593
www.seattle.gov/council/rasmussen/

From: Auriemma, Anthony
Sent: Tuesday, March 24, 2015 4:54 PM
To: 'Eastlake Community Council'
Cc: Bolser, Shelley; Haines, Stephanie; Sugimura, Diane
Subject: RE: DPD's April 2 public meeting about project proposal #3016024 must be relocated to the Eastlake neighborhood, as requested by 200+ petition signatures

Chris:
Thank you for your e-mail to Councilmember related to the proposed rezone application for 2203 Eastlake Avenue E (Clerk File 314127), but I had to intercept this message on Councilmember Rasmussen's behalf before he could see it. This is because state law and Council rules prohibit him from reading anything or talking to anyone that may influence his opinion about the project. If you'll allow me, I'll explain why:
When Council is expected to make a decision to approve or deny a rezone on a specific piece of property, that decision is something we call "quasi-judicial." It means Councilmembers must act on the proposal as unbiased judges. As judges, they are required to apply the existing law and make their decision based only on the facts they receive in the official record. Therefore, they

must stay removed from conversations, presentations, or arguments made outside of that official record.

The official record is made by the City's Hearing Examiner. It includes a report and a recommendation from Seattle's Department of Planning and Development (DPD) as well as copies of the public comments submitted to DPD, testimony and exhibits from a public hearing held by the Hearing Examiner where the public can testify and provide documents to be included in the official record, and the recommendation from the Seattle Hearing Examiner. This official record, which also includes the tapes of the Hearing Examiner hearing, is provided for Councilmembers to review and then act upon. When all is finished, everyone knows what information the Councilmembers used to help make their decision, so everyone is assured it was a fair process. It's called the "appearance of fairness" doctrine.

The proposed rezone at 2203 Eastlake Avenue E is quasi-judicial, so Councilmember Rasmussen can only consider what is in the official record. You are very welcome to submit your comments to DPD. The Department is required by the Land Use Code to respond in its report to written comments. The link to the DPD webpage that explains how to comment is: http://www.seattle.gov/dpd/Notices/Public_Comment/How_To_Comment/default.asp. Your comments can then make their way to all of the Councilmembers through a transparent process via the official record.

I know the bulk of your message is regarding only the location of DPD's April 2 public meeting, but to maintain an appearance of fairness, any discussion at all pertaining to this rezone outside of the official record must be kept from Councilmembers. I have also made sure that staff from all other Council offices were made aware of your e-mail and the fact it is related to a quasi-judicial matter. Director Sugimura may be able to respond to the concern over the meeting location.

Please let me know if you have any questions.

Sincerely,

Anthony Auriemma
Legislative Assistant
Office of Seattle City Councilmember Tom Rasmussen
206.684.8593
www.seattle.gov/council/rasmussen/

From: Eastlake Community Council [mailto:info@eastlakeseattle.org]
Sent: Monday, March 23, 2015 5:27 PM
To: Murray, Edward; Sugimura, Diane
Cc: Bolser, Shelley; Haines, Stephanie; Harrell, Bruce; Godden, Jean; Sawant, Kshama; O'Brien, Mike; Licata, Nick; Bagshaw, Sally; Clark, Sally; Burgess, Tim; Rasmussen, Tom
Subject: DPD's April 2 public meeting about project proposal #3016024 must be relocated to the Eastlake neighborhood, as requested by 200+ petition signatures
Importance: High

Mayor Murray, members of the City Council, and Director Sugimura—

On March 3, the Eastlake Community Council sent to DPD the attached letter along with 124 signatures on petitions opposing the project at 2203/9 Eastlake Avenue (MUP # 3016024) and its proposed rezone and asking that DPD "hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone." A hundred more signatures have since been collected, with more coming in; we will also provide those to DPD.

DPD has scheduled the requested meeting for April 2. But contrary to the request on the petition that it be held in our Eastlake neighborhood, DPD has chosen to locate this meeting at Seattle University—three

miles away, on the other side of I-5 and Capitol Hill, with geography making it difficult for Eastlakers to journey to by bus, bike, or on foot--and even to reach by car at that hour.
It is bad enough that all Design Review Board meetings about Eastlake projects are now being held at this far away and difficult to access location—but it is completely unacceptable that this location would also be used for a meeting that 200+ petition signatures from our neighborhood asked for and for it be held in the Eastlake neighborhood.
Here is some background from our attached letter: "Please note that the requested public meeting is separate from any meeting of the Design Review Board. The DRB meetings should also be held in the Eastlake neighborhood, just as they were in the founding years of the design review program. As ECC has often pointed out to DPD: with so many large projects being proposed in Eastlake, it is harmful to public participation and to a good land use process for the DRB meetings about neighborhood projects to be held" so far away.
There is still time for DPD to arrange for an Eastlake location and to renotice the April 2 public meeting as being located there. It is strange for DPD to claim in the e-mail below that it could not find a meeting location in Eastlake. I just checked this afternoon with TOPS-Seward School (at the very center of Eastlake), and on that very evening of April 2, both the library and the cafeteria of the school are available for DPD to hold this public meeting there. (We suggest the cafeteria, which is where the City held the Jan. 8, 2013 public meeting on the Ride the Ducks proposal—also held because we had requested it via petition signatures.) DPD can reach the TOPS-Seward school secretary Janice Runner by calling 252-3510 or by e-mailing jmrunner@seattleschools.org.
There is time to make and notice the requested change of venue. Unless it favors developers over the community, DPD cannot claim otherwise. As seen in the attached DPD notice, the most recent scheduled meeting on this project which was noticed widely for March 4 was, at the developer's request, canceled and rescheduled by DPD on March 2 (just two days' notice).
Acre by acre, development is proceeding faster in Eastlake than possibly anywhere else in the City, and yet DPD no longer locates in Eastlake those public meetings that are about Eastlake projects--even when a public meeting is held in response to petition signatures that call for it, and that request it to be held in Eastlake. We are concerned that the Mayor and City Council are not aware of the damage to public trust and to good government from the current situation.
Please see that the people of Eastlake get better treatment from their Mayor, City Council, and Department of Planning and Development, by insisting that DPD hold the April 2 public meeting at TOPS-Seward School. If is not possible to relocate the April 2 meeting to Eastlake, please insist that DPD schedule in Eastlake a later public meeting about the proposed project and rezone; and if a later date is chosen, please have DPD consult with ECC to avert scheduling conflicts (Despite having conveyed the request to DPD, ECC was never contacted by DPD about a date or location.)
Chris Leman (206) 322-5463
President, Eastlake Community Council
info@eastlakeseattle.org
http://eastlakeseattle.org
From: Marwaha, Jasmine
Sent: Thursday, April 02, 2015 4:27 PM
To: 'Karen Appelman'
Cc: Rutzick, Lisa; Auriemma, Anthony
Subject: RE: EASTLAKE: A Community NOT a Corridor
Hi Karen,
The Design Review Board, as you probably know, is divided into seven geographic districts, and meetings take place within that district. According to the design review calendar, there is another project up for review at the East Design Review Board Meeting, for which TOPS would not be a convenient location.
http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/upcomingreviews/
I'm not sure if DPD has ever moved a Design Review Board meeting location for a particular project. The challenge may be that each District encompasses many neighborhoods, and DPD is trying to find the best location to find a right balance.
I am cc-ing Lisa Rutzick, who manages the Design Review Program at DPD, in case she has more to add.
Best,

Jasmine

Jasmine Marwaha
Legislative Aide to Councilmember Mike O'Brien
Seattle City Council
206-684-8800

Follow Mike on:

From: Karen Appelman [mailto:KIAppelman@aol.com]
Sent: Friday, March 27, 2015 12:39 PM
To: Marwaha, Jasmine
Subject: Re: EASTLAKE: A Community NOT a Corridor

Hi Jasmine:

Thanks so much for checking to make sure the DPD public meeting on an Eastlake community project was moved from far away at Seattle University to TOPS in the Eastlake community. As you may know, there are actually TWO meetings on that development project. The more important meeting, the Design Review Board Recommendation meeting, is still scheduled, also at Seattle University, on April 8th.

I emailed DPD's Shelley Bolser yesterday to ask that the April 8th meeting also be moved to our community. Would it be possible for you to check to make sure the April 8th meeting is also moved to TOPS? The purpose of the DRB Recommendation meeting is to inform the community and take public input that may influence the final recommendation. As before, scheduling the meeting miles away from the Eastlake community will necessarily, greatly reduce attendance and frustrate the purpose of the meeting. Many Eastlake community neighbors won't have the opportunity to understand and comment on the project if the meeting is not held at TOPS.

I received an email today from DPD Director Sugimura with the following acknowledgment of the importance of holding meetings in the community:

"I agree that having this meeting in the impacted neighborhood makes the most sense. There are times when we cannot find the appropriate space for public meetings in the neighborhood itself and we must find nearby locations. While not ideal, we do our best to find locations that are accessible and can accommodate the anticipated meeting size."

As we've seen, TOPS at Seward is most often available. We are hoping that with a little encouragement from the Mayor and City Council, DPD will implement its own policy and agree to hold meetings on projects that impact the Eastlake community at TOPS.

Thanks for working to increase the public accessibility of meetings that affect the neighborhoods. Please be sure to express our thanks to Councilmember O'Brien for caring about the Eastlake community.

Best regards,
Karen
Karen I. Appelman, 206-323-7636, KIAppelman@aol.com

Exhibit F

From: "Rutzick, Lisa" <Lisa.Rutzick@seattle.gov>
Subject: RE: EASTLAKE: A Community NOT a Corridor
Date: April 3, 2015 at 12:19:30 PM PDT
To: "Marwaha, Jasmine" <Jasmine.Marwaha@seattle.gov>, 'Karen Appelman' <KIAppelman@aol.com>
Cc: "Auriemma, Anthony" <Anthony.Auriemma@seattle.gov>

Thank you, Jasmine. Yes, for the purpose of consistency and predictability, the East Board always meets on the Seattle University campus.
Lisa
Lisa Rutzick | Design Review Program Manager | Department of Planning and Development | City of Seattle | 206.386.9049|

Exhibit G

Exhibit H

schemata
workshop

Sketch A-5

View: Across Eastlake Ave E - 45 ft

Current Proposed Design

2015.03.05

Exhibit I

The purple line depicts the 40-foot height limit from which the four-foot height bonus is measured

schemata workshop

proposed building

view from kitty corner neighbor deck view (Sarah Armstrong, apt 3100)
2014.12.22

Exhibit J

ARAMBURU & EUSTIS, LLP

Attorneys at Law
J. Richard Aramburu
rick@aramburu-eustis.com
Jeffrey M. Eustis
eustis@aramburu-eustis.com

720 Third Avenue, Suite 2000
Seattle, WA 98104
Tel 206.625.9515
Fax 206.682.1376
www.aramburu-eustis.com

March 30, 2015

East Design Review Board
Attn: Shelley Bolser
Department of Planning and Development
700 5th Avenue, Ste 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: 3016024 – Barrientos rezone application

Dear Design Review Board Members:

On behalf of residents within the 201 East Boston Condominium, we request that you table action on review of the design for the above proposal until after the City Council has taken action on the rezone proposal. Until then, the application is premature in that the applicant seeks review of a development under a zoning classification that has not been, and may never be approved for the property.

The Board should suspend review of the current proposal.

Conducting design review on a proposal that does not meet current zoning standards is inappropriate for at least three reasons. First, apart from approved design departures, a decision on an application for design review must ultimately "meet all codes and regulatory requirements applicable to the subject site ... ." SMC 23.41.008.F.2. That requirement cannot be met where the proposed design does not conform to current regulations, but is predicated upon approval of a change in zoning that may never be given.

The southerly portion of the proposed site is zoned NC-1, which allows the development of commercial use to a height of 30 feet; the northerly portion of the site is zoned LR 2, allowing residential use, also to a height of 30 feet, each with four foot allowances. The applicant's design fails to conform to either zoning classification, as it proposes commercial development over the entirety of the ground floor and it proposes a four story structure whose height off of Eastlake Avenue would be approximately 59 feet,[1] or nearly twice the base height allowed under current zoning. At the end of the

[1] See Waterton Plan Set V2 at page A301 (40' Base height elevation +4' bonus +4' parapet + 11'elevator)

design review process, the ultimate conclusion cannot be rendered, that the proposal complies with zoning regulations applicable to the site, because plainly it does not.

Rather than engaging in an academic exercise of determining conformance with non-existent zoning, the Board should simply table the application until after the City Council has acted upon the rezone request. If the rezone application is approved, then design review may proceed. In the meanwhile, the design review is simply being conducted on a hypothetical project.

Second, design review on a proposal not allowed by current zoning is premature. Currently, the City is revising its comprehensive plan. Rather than being considered in isolation, the proposal should be considered in the context of plan review. Among other design goals, the Eastlake Neighborhood Plan envisions:

> residential growth [that] is consistent with Eastlake's character, size, scale, infrastructure and public services, and occurs in locations appropriate for residential uses.[2]

The applicant's proposal is not consistent with the character, size and scale of development in its vicinity. The west side of Eastlake to the north of the site is developed in two and three story residential buildings, consistent with its LR 2 zoning.[3] The west side of Eastlake Avenue to the north of East Boston does not have a 4 story building until its intersection at East Lynn Street, at a site zoned NC2-P40, which transitions to more intensive zoning to the north.[4]

Moving south of East Boston Street across from the site, the west side of Eastlake holds a one story commercial use (the Serafina and Cicchetti restaurants), a three story apartment building, a 1½ story house, a three story apartment building, a two story house, a three story apartment and a two story motel.[5] Nothing exceeds three stories until one reaches the office building at East Blaine Street, three blocks south of the site.

If the Eastlake neighborhood goals concerning the scale of development are to be reconsidered, that should occur first in the context of comprehensive plan review and then through the adoption of zoning to implement changes in the comprehensive plan, which is the sequence mandated by the Growth Management Act.[6] The GMA further requires that any revisions to plans and zoning occur in the context of all other

---

[2] Eastlake Neighborhood Plan, Goal EL G-5.
[3] See photos of westside of Eastlake Avenue within Applicant's Early Design Guidance at 6.
[4] See zoning map contained within Applicant's Early Design Guidance at 2.
[5] See photos within Applicant's Early Design Guidance at 6.
[6] RCW 36.70A.040(3)(d)(GMA cities to adopt comprehensive plans and development regulations to implement those plans).

proposals so that their cumulative effects may be considered together, rather than on a piecemeal basis,[7] which is the approach inherent in the pending application.

Third, the Board's consideration of a design failing to conform to zoning and the Eastlake Neighborhood Plan conflicts with another important statute, the Local Project Review Act. At RCW 36.70B.030(3), this statute requires that during project review a local government not reexamine items already defined by development regulations, including the type of land use permitted and the density of residential development permitted. Yet that is what the proposal asks for, to expand retail uses and to intensify residential zoning. Even though the City allows contract rezones, the process here is backwards, as it potentially allows the review of a single development to influence the scale of development that should be determined on a broader scale.

The proposed design should be rejected as inconsistent with design guidelines.

If the Board continues with its review, the proposed design should be rejected on its merits because it fails to conform to a number of applicable design guidelines. Although conformance with each and every design strategy is not required, "all projects are expected to meet and address all of the guidelines[;]" further, attention should be given "in determining which approaches and strategies are particularly applicable to a given project[:]"

> While all projects are expected to meet and address all of the guidelines, they are not expected to apply all the approaches and strategies listed for each guideline. Not all of the approaches and strategies will be relevant to every project. Applicants, Design Review Boards, and other reviewers should use their judgment and discretion in determining which approaches and strategies are particularly applicable to a given project. [City Wide Guidelines at v.]

The proposed development does not meet all of the design guidelines and it does not meet the particular strategies applicable to this project.

The project fails to meet Design Guideline CS 2, which provides that "Urban Pattern and Form:"

> Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

Part D to this guideline lists five strategies to address height, bulk and scale, which are excerpted below:[8]

---

[7] RCW 36.70A.130(2)(b)(all proposals for updates, amendments or revisions of the comprehensive plan "shall be considered...concurrently so the cumulative effect of the various proposals can be ascertained.")

1. Existing Development and Zoning: Review the height, bulk, and scale of neighboring buildings as well as the scale of development anticipated by zoning for the area to determine an appropriate complement and/or transition. ...

2. Existing Site Features: Use changes in topography, site shape, and vegetation or structures to help make a successful fit with adjacent properties; ...

3. Zone Transitions: For projects located at the edge of different zones, provide an appropriate transition or complement to the adjacent zone(s). Projects should create a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zone and the proposed development. ...

4. Massing Choices: Strive for a successful transition between zones where a project abuts a less intense zone. In some areas, the best approach may be to lower the building height, break up the mass of the building, and/or match the scale of adjacent properties in building detailing. ...

5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy and outdoor activities of residents in adjacent buildings.

The proposal conforms to neither the CS 2 Guideline nor any of the strategies related to height bulk and scale:

Contrary to Guideline CS 2D-1, the proposal neither complements nor transitions to neighboring buildings. As shown by the photos of the westerly block face of Eastlake Avenue East set forth within the applicant's own Early Design Guidance document, the 59 foot height of the proposed building would contrast starkly to the one story development to the north of the site, to the one story development across East Boston Street to the south of the site, and to the one story apartment across the alley to the west of the site.

Contrary to Guideline CS 2D-2, the development does not use topography to make a successful fit with adjacent properties. Rather than stepping down the slope from Eastlake Avenue, the project carries its height across the site

---

[8] The Design Guidelines and strategies are excerpted here in the interest of space, and not to suggest that other provisions would not apply. The full text of the strategies is contained within the Citywide Guidelines and available on DPD's website at:
http://www.seattle.gov/dpd/cs/groups/pan/@pan/documents/web_informational/p2083771.pdf

reaching nearly 70 feet (69'10") at the alley to the west. See Plan Sheet A202. This contrasts to the one story height of the apartment building directly across the alley to the west and even to the three story apartment buildings along the west side of the alley farther to the north.

Contrary to Guideline CS 2D-3, the proposal lies at the edge of less intensive zones to the south, but fails to provide an appropriate transition or a step in perceived height, bulk and scale. The existing NC-1 and LR-2 zones were placed on the site to provide a transition between the more intensively zoned commercial area to the north of Boston Street and the residentially zoned areas to the south of Boston Street. By proposing development to NC-2 standards, the project removes that transition. The buildings to the south (the one story Serafina and Cicchetti restaurant building) and the apartments to the west are well established for which there is no anticipated redevelopment. As noted above, the height of the proposed building does not step down to the north, the south, or to the west.

Contrary to Guideline CS 2D-4, the project abuts less intense zones to the south and to the west, but does not follow the indicated strategies of lowering building height, breaking up its mass, or matching the scale of adjacent properties.

Contrary to Guideline CS 2D-5, the project does not respect adjacent properties and minimize disruption of privacy. To the contrary, it would block light, air and sunlight to the north and loom above properties to the south and west.

In sum, the proposal does not conform to Guideline CS2 or to any of its implementation strategies for height, bulk and scale. Based upon these inconsistencies the Board should not recommend approval of the proposed design.

The proposal also fails to conform to Guidelines CS3 and DC2 and their implementing strategies. Guideline CS3 requires the project to "[c]ontribute to the architectural character of the neighborhood." This guideline is implemented in part through the Strategy at CS3-A1:

1. Fitting Old and New Together: Create compatibility between new projects, and existing architectural context, including historic and modern designs, through building articulation, scale and proportion, roof forms, detailing, fenestration, and/or the use of complementary materials.

Guideline DC2 requires the project to:

Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

This guideline is implemented by a number of strategies, including those at DC2-C3:

> **3. Fit With Neighboring Buildings:** Use design elements to achieve a successful fit between a building and its neighbors, such as:
> a. considering aspects of neighboring buildings through architectural style, roof line, datum line detailing, fenestration, color or materials,
> b. using trees and landscaping to enhance the building design and fit with the surrounding context, and/or
> c. creating a well-proportioned base, middle and top to the building in locations where this might be appropriate. Consider how surrounding buildings have addressed base, middle, and top, and whether those solutions—or similar ones—might be a good fit for the project and its context.

The proposed building does not conform to Guidelines CS3 and DC2 or the above implementing guidelines because it is out of scale with neighboring buildings. Its design does not complement the one-story, brick Serafina building across Boston to the south, the Zema building across Eastlake to the east or the one and two story buildings within the same block to the north. At 60 feet in height above Eastlake Avenue, the proposed building would completely dwarf well-established buildings in the vicinity.

For these reasons we urge the Design Review Board to not recommend approval of the proposed design. The proposal is premature and the design fails to conform to numerous design guidelines and implementation strategies.

Thank you for your attention to this letter.

Sincerely yours,

ARAMBURU & EUSTIS, LLP

Jeffrey M. Eustis

cc: Residents of 201 East Boston

Exhibit K

ARAMBURU & EUSTIS, LLP

Attorneys at Law

J. Richard Aramburu
rick@aramburu-eustis.com
Jeffrey M. Eustis
eustis@aramburu-eustis.com

720 Third Avenue, Suite 2000
Seattle, WA 98104
Tel 206.625.9515
Fax 206.682.1376
www.aramburu-eustis.com

April 2, 2015

East Design Review Board
Attn: Shelley Bolser
Department of Planning and Development
700 5th Avenue, Ste 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: 3016024 – Barrientos rezone application

Dear Design Review Board Members:

On behalf of residents within the 201 East Boston Condominium, we respond to the Foster Pepper letter of April 1, 2015 and re-affirm our request that you table action on review of the design for the above proposal until after the City Council has taken action on the rezone proposal.

Foster Pepper's letter essentially is a defense of putting the project review horse before the planning cart and to turn the sequence of land use decision making on its head. The citations given by Foster Pepper do not support its defense of such an inverted process.

As the legislative findings in support of RCW 36.70B.030 make clear, project review, which includes design review, must begin with the choices made in the adoption of the plan and zoning designations for the site and shall not reexamine those determinations:

> (1) Given the extensive investment that public agencies and a broad spectrum of the public are making and will continue to make in comprehensive plans and development regulations for their communities, it is essential that project review start from the fundamental land use planning choices made in these plans and regulations. If the applicable regulations or plans identify the type of land use, specify residential density in urban growth areas, and identify and provide for funding of public facilities needed to serve the proposed development and site, these decisions at a minimum provide the foundation for further project review unless there is a question of code interpretation. The project review

> process, including the environmental review process under chapter 43.21C RCW and the consideration of consistency, should start from this point and should not reanalyze these land use planning decisions in making a permit decision.

Chapter 347, §§ 404 and 405 (Laws of 1995)(Legislative Finding 1)(Emphasis supplied.) Accordingly, RCW 36.70B.030(3) provides that:

> During project review, the local government or any subsequent reviewing body shall not reexamine alternatives to or hear appeals on the items identified in subsection (2) of this section [including the density of residential development]. ...

Foster Pepper's reliance on RCW 36.70B.030(5) is misplaced, since that section does not change the sequence of land use decision making established by the statute. In full, RCW 36.70B.030(5) states:

> (5) Nothing in this section limits the authority of a permitting agency to approve, condition, or deny a project as provided in its development regulations adopted under chapter 36.70A RCW and in its policies adopted under RCW 43.21.060. Project review shall be used to identify specific project design and conditions relating to the character of development, such as the details of site plans, curb cuts, drainage swales, transportation demand management, the payment of impact fees, or other measures to mitigate a proposal's probable adverse environmental impacts, if applicable.

This provision does not say that project review may be used to second guess residential density determinations made in the adoption of the underlying zoning, which the Barrientos application is effectively asking the Design Review Board to do by proposing a design that does not conform to existing zoning.

In our prior letter of March 30, 2015, we argued that the Barrientos proposal asked the Design Review Board for a recommendation that was legally impossible to make, to find that the proposal would "meet all codes and regulatory requirements applicable to the subject site[,]" which is a requirement of SMC 23.41.014.F.2. Foster Pepper contends that such a requirement does not exist. In fact it does, at SMC 23.41.014.F.2. We had correctly cited the language, just attributed it to a different section of code. Nonetheless, the fact remains that in consideration of a design that is predicated upon future approval of a zoning change, a recommendation finding compliance with currently applicable planning and zoning cannot be legally made.

Foster Pepper also misplaces reliance upon SMC 23.76.040.G.2 as authorizing the process followed here. It does not. That section governs notices of application and

identifies four types of land use decisions for which the DPD Director shall provide notice to the City Clerk. In any event, we have not contended that the City lacks authority to approve contract rezones. However, we maintain that consideration of the Barrientos contract rezone request is inappropriate where the requested zoning is inconsistent with the neighborhood plan and is presented at the same time that the City is updating its comprehensive plan. Both GMA and the Local Project Review statute contemplate that residential density determinations be made in the context of planning, not on an *ad hoc*, site-specific, project-by-project basis.

For the reasons given above and in our prior letter, the Design Review Board should table its review of the proposed design.

Thank you for your attention to this letter.

Sincerely yours,

ARAMBURU & EUSTIS, LLP

Jeffrey M. Eustis

cc: Residents of 201 East Boston
Jeremy Eckert

Exhibit L

Exhibit M

What is LinkedIn? Join Today Sign In

Krystal Brun

470 connections

Engineer at Turner Construction Company

Seattle, Washington | Construction

Current City of Seattle, Turner Construction Company

Previous The Museum of Flight, Turner Construction Company, Smithsonian Institution

Education The George Washington University

Join LinkedIn and access Krystal's full profile. It's free!

As a LinkedIn member, you'll join 300 million other professionals who are sharing connections, ideas, and opportunities.

- See who you know in common
- Get introduced
- Contact **Krystal** directly

View Krystal's Full Profile

Experience

Design Review Board Member - Get Engaged Program

City of Seattle

August 2014 – Present (11 months) | East District

Engineer/ Cost Analyst

Turner Construction Company

September 2012 – Present (2 years 10 months) | Greater Seattle Area

2012-2014:
Interiors Engineer for the Viktoria Apartments, a $55M volume, 249 unit mixed-use, luxury apartment high rise project in Belltown. Managed over 15 subcontractors and over $10 million of interiors, plumbing and landscaping scope. Reviewed contract terms, prepared RFIs, reviewed submittals and shop drawings, and negotiated change order cost with subcontractors and owner representatives. Assisted in the review of BIM coordination modeling for drywall clash detection. Compiled, reviewed and uploaded LEED documentation.

2014-Current:
Project Set Up Engineer and Cost Engineer:
Work with multiple project teams to establish and review project budget set-up structures and upload the projects to SAP. Providing monthly assistance to project teams to monitor the current project budget and forecast remaining cost over the life of the project. Prepare monthly and quarterly auditing reports to determine the financial position of ongoing construction projects. Provide troubleshooting assistance as needed by project teams to navigate cost monitoring tools.

2013-2014:
Co-founded Leadership Turner Seattle, a group established to engage early and mid-level career employees in peer networking, soft skill training opportunities, and community outreach projects on a monthly basis.

Find a different Krystal Brun

First Name Last Name

Example: Krystal Brun

Krystal Brun
Customer Service Specialist at Doc Halo
Cincinnati Area

More professionals named Krystal Brun

People Also Viewed

Katie Trimpe
Project Engineer at Turner Construction Company

Brenda Baxter
Project Manager Turner Construction Company

Michelle Bungay
Project Manager at Turner Construction

Ashley Lippincott
Engineer at Turner Construction

Nathan Wolfson
Graduate Assistant at The George Washington University

Samantha Cyrulnik-Dercher
Scheduler/Staff Assistant at U.S. House of Representatives

Garrett Turpin
Concrete Engineer at Turner Construction Company

Jeffrey Isakson
Owner

Jeff Isakson
--

Ads You May Be Interested In

Reamote Control Software
Remote Control, Meetings, and Data Transfer - Try now!

Data Center Design
Experts in IT, Cabling & Facility Data Center / Computer Room Design.

Invitation from LinkedIn
Place ads on LinkedIn. Acquire new customers for your business. Try it now.

June 9, 2015

Public Resource Center
700 Fifth Avenue, Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Dept. of Planning & Development
Public Resource Center
JUN 11 2015
RECEIVED

VIA EMAIL and CERTIFIED MAIL

RE: Comments on Project # 3016024

Dear PRC:

Please enter the enclosed comments into the record and post them on the DPD website for this project.

Thank you.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Avenue E., #304
Seattle, WA 98102

CITY OF SEATTLE
DEPARTMENT OF PLANNING & DEVELOPMENT

MID-EASTLAKE NEIGHBORS: Sandra Wheeler, Charles Wheeler, Sarah Armstrong, Lydia Brennan, Scott Brennan, Trevor Brennan, Ryan Brennan, Donald Huang, Jing Huang, Stephen Locke, Elaine Locke, Karen Appelman, Ira Appelman, Kathy Jendrick, MaryLou Pederson, Sam Pederson, & Don Gulden Public Commenters, v. EAST DESIGN REVIEW BOARD Respondents.	Project #3016024 RESPONSE TO FINAL RECOMMENDATION REPORT OF THE EAST DESIGN REVIEW BOARD APRIL 8, 2015 MEETING

I. Introduction

In 2013, Metropolitan Homes, with John Links as Managing Partner, proposed to the City of Seattle's Department of Planning and Development (DPD) Project #3016024 ("the Project"), the demolition of buildings at 2203 and 2209 Eastlake Avenue East and the construction of a mixed use building on the consolidated lot with 45 apartments, 39 parking spaces, and ground floor commercial space. Later, ownership

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

was transferred to 2203 Eastlake Ave East LLC (UBI# 603339430) with Maria Barrientos of Barrientos LLC (UBI# 601994487) as primary contact. On March 11, 2014, the original owner applied for early design guidance before the Design Review Board. The first Early Design Guidance meeting was held on May 14, 2014. The Second Early Design Guidance meeting was held July 23, 2014. The following comments concern the conduct of and report of the Final Recommendation meeting held before the East Design Review Board on April 8, 2015 at Seattle University. DPD released the official report of the "Final Recommendation of the East Design Review Board" (Exhibit A) on April 29, 2015.

We maintain that the East Design Review Board (1) violated the Eastlake Neighborhood Plan by (a) conducting the meeting far away from Eastlake; (b) having no members from the Eastlake Community on the Board; (c) discouraging interaction between the community, development team, and DRB members; (d) failing to analyze impacts, and describe and document benefits of approved departures; and (e) approving an oversized building that blocks views instead of preserving them; (2) violated the Seattle Municipal Code (SMC) by (a) conducting the meeting far away from the Eastlake community; (b) failing to synthesize public opinion; and (c) failing at the final meeting to review the record of public comments; review the projects conformance to the guidelines, and determine that the proposed design conforms with the guidelines; (3) violated the Seattle Design Guidelines by failing to explicitly apply the guidelines to the Project; (4) violated the Local Project Review Act (RCW 36.70B), which prohibits revisiting zoning once a project is proposed, by approving a project that depends on a contract-rezone change in zoning; and (5) violated RCW 42.20.040, the prohibition against filing false

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

reports, by filing a report that describes what **should** have happened at the April 8th meeting, rather than what really happened, covering up the lack of required deliberations and findings.

DPD did not machine-record the April 8, 2015 East Design Review Board meeting. The only records maintained by DPD are notes taken by DPD staff. For the April 8, 2015 Final Recommendation meeting, we made a video/audio recording and separate audio recording. The video/audio recording was made with a Canon "PowerShot" SX130IS video/audio camera that simultaneously records audio. The separate audio recording was made with a Sony IC Audio Recorder.

The meeting lasted about 65 minutes. The video recording consists of two .MOV files approximately 25 minutes and 40 minutes long, respectively. The separate audio recording consists of an MP3 file approximately 65 minutes long. We are sending, by separate cover, flash drives with the two .MOV files and one MP3 file to: (1) the Seattle office that is managing the Project at "City of Seattle, Dept. of Planning & Development, 700 5th Avenue, Suite 1800, ATTN: Shelley Bolser, Seattle, WA 98124-4019"; and (2) the Seattle office that posts submittals online at "Public Resource Center, 700 Fifth Avenue, Suite 2000, P.O. Box 34019, Seattle, WA 98124-4019."

A verbatim transcript was created from the .MOV and MP3 electronic files and is appended as Exhibit B. The Final Recommendation meeting on April 8th consisted of a developer presentation, Board questions, public comment, and Board deliberations. No microphones were used, so it was sometimes very difficult to hear every word, even

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

though the recording equipment was in the first row of the audience. During the first three parts of the meeting, the Board faced the audience. But for Board deliberations, the Board rearranged chairs and tables so Board members were at least partially facing each other. In this Board-centric configuration it was more difficult to hear and record the deliberations, so the transcript has occasional notations of [unintelligible word] or [unintelligible few words]. Since the video/audio and separate audio files have been filed with DPD for the record, anyone can check the transcript against the recordings.

II. VIOLATIONS OF THE EASTLAKE NEIGHBORHOOD PLAN

The Eastlake Neighborhood Plan was adopted in 1998/1999 with Seattle City Council Resolution Numbers 29838 and 29932. According to the accompanying work plan, "These plans enable people in neighborhoods to articulate a collective vision for growth and change over the next 20 years and identify activities to help them achieve that vision." The Community Design Element of the Eastlake Neighborhood Plan states the following goals for community involvement in the design review program:

"Policy CD-5. The design review program should: be neighborhood based; promote interaction between the community, the developer, designers, and decision-makers…Elements of the design review process should include: meetings located in the affected neighborhoods; a meeting format that fosters constructive interaction and departs from a rigid hearing format; neighborhood composition of the reviewing entity; analysis of impacts of requested development standard

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

departures; and a requirement that design benefits related to development standard departures be demonstrated, documented and conditioned on the project permit."

The Final Recommendation meeting of the East Design Review Board violated the Eastlake Neighborhood Plan in the following ways:

a. The design review process violated the Eastlake Neighborhood Plan because it was NOT neighborhood based. Meetings occurred miles away suppressing Eastlake Community involvement.

The East Design Review Board met many miles away from the Eastlake Community at Seattle University. An informational meeting on the Project, which was not part of design review, met in the Eastlake Neighborhood and drew a crowd of about forty (40) neighbors. Exhibit C is a photo of part of the crowd that showed up, as neighbors came and went during the meeting. Seventeen neighbors spoke; all but one were against the Project. Exhibits D and E show emails written by one of us asking the City Council to implore DPD to hold the Final Recommendation meeting of the East Design Review Board in Eastlake. DPD refused.

Exhibit F shows a response from Lisa Rutzick, Design Review Program Manager at DPD. Rutzick wrote that "for the purpose of consistency and predictability, the East Board always meets on the Seattle University campus." In fact, the meeting was supposed to take place on Seattle University campus proper, but was apparently moved across 12th Avenue to an outlying building (for consistency and predictability?) (Exhibit 2, *Transcript* 20: 23-27). Ms. Rutzick doesn't tell us what statute, ordinance, or

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

administrative interpretation puts "consistency and predictability" above public participation. As shown below, SMC 23.41.008(E)(2) requires that, "All meetings of the Design Review Board **shall** be held…in a location which is…conveniently located…" (emphasis added). "Shall" means mandatory.

We warned DPD what we believed they already knew, that holding the meeting so far away would greatly decrease public involvement, which is exactly what happened. Exhibit G shows a picture of the audience in the meeting miles away at Seattle University. Most of the audience are employees/contractors of the developer. Only about five or six Eastlake Community neighbors were able to attend this meeting so far away from Eastlake, and only four spoke. This far away meeting, as just shown, violates the Seattle Municipal Code, SMC 23.41.008(E)(2) because the meeting was NOT "conveniently located."

b. The design review process violated the Eastlake Neighborhood Plan because it was NOT neighborhood based. None of the five members of the East Design Review Board were residents of the Eastlake Community, but, instead, reside in much denser areas of the City.

The East Design Review Board (DRB) consists of four members from Capitol Hill (Gualy, Foltz, Brun, and Bigelow) and one member from First Hill (Orr-Cahall). (Exhibit B, *Transcript* 1:6-21). None of the Design Review Board members are from the Eastlake Community. These Board members have chosen to reside in a region of Seattle with much more massive buildings up to 65 feet, and, sometimes, much taller. It's

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

no surprise that when the developer proposes at 40-foot tall building on a lot zoned for 30 feet, these members wonder what the big deal is. You can build up to 65 feet, and sometimes much taller, in their neighborhood. But, as we shall see below, the design review process, when properly conducted, does NOT merely ask the Board, as was done here, whether they like the building. Rather, the properly done design review process applies the design standards to a project; that's why members of the affected community are required as members of the DRB.

c. The design review process violated the Eastlake Neighborhood Plan because it discouraged interaction between the community, the developer, designers, and decision-makers.

The East DRB Final Recommendation meeting employed the "rigid hearing format" discouraged by the Eastlake Neighborhood Plan. The developer presentation was strictly separated from public comment which was strictly separated from Board deliberations. Immediately before the public comment period, East DRB Chair Nataly Gualy made the following remark, prohibiting public question of the developer's team: "I would just like to remind members of the public that this is not a question and answer session with the applicant. This is an opportunity for you to say what you would like to see in the project" (Exhibit B, *Transcript* 17:13-17). Later, when Board deliberations were beginning, Chair Gualy made clear that public interaction with the Board was prohibited: "So with that we are now to go to our Board deliberation period. We ask that the room remain silent during this time" (Exhibit B *Transcript* 27:13-15). During the deliberations someone from the audience wanted to ask "one clarifying question." DPD Planning

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

Supervisor Bolser cut off the question saying, " But this is the time for the Board to deliberate, so we need to let the Board deliberate at this time," (Exhibit B, Transcript 31: 6-8).

d. The design review process violated the Eastlake Neighborhood Plan because, for development departures, it did NOT analyze impacts or demonstrate and document the community benefits of the departures.

The very brief, confused discussion of the four departures appears in the Exhibit B transcript on pages 36:13 to 38:11. None of this could possibly be considered analysis, demonstration, or documentation. Yet, the description of this part of Board deliberations in the report of the meeting makes very detailed and false claims about what actually happened at the meeting. We discuss this inconsistency between what happened at the meeting and what was alleged in the report in our section below on violations of state law prohibiting the filing of a false report.

e. The design review process violated the Eastlake Neighborhood Plan because it did NOT identify, preserve, enhance and create residential views. The Project significantly blocks views and nothing was required of the Project to protect views.

The developer concedes that the Project blocks views, and even provides simulations showing which views are blocked and by how much. Exhibit H shows the blockage of views to the West, including Lake Union and Queen Anne Hill. Exhibit I shows blockage of view to the Northwest, including Lake Union, Queen Anne Hill, and the Aurora Bridge. The developer has chosen views from high perches across the street at

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

45 feet from Exhibit H and the third floor for Exhibit I. A more thorough study of views blockage would probably include significant blockage of views of the Seattle Center/Space Needle, the Olympic Mountain Range, Queen Anne Hill, the Aurora Bridge and Lake Union. Nevertheless, the developer takes no steps to "identify, preserve, enhance, and create" residential views. Part of the problem is the Big Box architecture which maximizes profits while eliminating views and also maximizing neighborhood degradation. The East DRB demonstrated no interest in views providing no conditions to protect views. Incidentally, it's striking how the proposed building dwarfs the buildings around it (Exhibit I).

VIOLATIONS OF THE SEATTLE MUNICIPAL CODE

In the City of Seattle, Design Review is regulated by SMC 23.41. According to the SMC 42.31.002, design review should assure that development "sensitively fits into neighborhoods," and meets "neighborhood objectives," as design review should also "improve communication and mutual understanding among developers, neighborhoods, and the City early and throughout the development review process."

a. The design review process violated the Seattle Municipal Code because the meeting wasn't conveniently located for the Eastlake Community.

SMC 23.41.008(E)(2) requires that, "All meetings of the Design Review Board **shall** be held…in a location which is…conveniently located…" (emphasis added). "Shall" means that the provision is required and not optional. As previously shown, the April 8, 2015 meeting of the East DRB was NOT conveniently located and appeared to

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

suppress public attendance from about 40 community participants in a non-statutory meeting held in the community on the Project to only about 6 community participants at this meeting far away from the Eastlake Community. DPD Director Sugimura indicated that it was DPD policy to hold meetings in the affected neighborhoods if possible. However, for this important, statutory meeting of the East DRB where final recommendations were made, the meeting was held miles away from the Eastlake Community at Seattle University, discouraging and suppressing public participation.

b. The design review process violated the Seattle Municipal Code because the Board failed to "synthesize" community input, showing little concern for public comment.

SMC 23.41.008(A)(1) directs that "...the Design Review Board shall: Synthesize community input on design concerns..." Again, the use of the word "shall" means that the direction to "synthesize community input" is mandatory. The Exhibit B verbatim transcript proves that the Board spent very little time on community input, mostly dismissing community input as unimportant. We return to this subject showing in the Design Guidelines violations section more specifically how public input was treated. A reader of the false report of the East DRB meeting (Exhibit A) might conclude, erroneously, that the East DRB did synthesize public comment, but, in fact, virtually no time was spent on public comment, which it appears East DRB members did NOT even read public comment.

SMC 23.41.014(E)(1) directs that, "During a regularly scheduled evening meeting of the Design Review Board, other than the early design guidance public

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

meetings, the Board shall review the record of public comments on the project's design…" Again, the use of the word "shall' means that the review of public comments is mandatory. The Exhibit B transcript shows that no such review ever took place. In fact, it appears that members of the East DRB didn't even read the numerous comments submitted to DPD on this project. Instead of reading the comments, Board members apparently relied on a very brief summary from DPD Planning Supervisor Bolser (Exhibit B Transcript 25:1-21). As Washington State Courts have long determined, making decisions without even reading the record is arbitrary and capricious behavior "without consideration for and in disregard of the facts" that renders those decisions null and void.

c. The design review process violated the Seattle Municipal Code by failing to find that the four approved departures resulted in a development that better meets the intent of the adopted design guidelines.

SMC 23.41.012 directs that, "Departures may be allowed if an applicant demonstrates that departures from the Land Use Code requirements would result in a development that better meets the intent of the adopted design guidelines." The Exhibit B transcript at 35:13-37:17 shows that there was no discussion of the intent of the adopted design guidelines and no discussion that the departures better meet the intent of the adopted design guidelines.

d. The most serious design review violations of the SMC are failing to review the record of public comments, review the project's conformance to the guidelines, and make a determination that the project complies with design guidelines.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

SMC 23.41.014(E)(1&2) directs that, "During a regularly scheduled evening meeting of the Design Review Board, other than the early design guidance public meetings, the Board shall review the record of public comments on the project's design, the project's conformance to the guideline priorities applicable to the proposed project, and the staff's review of the project's design and its application of the design guidelines…At the meeting of the Design Review Board, a determination shall be made by the Design Review Board that the proposed design submitted by the project proponent does or does not comply with applicable design guidelines."

The only public meeting held on this project, other than the two early design guidance public meetings, was the Final Recommendation meeting on April 8th. The record of East DRB deliberations is seen in Exhibit B, Transcript 27:12-38:20.

It's clear from the record that the East Design Review Board failed to do any of the three tasks required by the SMC, since "shall" means mandatory. The Board did NOT review public comments. In fact, it appears that the Board members didn't even read public comments themselves, but rather get a very brief summary of scores of comments by DPD staff (Exhibit B, *Transcript* 25:1-25:21).

The Board did NOT review the conformance of the Project with the design guidelines. In fact, the Board never even mentions the design guidelines. Instead, the Board identifies and discusses generalized issues. The generalized issues identified by the Board, which they called "talking points" were: materials, courtyard, alley, departures, rooftop, transitions and height-bulk-scale. No guidelines were mentioned in the

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

deliberations. The next section expands on why this discussion of talking points violates the Board's SMC-required task to determine the project's conformance to the guidelines.

Finally, the Board did NOT determine that the Project "does or does not comply with applicable design guidelines." The Board is required by the SMC to go through the applicable design guidelines checking the project for conformity with each guideline, and then determine whether the Project does or does not comply. The transcript is clear that nothing like these required deliberations ever happened. What happened is that the Board had a general discussion of talking point, but made no specific determination of compliance with the guidelines.

VIOLATIONS OF THE DESIGN GUIDELINES

The most common and insidious error for design review groups is that the group believes that the question being asked in design review is, "Does the group like this design?" or "Is the group comfortable with this design?" In fact, by law, the group is constrained to apply the design guidelines to a project, not their particular feelings about what the project should be, no matter how expert they are or believe themselves to be. Therefore, the group should be stepping through the design guidelines, comparing the project to the specific language of each guideline, and answering the question, "Does this design comply with the Design Guidelines passed by the City Council?"

Elected officials, using a public process, pass laws that include design guidelines and procedures for applying those guidelines to local projects. If the guidelines were clear and numeric, such as specifying the height of a building and the

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

method for measuring height, design review groups would not be necessary. Design review groups are needed because it takes judgment and experience to determine whether a local project complies with the guidelines. Design Review Boards are NOT allowed to apply their tastes to the design of a project, only to determine if the project complies with the guidelines. Regardless of whether the DRB likes or doesn't like the proposed building, they are required to determine only whether it complies with the Design Guidelines, and only approve the project if it does.

We maintain that the East Design Review Board members relied on their own subjective feelings in approving the Project violating the requirement of the SMC that they determine whether the local project complies with the Design Guidelines. The false report of the Final Recommendation meeting (Exhibit A) shows what the East DRB was supposed to be doing, stepping through the Design Guidelines and deciding, for each guideline, whether the Project complies, but the video/audio recording, the separate audio recording, and the transcript prove that's not what the East DRB did.

There are eleven Design Guidelines covering Context & Site (CS1, CS2, CS3), Public Life (PL1, PL2, PL3, PL4) and Design Concept (DC1, DC2, DC3, DC4). These are summarized in the Final Recommendation report (Exhibit A, pp. 11-14).

During the public comment period, Eastlake resident Sarah Armstrong referred to the design guideline that "requires that the proposal complement or transition to neighboring buildings. So you can see that the height of the proposed building would starkly contrast to the one-story apartment building across the alley to the west of the

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

site." Ms. Armstrong also refers to a design guideline that "requires the developer use topography to make this a successful fit with neighboring buildings. And as you can see, the height carries across the building and it's nearly seventy feet when you get to the alley. So seventy feet is in stark contrast to the buildings on the alley. So in a phrase of how I would like the design to, I would like the design to comply, the design be required that it step down to consider the neighboring buildings." (Exhibit B, Transcript 19:7-17)

The DRB did NOT determine that the proposed building transitions to the surrounding buildings. Curtis Bigelow claimed that the building "fits very well into the Eastlake bulk and scale," but doesn't show the required transition to surrounding buildings (Exhibit B Transcript 28:4-5). Dan Foltz also looks elsewhere in Eastlake for similar buildings and said "in the first and or second EDGs, we focused a lot on massing and there were concessions made by the applicant in order to maximize the impact of those reductions, so kind of, I've already, at least once or twice, looked at the massing critically," but again, Foltz doesn't show the required transition to surrounding buildings (Exhibit B Transcript 28:11-17). The question isn't whether the applicant has made concessions from a project way out of compliance with the design guidelines; the question is whether the project now complies with the guidelines. Krystal Brun appears to amend the guidelines so, according to her, you don't need to follow the guideline on the alley side saying, "Yes. I agree. Unfortunately with the topography such as this area that's always going to be. You're always going to have that feeling. But, I mean it's the back of the building. Well, I won't say the back of the building, but it's the alley side" (Exhibit B, Transcript 30:3-5)

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

Here, the Board members aren't following the guidelines to transition to surrounding buildings. The Board members are merely expressing their approval of the massing of an over-sized building that doesn't transition well to surrounding buildings. As previously mentioned, all five Board members have chosen to live in neighborhoods (Capitol Hill and First Hill) with much larger height limits. Naturally, they are comfortable with oversized buildings in Eastlake, but if the DRB consisted of Eastlake residents in compliance with the Eastlake Neighborhood Plan, the lack of transition from the Project to surrounding buildings would likely not be overlooked.

After the Board discussed the departures, it was time under SMC 23.41.014(E)(2) to determine whether the proposed project does or does not comply with applicable design guidelines. Of course, at that point, the DRB hadn't determined the conformance of the project with any of the guidelines They neglected to make that determination as required by law. Instead, Chair Natalie Gualy said, "So with that said it sounds like we are in agreement of. We're all in agreement of this project moving forward." Three Board members said, "Agreed"; the East Design Review Board adjourned. (Exhibit B, Transcript 38:12-15)

VIOLATION OF THE LOCAL PROJECT REVIEW ACT (RCW 36.70B)

This project doesn't meet current zoning so the Design Review Board and DPD are prohibited from considering the project. State law makes a clear distinction between the procedures that lead to development regulations, like zoning, and the procedures that lead to local project approval such as the design review considered here.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

Local agencies, such as this Board and DPD, are prohibited from revisiting previous zoning decisions, and so cannot consider this project because it doesn't meet current zoning.

RCW 36.70B governs local project review in this State. RCW 36.70B.030(1) requires that, "Fundamental land use planning choices made in adopted comprehensive plans and development regulations shall serve as the foundation for project review." "Shall" means that the direction is mandatory. These land use planning choices CANNOT be reexamined during project review. RCW 36.70B.030(3) explains that, "During project review, the local government or any subsequent reviewing board shall not reexamine alternatives..." on such issues as "type of land use permitted on the site" or "density of residential development."

The note to RCW 36.70B.030 explains the findings and intent of the Washington Legislature: "Given the extensive investment that public agencies and a broad spectrum of the public are making and will continue to make in comprehensive plans and development regulations for their communities, it is essential that project review start from the fundamental land use planning choices made in these plans and regulations... The project review process...should not reanalyze these land use planning decisions in making a permit decision."

Normally, the requirement that zoning PRECEDE local project review frustrates the public because, as non-professionals, the public has difficulty understanding the implications of zoning until local projects that comply with the zoning are proposed.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

Therefore, if a project is proposed that complies with zoning and the public objects, the public's objections are dismissed because state law prohibits revisiting zoning during local project review.

In the case of this project, in 1985/1986 there was an "extensive investment" that Eastlake neighbors made "in the development regulations for their community." The developer is prohibited from proposing a local project inconsistent with zoning and the Design Review Board and DPD are prohibited from considering a local project inconsistent with zoning. If the developer wants to propose a local project inconsistent with local zoning, which the developer admits in this case, the developer FIRST MUST OBTAIN A REZONE BEFORE proposing a local project, so the current project should have been rejected by the DRB and should be rejected by DPD.

The DPD and DRB have been made aware that they may be violating state law. Two comment letters from Aramburu & Eustis LLP were submitted to DPD before the April 8th meeting (Exhibit J and Exhibit K). During public comment at the meeting, the violation of the Local Public Review Act was again raised (Exhibit B, Transcript 22:22-23:2). Nevertheless, DPD and the DRB appear to have ignored the apparent violation of state law. DPD hasn't provided any rationale that explains how doing zoning and project review at the same time is legal. The DRB didn't even mention the apparent violation of the Local Project Review Act.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

VIOLATION OF RCW 42.20.040: FILING A FALSE REPORT

We are concerned that the report of the East Design Review Board Final Recommendation meeting is a false report, making it appear that the Board systematically considered the design guidelines, when, in fact, Board members did NOT reference design guidelines at the meeting, as evidenced by the video/audio and separate audio recordings and the transcript of those recordings. RCW 42.20.040 provides penalties for, "Every public officer who shall knowingly make any false or misleading statement in any official report or statement…"

The recordings show that the East Design Review Board April 8th meeting was unsystematic and confused – no motions, no votes, no determinations, no findings. The few "decisions" were of the form, "We want to do this, right?" The report paints a very different picture of systematic review of the design guidelines, but the report is false.

The report begins on page 1with the false claim that only four of five Board members were present. In fact, five members of the Board were present. Exhibit L is a screen-shot of these city officials taken from the video/audio recording. From left to right, they are DPD's Shelley Bolser, followed by the five DRB members in the order they introduced themselves at the beginning of the meeting: Natalie Gualy, Dan Foltz, Christina Orr-Cahall, Krystal Brun, and Curtis Bigelow (Exhibit B, Transcript 1:5-21).

The report fails to name Krystal Brun, the new member of the East Design Review Board. Exhibit M shows Brun's LinkedIn page indicating that she became a DRB member in August 2014. The Board's early design guidance meetings on this Project were

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

in May 2014 and July 2014, so the Project is new to Brun and this is the first time this Board as a whole has deliberated on this project.

The report lists eight of the eleven design guidelines along with sub-guidelines on pages 11-14, but the DRB did NOT go through these guidelines. The so-called "final recommendations" on pages 10-11 reference the listed guidelines, as if the Board applied those guidelines to the project, but, in fact, those guidelines weren't referenced during the meeting.

The report makes many statements of what happened at the meeting that find no support in the recordings. For example, the report claims that, "The Board felt the design with the southeast courtyard and related landscape plan provided a more substantial public benefit than maintaining the Exceptional Tree." No such discussion appears on the recordings. Architect Mariano briefly mentions the Exceptional Tree (Exhibit B, Transcript 5:7-21) and the report references a "Second Recommendation" meeting, which appears to be the second early design guidance meeting, but THIS is the meeting for the Board to make its recommendations and the recordings don't show any recommendation.

The report puts words in the **Board's** mouth for issues where the Board made no motion, took no vote, and made no determinations or findings. For example, on page 10 the report claims, "The Board noted that the question of building massing and related analysis had been previously addressed in the Early Design Guidance..." The Board didn't note that. Dan Foltz made that statement (Exhibit B, Transcript 28:10-17) to cut off discussion on the subject of massing that most interested the public.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

The report claims on page 15 that the Board approved the first departure because the departure provided entries to the building that are more directly connected with the adjacent sidewalk providing an overall design that would better meet the intent of Design Review Guideline PL-3. But it's clear from the transcript that didn't happen (Exhibit B, Transcript 36:13-28-37:1-2). The Board didn't support that reason for the departure, which is probably necessary to get a departure. The Board supported the departure based on a speculative height the building may achieve based on rezoning.

We request that the Director carefully review the recordings and transcript of the East Design Review Board Final Recommendation meeting BEFORE relying on the report of that meeting (Exhibit A) to make any recommendations to the Hearing Examiner and City Council.

Mid-Eastlake Neighbors
c/o Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

Exhibit A

City of Seattle

Department of Planning & Development
D. M. Sugimura, Director

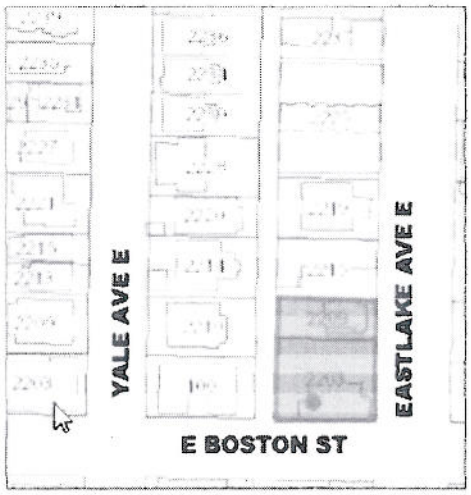
REVIEW

FINAL RECOMMENDATION OF THE
EAST DESIGN REVIEW BOARD

Project Number:	3016024
Address:	2203 Eastlake Avenue E
Applicant:	Maria Barrientos, Barrientos LLC
Date of Meeting:	Wednesday, April 08, 2015
Board Members Present:	Natalie Gualy (Chair) Curtis Bigelow Dan Foltz Christina Orr-Cahall
Board Members Absent:	Kevin Price
DPD Staff Present:	Shelley Bolser

SITE & VICINITY

Site Zone:	Split zoned Neighborhood Commercial One (NC1-P30) and Lowrise Two (LR2 RC)
Nearby Zones:	North: LR2 RC South: NC1P-30 East: NC1P-30 West: LR3
Lot Area:	12,296 sq. ft.
Current Development:	Retail store and office building.



Surrounding Development:	The subject site is located on the northwest corner of Eastlake Avenue E and E Boston Street. The subject lot is currently split zoned Neighborhood Commercial One with a Pedestrian Overlay (NC1P-30) and Lowrise Two multifamily with a Residential Commercial Overlay (LR2 RC). Lots to the south and east are zoned NC1P-30. Lots to the north are zoned LR2 RC. Lots to the west, across the alley are zoned Lowrise Three (LR3). The site contains two parcels with two existing commercial buildings. The site contains an approximately 10 foot grade change from the east to the west property line. The west lot line, along the alley, is the low point of the site. To the north is a two story motel. To the south is a one story restaurant and to the east is an office building and a multistory residential structure. To the west across the alley is a multifamily structure.
ECAs:	None.
Neighborhood Character:	This neighborhood, located within the Eastlake Residential Urban Village, includes multifamily housing, community services, restaurants and shopping. Eastlake Avenue E contains a number of multi-story multifamily mixed use structures and one story commercial structures. To the west, three blocks, is Lake Union. Two blocks to the east is Interstate 5. Uses along Eastlake Avenue Street are varied and include single family homes, multifamily apartment buildings, multi-story mixed used building and commercial structures. Zoning along Eastlake Avenue E is primarily Neighborhood Commercial with heights ranging from 30-40 feet. Pockets of Lowrise multifamily zoning are also located on Eastlake Avenue E particularly south of the Eastlake Avenue E and E Boston Street intersection. Zoning is almost entirely multifamily one half block to the east and west of the Eastlake corridor. The majority of buildings are between one and two stories with a few three and four story structures. Within walking distance from the site, services include a restaurants, grocery stores, shopping, and parks. Natural amenities in the area include Lake Union. Eastlake Avenue E is a major Metro bus corridor providing service from Downtown Seattle to many districts north of Lake Union. Eastlake Avenue E provides connections to the Burke Gilman Trail. Eastlake Avenue E is designated as a principal arterial street. After the first EDG meeting, an Exceptional Tree was identified near the north property line. The 26" Japanese Maple was determined to be in good health.

PROJECT DESCRIPTION

Council Land Use Action to rezone a parcel of land from NC 1P 30' and LR2 RC to NC 2P 40' (CF #314127). Project includes future construction of a 5-story structure containing 45 residential units and 3,423 sq. ft. of commercial space at ground level. Parking for 39 vehicles to be provided below grade. Existing structures to be demolished.

EARLY DESIGN GUIDANCE MEETING: May 14, 2014

DESIGN PRESENTATION

The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number (3016024) at this website: http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The EDG packet is also available to view in the project file (project number 3016024), by contacting the Public Resource Center at DPD:

Mailing Address: **Public Resource Center**
700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

PUBLIC COMMENT

The following comments, issues and concerns were raised during the public comment portion of the Early Design Guidance meeting:

- Would like to see the height of the structure reduced to maintain existing views.
- Would like to see the retail spaces located partially below grade to reduce the overall structure height.
- Felt an upper level setback should be provided on the south façade at the 3rd floor level to preserve views adjacent to the right-of-way.
- Noted the building would benefit from an additional ground level setback on the south facade, adjacent to the sidewalk to provide additional landscaping.
- Felt proposal is out of scale with the existing structures.
- Concerned building will reduce available sunlight on Eastlake Ave E.
- Felt proposal should contribute to the historic character of the neighborhood by providing thoughtful streetscape, planting, signs, and lighting.
- Preferred high-quality materials used throughout the building.
- Preferred massing Scheme One which is a story lower.

- Would like to see landscaping maximized at ground level.
- Would like to see a more traditional building and material application respectful of the surrounding neighborhood.

SECOND EARLY DESIGN GUIDANCE MEETING: July 23, 2014

The packet includes materials presented at the meeting, and is available online by entering the project number at this website:
http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp
or contacting the Public Resource Center at DPD:

Address: **Public Resource Center**
700 Fifth Ave., Suite 2000
Seattle, WA 98124
Email: PRC@seattle.gov

PUBLIC COMMENTS

Several members of the public were in attendance at the Second Early Design guidance meeting held on July 23, 2014. The following comments, issues and concerns were raised:

- Felt the maximum allowed building height should be measured from the low point of the site to the top of the stair and elevator penthouse.
- Would like to see the courtyard designed to be open and inviting.
- Felt a third massing option which maintains both the tree and courtyard should be provided.
- Felt the tree massing option can incorporate an appropriate corner treatment.
- Expressed concern about the reduced north setback, noting the smaller setback would impact light and air to adjacent properties.
- Expressed concern regarding the height and bulk of a four story façade on Eastlake Ave E.

FINAL RECOMMENDATION MEETING: APRIL 8, 2015

The packet includes materials presented at the Recommendation meeting, and is available online by entering the project number at this website:
http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp

or contacting the Public Resource Center at DPD:

Address: **Public Resource Center**
700 Fifth Ave., Suite 2000

Seattle, WA 98124
Email: PRC@seattle.gov

DESIGN DEVELOPMENT

The applicant noted that the proposed development design is focused on providing large windows and curated retail spaces to complement the Eastlake neighborhood.

There is an Exceptional Tree on site near the alley, which is currently growing in a structure. The applicant noted that the project arborist evaluated the tree and found that due to the existing conditions, the tree would be unlikely to survive adjacent development. The applicant showed graphics demonstrating the impacts tree retention would have on the proposed development, and explained that the proposal is to remove the tree in favor of providing better landscaped usable open space on the site.

The applicant summarized changes to the design in response to the Second EDG meeting and DPD staff input, including modified setbacks and departure request for the north façade, extending the building near the northeast corner to create a strong street wall, with an upper level setback of 3'3" above the base. A 5'3" upper level setback was shown at the Boston St (south) façade, to preserve public views toward Lake Union to the west. The alley façade would also be setback 8'3" above the base. The applicant explained that landscaping and paving will be designed to provide public seating opportunities in the plaza and street edges, with layered landscaping at the south edge and adjacent to the alley residential units. The Boston St façade was shown with a cable rail system for climbing vines.

The applicant noted that the intent of the proposed design concept is to create a heavy masonry base with a lighter top, in response to similar nearby context. Dark bronze metal accents would be used at windows and balcony railings. The intent of the signage and lighting plans express minimalism and integration with the building design. In response to Board questions, the applicant further clarified that the north façade treatment would possibly include green screens with climbing vines, or art.

Two of the departures were clarified at the meeting. The floor to floor height was requested to be 12'3" in order to have commercial spaces with entries at the same grade as the sidewalk. The departures for setbacks were in response to the increased setbacks at the south, west, and northwest edges and the Board's request to hold the street edge at Eastlake Ave E.

PUBLIC COMMENTS

Several members of the public were in attendance at the Final Recommendation Meeting held on April 8, 2015. The following comments, issues and concerns were raised:

- The analysis of the context in the presentation should have focused on the subject property block rather than sites further north and south on Eastlake Ave E. The immediate context is lower height buildings.
- The proposed development should be designed with minimal or no structures on the roof, similar to nearby context.
- The proposed development massing should step down on all sides, in response to the lower height buildings and the change in topography to the west.
- The public notice of the meeting location was confusing.
- Concerned about traffic and vehicular circulation in the alley.
- The entry ramp in the southeast plaza should be lower or flat to make the plaza more usable.
- The departure to reduce the floor to floor height for the commercial spaces should not be granted in order to make the commercial spaces more viable for future uses.
- Concerned with the review process that requires design review meetings in advance of a rezone decision.
- Any commercial parking provided in the garage should have proper signage and easy circulation.
- The overhead pedestrian weather protection should be deeper than 3'.
- The overall development is too large for the neighborhood.

The DPD Planner also summarized public comment that related to design review, and was received by DPD prior to the Recommendation meeting:

- The building should be designed to transition to lower nearby buildings and zones (CS3 and DC2)
- The proposed design should be designed using the examples in Guideline CS2 to:
    - Reduce height, bulk, and scale
    - Maintain light and air to nearby buildings and streets
    - Preserve public views from adjacent streets to Lake Union
    - Step down to the west, with the topography
- Rooftop stair towers should be oriented east-west to maximize views across the site and minimize appearance of building height
- Support for the proposal's increased retail along Eastlake
- Support for the proposal's positive impact on pedestrian activity
- Support for the overall design
- Support for the removal of existing curb cuts that impact pedestrians and bicyclists
- Development along Eastlake should focus on the streetscape as a hub of the neighborhood, rather than a corridor
- Support for the proposed southeast corner plaza

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the

following siting and design guidance. The Board identified the Citywide Design Guidelines of highest priority for this project.

EARLY DESIGN GUIDANCE May 21, 2014

1. **Massing. The Board felt Massing Option 3 should move forward to MUP submittal with the following guidance:**
   a) The Board preferred Massing Option 3 which locates the central entry courtyard at the corner of Eastlake Avenue E and Boston Street. The Board agreed the corner courtyard promotes pedestrian activity, provides a gateway to the community, and sets a precedent for a more open intersection (CS2-C, PL1-A2, PL3-A2).
   b) The Board noted Massing Option 3 was preferable with commercial uses on each street and live work uses wrapping onto the alley. At the Recommendation Meeting, the Board requested vignettes of each façade to show how the commercial spaces relate to the pedestrian experience (CS2-B2, PL3-B3).

2. **Eastlake Avenue. The preferred massing proposal includes commercial space at ground level with residential units above.**
   a) The Board provided guidance to maintain a strong street wall along Eastlake Ave E to the north property line in the area of the required setback (CS3-A).
   b) The Board also noted they were amenable to additional departure requests along the north setback. The Board felt the structure adjacent to Eastlake Avenue E should be located adjacent to the north property line. The Board provided guidance that further reduction in the north setback should facilitate a generous south setback to provide a larger courtyard space and landscape buffer along the south street property line (CS2).
   c) The Board encouraged the applicant to consider an optional second EDG meeting to resolve any proposed changes to the massing location along the north and south property lines (CS2).
   d) The Board provided guidance stating the ground level street façade must maintain a strong street edge, but that the upper levels should be setback. The Board felt the provided setback should provide relief from the large façade on Eastlake Ave E. The Board did not state a setback requirement but thought an investigation of successful upper level setbacks in the neighborhood could inform an appropriate setback (CS2-D4 and D5).
   e) The Board felt the applicant should investigate use of the setback as a private amenity feature for residents (CS2-B).

3. **Entry Courtyard. The preferred massing option locates a common entry courtyard at the corner intersection.**
   a) The Board felt the courtyard provides the opportunity for the building to transition from the commercial Eastlake façade to the quieter more residential Boston street. At the Recommendation Meeting, the Board requested information on the design of

the courtyard to create a quality open space activated by spillover of commercial uses and resident's path of travel (PL1, PL3).

b) The Board noted the applicant should study existing neighborhood developments such as the Cloe and Eastlake lofts for examples of successful activation of space (PL3).

4. **Boston Street. The preferred massing option locates live work units at the ground level with residential units above.**
   a) The Board noted the south façade needed a more successful transition to the residential neighborhood. The Board felt this transition could be achieved in a variety of ways, but felt the applicant should investigate an upper level setback above the live work units. Board provided an example of a two story live work base with a setback above as potential solution (CS2-D).
   b) The Board noted the live work entry off Boston was important to break the up the ground level massing while providing additional opportunities to incorporate landscaping. At the Recommendation Meeting, the Board requested vignettes of the pedestrian experience and the live work entry treatment (PL3-B).

5. **Roof. The Board noted the overall grade transition down to Lake Union will provide views onto the roof surface.**
   1. The Board felt the roof should be developed as a 5th façade. The Board noted that the addition of the green roof would help add visual interest to the roof plane (CS2)
   2. At Recommendation, the Board would like to see additional detail on the development of the roof as a common amenity space maximizing the existing views to the lake (CS2-B).

6. **Material and Architectural Context. The Board felt the architectural and material concept should be informed by existing building context.**
   a) The Board felt the proposed building should incorporate material cues, such as brick, to reference the existing context (CS3-A4, DC4-A).
   b) The Board noted the application should include durable long lasting materials at the base. The Board requested complete material demonstration at the Recommendation Meeting (CS3-A-4, DC4-A).
   c) The Board would like to see the architectural concept evolve to include large windows (DC2).
   d) At the Recommendation Meeting, the Board requested street level vignettes demonstrating the material application on Eastlake Ave E and Boston Street facades (DC4).

SECOND EARLY DESIGN GUIDANCE: July 23, 2014

A second EDG meeting was held to determine whether the exceptional tree should be maintained on site with a revised massing alternative.

At the Second Early Design Guidance meeting, the Board discussed the response to the EDG and offered the following recommendations for the proposal to meet the applicable Design Review Guidelines identified at the EDG meeting.

1. **Massing. The Board unanimously preferred massing scheme 1 which maintains an open entry courtyard at the intersection of E Boston Street and Eastlake Ave E.**
    a) The Board felt the courtyard massing option provides a more substantial public benefit than maintaining an Exceptional Tree that cannot be seen from either right-of-way (CS2-A, CS2-B, CS2-C).
    b) The Board agreed the preferred massing option provided the better design solution by incorporating a more generous setback at ground level along E Boston Street and the alley. The Board felt the additional setback space should be treated to provide a visual amenity to passing pedestrians (PL1-A).
    c) The Board was pleased with the upper level setbacks provided on floors 2-4 adjacent to the right-of-way. The Board agreed the revised street facade massing provided an appropriate response to the First Early Design Guidance provided (CS2-D).
    d) At the Recommendation Meeting the Board would like to see rendering and perspectives taken from each side of the building (CS2-D).

2. **Courtyard. At the Recommendation Meeting, the Board would like to see a fully designed courtyard space with hardscape material, landscape plantings, materials, lighting and signage identified.**
    a) The Board felt the entry courtyard should include a substantial tree canopy to soften the hard edge of the building and provide human scale (PL1-A, PL3-A, DC4-D).
    b) The Board agreed the example courtyard imagery provided within the 2nd Early Design Guidance packet suggested a positive direction for the courtyard treatment (PL1-A, PL3-A).
    c) The Board did not fully understand the use and design of the trellis within the courtyard area. If the trellis is maintained moving forward the Board would like to see more detail on the materials and landscaping proposed. The Board was particularly concerned with how the trellis will look in winter (DC4-D1).
    d) The Board noted the context has a small neighbor character. The Board would like to see the courtyard space developed with a sense of intimacy (PL1-A, PL3-A0, DC4-D).

3. **Live Work Unit Along the Alley. The Board supported living spaces along the alley with entrances to live work and residential units.**
    a) The Board noted the applicant should explore how the live work entry on the alley will function if the space is ever converted to a residential use. The Board felt the entry should be visible but also maintain a sense of privacy (PL3-A).
    b) The Board expressed support for slightly elevated terraces along the alley to provide a sense of separation between the alley and the residential uses (PL2-B).

4. **E Boston Street. The Board discussed the substantial grade change on E Boston Street and noted the live work unit is two stories. The Board felt additional efforts were necessary to define the relationship between the live work unit and the adjacent sidewalk.**
    a) The Board provided guidance to explore how the building, live work floor levels, and fenestration meet the adjacent sidewalk grade. At the Recommendation Meeting, the Board would like to see how the live work unit is designed to create a comfortable transition between the unit, sidewalk, and the alley (PL3-B).
    b) At the Recommendation Meeting, the Board would like to see a detailed landscape plan which provides a multilayered landscape buffer within the setback space provided on E Boston Street (DC4-D).

5. **Architectural Concept. The Board supported the modern, highly transparency architectural and material concept presented with the 2nd Early Design Guidance Packet.**
    a) The Board felt the architectural and material concept should be informed by existing building context. The Board did note they support the use of masonry at ground level (CS3-A4, DC4-A).
    b) The Board noted the level of transparency and size balconies presented within the 2nd Early Design Guidance packet created a handsome building that should be maintained as the design progresses (DC4-A).

FINAL RECOMMENDATIONS: APRIL 8, 2015

1. **Height, Bulk, and Scale. The Board discussed the design response to the nearby context, including the adjacent block and the context of the Eastlake neighborhood beyond that block, based on images in the packet and the Board's experience visiting the site and neighborhood.**
    a) The Board noted that the question of building massing and related analysis had been previously addressed in the Early Design Guidance meetings, and the design is consistent with the Board's guidance on massing. (CS2-D, DC2-A)
    b) The setbacks as shown for the upper building levels help to ease the massing transition to adjacent development and address the change in topography from east to west. (CS1-C, CS2-D)
    c) The Board acknowledged that the sloped topographical conditions of the Eastlake neighborhood can be challenging, but the proposed setback at the alley creates a sufficient transition to the west. (CS1-C, CS2-D, DC2-A)
    d) The Board agreed that the upper level balconies were designed to provide visual interest without adding additional bulk to the building. (CS2-D)

2. **Exceptional Tree.** The Board felt the design with the southeast courtyard and related landscape plan provided a more substantial public benefit than maintaining the Exceptional Tree. As the Board noted in the Second Recommendation meeting, the tree can only be seen from the alley, but the street facing courtyard will have open space available for public use (CS2-A, CS2-B, CS2-C, DC4-D)

3. **Materials. The Board recommended approval of the materials palette, which provides a quiet façade, elegant overall composition, and expresses the architectural concept.** (CS2-C, CS3-A, DC2-B, DC4-A)

4. **Courtyard. The proposed southeast courtyard is designed to clearly identify the primary building entry and provide usable open space adjacent to the street.**
   a) The Board recommended approval of the courtyard design, with the ramp to provide direct access to the residential entry. The ramp serves to delineate the potential outdoor seating area from the entry route. (PL3-A)
   b) The Board recommended approval of the courtyard design, removal of the trellis that was proposed at EDG, and the overall design response to the corner. (CS2-B, PL1-A)

5. **Alley. The Board recommended approval of the vehicular alley access, and noted that the 20' public right of way in the alley is wider than many other alleys with garage entries. Therefore, the Board did not recommend any additional design measures related to safety.** (PL2-B)

6. **Roof Deck. The Board recommended approval of the roof deck design. The Board suggested the applicant consider expanding the roof deck to the east edge of the building to activate the street frontage and provide visual interest for neighbors uphill to the east, but declined to recommend a condition for that change.** (DC2-B, DC4-D)

7. **North Façade. The Board noted the applicant's proposal to include green screens with climbing vines or art at the north façade, in the area without fenestration. The Board suggested that the applicant consider a variation in siding or other visually interesting treatment, since the façade is visible from Eastlake Ave E. However, the Board declined to recommend a condition for this item.** (CS2-D-5)

DESIGN REVIEW GUIDELINES

The priority Citywide and Neighborhood guidelines are summarized below. For the full text please visit the Design Review website.

CONTEXT & SITE

CS1 Natural Systems and Site Features: Use natural systems/features of the site and its surroundings as a starting point for project design.

CS1-A Energy Use

CS1-C Topography

CS1-C-2. Elevation Changes: Use the existing site topography when locating structures and open spaces on the site.

CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

CS2-A Location in the City and Neighborhood

CS2-A-1. Sense of Place: Emphasize attributes that give a distinctive sense of place. Design the building and open spaces to enhance areas where a strong identity already exists, and create a sense of place where the physical context is less established.

CS2-A-2. Architectural Presence: Evaluate the degree of visibility or architectural presence that is appropriate or desired given the context, and design accordingly.

CS2-B Adjacent Sites, Streets, and Open Spaces

CS2-B-1. Site Characteristics: Allow characteristics of sites to inform the design, especially where the street grid and topography create unusually shaped lots that can add distinction to the building massing.

CS2-B-2. Connection to the Street: Identify opportunities for the project to make a strong connection to the street and public realm.

CS2-B-3. Character of Open Space: Contribute to the character and proportion of surrounding open spaces.

CS2-C Relationship to the Block

CS2-C-1. Corner Sites: Corner sites can serve as gateways or focal points; both require careful detailing at the first three floors due to their high visibility from two or more streets and long distances.

CS2-D Height, Bulk, and Scale

CS2-D-1. Existing Development and Zoning: Review the height, bulk, and scale of neighboring buildings as well as the scale of development anticipated by zoning for the area to determine an appropriate complement and/or transition.

CS2-D-2. Existing Site Features: Use changes in topography, site shape, and vegetation or structures to help make a successful fit with adjacent properties.

CS2-D-3. Zone Transitions: For projects located at the edge of different zones, provide an appropriate transition or complement to the adjacent zone(s). Projects should create a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zone and the proposed development.

CS2-D-4. Massing Choices: Strive for a successful transition between zones where a project abuts a less intense zone.

CS2-D-5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy of residents in adjacent buildings.

CS3 Architectural Context and Character: Contribute to the architectural character of the neighborhood

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-4. Evolving Neighborhoods: In neighborhoods where architectural character is evolving or otherwise in transition, explore ways for new development to establish a positive and desirable context for others to build upon in the future.

PUBLIC LIFE

PL1 Connectivity: Complement and contribute to the network of open spaces around the site and the connections among them.

PL1-A Network of Open Spaces

PL1-A-1. Enhancing Open Space: Design the building and open spaces to positively contribute to a broader network of open spaces throughout the neighborhood.

PL1-A-2. Adding to Public Life: Seek opportunities to foster human interaction through an increase in the size and quality of project-related open space available for public life.

PL2 Walkability: Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.

PL2-B Safety and Security

PL2-B-1. Eyes on the Street: Create a safe environment by providing lines of sight and encouraging natural surveillance.

PL2-B-2. Lighting for Safety: Provide lighting at sufficient lumen intensities and scales, including pathway illumination, pedestrian and entry lighting, and/or security lights.

PL2-B-3. Street-Level Transparency: Ensure transparency of street-level uses (for uses such as nonresidential uses or residential lobbies), where appropriate, by keeping views open into spaces behind walls or plantings, at corners, or along narrow passageways.

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-1. Design Objectives: Design primary entries to be obvious, identifiable, and distinctive with clear lines of sight and lobbies visually connected to the street.

PL3-A-2. Common Entries: Multi-story residential buildings need to provide privacy and security for residents but also be welcoming and identifiable to visitors.

PL3-A-3. Individual Entries: Ground-related housing should be scaled and detailed appropriately to provide for a more intimate type of entry.

PL3-A-4. Ensemble of Elements: Design the entry as a collection of coordinated elements including the door(s), overhead features, ground surface, landscaping, lighting, and other features.

PL3-B Residential Edges

PL3-B-3. Buildings with Live/Work Uses: Maintain active and transparent facades in the design of live/work residences. Design the first floor so it can be adapted to other commercial use as needed in the future.

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-A Massing

DC2-A-2. Reducing Perceived Mass: Use secondary architectural elements to reduce the perceived mass of larger projects.

DC2-B Architectural and Facade Composition

DC2-B-1. Façade Composition: Design all building facades—including alleys and visible roofs— considering the composition and architectural expression of the building as a whole. Ensure that all facades are attractive and well-proportioned.

DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.

DC4-A Exterior Elements and Finishes

DC4-A-1. Exterior Finish Materials: Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

DC4-A-2. Climate Appropriateness: Select durable and attractive materials that will age well in Seattle's climate, taking special care to detail corners, edges, and transitions.

DC4-B Signage

DC4-B-1. Scale and Character: Add interest to the streetscape with exterior signs and attachments that are appropriate in scale and character to the project and its environs.

DC4-B-2. Coordination with Project Design: Develop a signage plan within the context of architectural and open space concepts, and coordinate the details with façade design, lighting, and other project features to complement the project as a whole, in addition to the surrounding context.

DC4-C Lighting

DC4-C-1. Functions: Use lighting both to increase site safety in all locations used by pedestrians and to highlight architectural or landscape details and features such as entries, signs, canopies, plantings, and art.

DC4-C-2. Avoiding Glare: Design project lighting based upon the uses on and off site, taking care to provide illumination to serve building needs while avoiding off-site night glare and light pollution.

DC4-D Trees, Landscape, and Hardscape Materials

DC4-D-1. Choice of Plant Materials: Reinforce the overall architectural and open space design concepts through the selection of landscape materials.

DC4-D-2. Hardscape Materials: Use exterior courtyards, plazas, and other hard surfaced areas as an opportunity to add color, texture, and/or pattern and enliven public areas through the use of distinctive and durable paving materials. Use permeable materials wherever possible.

DC4-D-3. Long Range Planning: Select plants that upon maturity will be of appropriate size, scale, and shape to contribute to the site as intended.

DC4-D-4. Place Making: Create a landscape design that helps define spaces with significant elements such as trees.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation was based upon the departures' potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departures.

1. **Street Level (SMC 23.47A.012):** The code requires a minimum commercial floor to floor height of 13 feet in order to obtain an additional four feet in height. The applicant proposed a floor to floor height of 11'-4 to 12'-2" in order to allow for commercial entries to be level with the adjacent sidewalk and avoid stairs or ramps to the commercial spaces.

   This departure would provide an overall design that would better meet the intent of Design Review Guideline PL-3 by providing entries that are more directly connected with the adjacent sidewalk, and Design Review Guideline CS2-B by designing the commercial spaces to connect to the sidewalk and respond to the change in topography.

   The Board unanimously recommended that DPD grant the departure, based on the proposed design with direct connections between the sidewalk and commercial spaces. The Board also observed that if the Director approves the additional 4' of building height, and a 13' floor to floor base were required, the overall building would be 10" taller than the proposed development.

   The proposed departure is for the floor to floor height only. The DPD Director will make the decision whether to grant the additional 4' height as a Type I decision, based on several criteria in SMC 23.47A.012.

2. **Setbacks (SMC 23.47A.014.B.1):** The code requires a setback at the intersection of a side and front lot line in a residential zone. The resulting setback is a 15 foot triangular area at the northeast corner of this site. The applicant proposed a zero-foot setback in this area.

   This departure would provide an overall design that would better meet the intent of Design Review Guideline CS3-A by maintaining a strong street wall along Eastlake Ave E, consistent with the Board's first Early Design Guidance for this proposal.

   The Board unanimously recommended that DPD grant the departure.

3. **Setbacks (SMC 23.47A.014 E):** The code requires 15 foot setback for structures over 13 feet in height abutting a lot in a residential zone. The applicant proposes to eliminate the setback along the north property line for a length of 30'9" near the east edge, and provide a 5'3" setback for the north façade in the western portion of the property.

   The proposed design with a reduced setback on the north, courtyard on the southeast corner, strong street wall on Eastlake Ave E, and upper level setbacks better meets the intent of PL1-A and CS2-D. The Board clarified that the proposed design creates a strong street wall, provides windows on a portion of the north façade, and results in a design that transitions well to nearby context.

   The Board unanimously recommended that DPD grant the departure.

4. **Setbacks (SMC 23.47A.014.E):** The code states no entrance, window, or other opening is permitted closer than 5 feet to an abutting residentially zoned lot. The applicant proposed windows and openings within 5 feet of a residentially zoned lot to the north of the site. The residentially zoned lot is currently occupied by a lodging use with a surface parking lot adjacent to the subject site. Windows on the east façade would be within 1'5" of the north property line.

   This departure would provide an overall design that would better meet the intent of Design Review Guideline CS3-A by maintaining a strong street wall along Eastlake Ave E, consistent with the Board's first Early Design Guidance for this proposal. The addition of windows on the east façade will not create privacy impacts to the existing neighbor to the north or any future development at that site. The addition of windows on the east façade is consistent with the rest of the design concept and expression of the building design, and therefore better meets the intent of DC-2.

   The Board unanimously recommended that DPD grant the departure.

RECOMMENDATION

The recommendation summarized above was based on the design review packet dated April 8, 2015, and the materials shown and verbally described by the applicant at the April 8, 2015 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design with no conditions.

Exhibit B

CITY OF SEATTLE
DEPARTMENT OF PLANNING AND DEVELOPMENT (DPD)

VERBATIM REPORT OF PROCEEDINGS
EAST DESIGN REVIEW BOARD (DRB)
FINAL RECOMMENDATION MEETING
PROJECT # 3016024
APRIL 8, 2015

SPEAKERS:

For the DPD:	**SHELLEY BOLSER**
For the EAST DRB:	**NATALIE GUALY, CHAIR** **DAN FOLTZ** **CHRISTINA ORR-CAHALL** **KRYSTAL BRUN** **CURTIS BIGELOW**
For the Applicant:	**MARIA BARRIENTOS** **MIKE MARIANO**
For the PUBLIC:	**SARAH ARMSTRONG** **CHARLES WHEELER** **EMILY WHEELER** **IRA APPELMAN**

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

April 8, 2015 PROCEEDINGS 7:40PM

NATALIE GUALY: Thanks for being here. My name is Natalie Gualy. I'm Chair of the East Design Review Board. I'm also the development representative. I live on Capitol Hill and I work for a local Seattle development company. So now I'm going to have my colleagues introduce themselves.

DAN FOLTZ: I'm Dan Foltz. I'm an architect. I live on Capitol Hill and I represent residential interests.

CHRISTINA ORR-CAHALL: Hi. I'm Christina Orr-Cahall. I live on First Hill. I'm an architectural historian, and I represent the community.

KRYSTAL BRUN: My name's Krystal Brun. I live in Capitol Hill. I'm an engineer and I represent Get Engaged.

CURTIS BIGELOW: My name is Curtis Bigelow. I'm an architect. I represent... business interests...sorry. And I live in north Capitol Hill.

NATALIE GUALY: So we are here to review the project at twenty-two zero three Eastlake Avenue East. DPD received an application from Maria Barrientos to develop a five-story structure containing forty-five residential units and three thousand square feet of commercial space at ground level. Parking for thirty-nine vehicles will be provided below grade, and the existing structures will be demolished. The project is subject to design review process because of its size-

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

threshold in this zone. Previous meetings we have had for this project were on May 14, 2014 and July 23, 2014. At the EEG, the Board heard public comment and offered early design guidance at that meeting. Tonight the Board will review the additional design materials the developer has produced, we will further clarify the proposal details, consider and vote on departures requests if any, and we will offer design recommendations for this project moving forward. Tonight's overview of the meeting will go as follows. We will have a twenty minute presentation by the architect. We'll have ten minutes for Board clarifying questions. We'll then jump to twenty minutes of public comment period. And then we'll have 25 minutes of Board deliberation. Parties of record and the public will be notified of the next step in the process and what further steps can be taken. And I just want to remind the public that this is a chance for your voice to be heard so please, as the architect is making their presentation, be mindful of comments you've made to better enhance this project. So I'm now going to turn it over to Land, to Shelley who's [unintelligible word] land use planner.

SHELLEY BOLSER: *Hi there. I'm Shelley Bolser and a lot of you* might have remembered me from last week's meeting. And apparently, if we want to have a nice day, we just have a meeting for this project. So I'm covering for Lindsay King who is the planner assigned to this project, and she's out on parental leave. And I will be taking it through the recommendation process at least, and possibly further into the rezone process. Tonight's meeting, specifically, is only about design review issues and so there are agendas by the front table there, and on

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

the back of the agenda are the design review guidelines, and that's what the Board is tasked with, specifically, so they cannot comment on or opine on the rezone or anything related to that. That's DPD's role. And what they can do – they're a Board of volunteers -- and their job is to recommend to DPD about how the design that's going to be presented tonight, responds to those design review guidelines, and then also the direction from the previous early design guidance meetings. So following this meeting, if this is the last meeting for this project for design review. Then the Board would recommend approval, perhaps with conditions, we would move forward and I would continue with the rezone analysis and also the environmental review. About two weeks after tonight's meeting they'll be a report of the meeting, a summary that goes out in the mail. And if you've signed in at any point for this project or tonight, you'll receive a copy of that, and also notice of any future milestones for this project, like whenever the recommendation is available going to the hearing examiner. Let's see here. I think that is pretty much it. And my contact information is at the bottom of the agenda in case you haven't gotten that before. Thanks.

NATALIE GUALY: So we are getting a late start because of the other meeting running a little over. So, sorry for that, public. We apologize for that. We will try to stay on task and on time as much as possible going forward. So you have 20 minutes, and I'll notify you when you have five minutes left in your presentation.

MIKE MARIANO: Thank you.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

MARIA BARRIENTOS: So I just wanted to open up to frame what it is we're trying to achieve with this building. And just point out, which I think everyone knows, that the Eastlake neighborhood, while it's really eclectic, is very rich with all the different architectural styles in the neighborhood. And our goal is here to provide a very attractive, well-designed building for people to live in and share the great neighborhood that Eastlake is. We plan for larger units, and we do have several, you know, including two-bedroom units. The others points I wanted to make is our experience managing properties, our tenants, the people that live in our buildings tend to tell us that some of the more, most important features that they look for are really large windows, decks so that they can have access to the outdoors. The sense of arrival is really important in the lobby so you're going to see that reflection in what our goals are in our design. The other thing that we feel is really important is how we, curating our retail and our retail store fronts are reflecting input from retailers, and the types of people we would like to be there that are more neighborhood oriented, local retailers so that it can really enliven the pedestrian front. And those have been some big goals of ours, is that: the retail, the big windows, the decks that you'll see reflected in that.

MIKE MARIANO: So my name is Mike Mariano. I'm an architect with Schemata Workshop. Also from the design team is Peggy Heim who's an architect with Schemata as well. And we have Karen Kiest, from Karen Kiest Landscape Architects. So they'll be available to answer questions as things go on to that point. So you've heard a lot from me talking about neighborhood and what a

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

tremendous sense of place the Eastlake Community has. It's just, it's an intense sensation of landscape and immersion in this great neighborhood over there [unintelligible word] topography and they all contribute to this sense of place in the neighborhood. So early design guidance, we took you through some early concepts EDG 1, where we had a corner plaza set back kinda north for a little bit and we came back for a second EDG to talk about the exceptional tree, the Japanese maple in the middle, I'm going to talk about that briefly after this. But based on the discussions we had last summer we opted for the corner plaza as being a better amenity than the tree space in the northeast, northwest corner of the building. So this is the existing site, the existing dry cleaner, the existing parking lot, existing two-story house, and the exceptional tree. At the north end here, this is the motel with the parking lot adjacent to it. So again this is the tree location. These are some views of that tree. We had an arborist come out, take a look at it. The multi-trunk configuration, the fact that it was contained in a planter for a number of years has kind of resulted in it not being a tree that's expected to survive a whole lot longer. So that was our approach and our assessment of that, and we decided to go ahead and opt for exploring space around the building and other locations, including the plaza space at this corner. So Eastlake & Boston has a tremendous sense of arrival as you move north on Eastlake, also down street to Boston as you descend to the lake. The graphic I have up on the screen here, the dark is actually the proposed, so what we're presenting tonight to you, EDG is the red dashed line. So when we last talked, the red dashed line came up to the north end of the property. And what

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

we've done now, is we've stepped it back a distance to provide windows and to provide buffer so that transition [unintelligible word] residential zone to the West. We've really made an effort to keep that plaza intact. You'll actually see the recesses we talked about last summer. Around the building we've pulled it out slightly to make up for some of the loss FAR at the north, but for the most part all concepts are intact. The views on the top are really design guidance, and again, bottom images are for tonight, so the image on the top looking northbound on Eastlake, you'll see the cutout of the building, and the corner plaza still remains in the proposal this evening. Looking west along Boston street, the early concepts we presented were a heavy masonry base, or a heavy base with a lighter more transparent top. And that's what we've continued to explore through the whole process. Other views, looking down Eastlake, so southbound. This is the building as it stood in early design guidance two, where we had a light row cut into the building and then we were pulling out to the property line at your guidance and suggestions to kinda explore that whole street edge and go ahead and do that. For the proposal tonight, we've actually, we've maintained about a third of the façade up against that property line, to hold the street edge, but we've recessed the rest of it back. So what you're seeing next to the adjacent motel are some windows to provide better daylight into those units and it provides a little more relief on the facade. The landscape plan which Karen Kiest has been working with us on – this is really central to our approach to the project which has been let's go ahead and make this as lush a building as we can, around the perimeter of it, to really anchor it back into

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

the Eastlake neighborhood. Across the street to the right, across the street to the east is the Jean Zema project which has a nicely forested, very lush site. Jakuty and Serafina to the south which are very lushly landscaped as well. So the idea of kind of enhancing that with this new public space at the corner of the building is what we're looking to do here. The intent is that this becomes a very welcoming place to people as they walk by the building whether they're going down Boston to the lake or north or southbound on Eastlake. You'll see landscape really all the way around including just to the north end. We know not a whole lot wants to grow on the north side, we're doing some low level plantings there. This buffer on the alley is also provided there and we've got a tremendous right of way here that we're working again to create a really great [unintelligible word] landscape. Up at the roof top which, you know we like to think of this as the fifth façade of the building, it's gotta look good as well. It's providing a tremendous amount of amenity space for the residents in the building. The penthouse structure which you'll see the stair and the elevator lined in the middle here. The idea there is that it's really equidistant to, really the Eastlake side as well as the alley side and maintains a sufficient distance away for the north and south property lines as well. And so we tuck that into the center of the building to really minimize views. These are some third story windows that provide some daylight into the studio units on the Eastlake side of the building. These extend no higher than the guardrail at about 42 inches, so they're actually 24. Those, we looked at putting those along the street frontage here, and decided, you know, let's hold them back, it will help minimize the bulk of

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

the building as it's perceived from Eastlake. Cues of buildings, you know we studied a lot, a lot of buildings in the neighborhood, and these are a few that we picked up cues on specifically looking at the rich pedestrian experience and the retail experience of, and the zoo to the north and there's another Spanish style building at the corner of Lynn and Yale that we really liked. It has a nice heavy masonry base and lighter top. The Vox, which is at the other end of our block, so we're essentially the south bookend of this block. The Vox building is essentially the same height as the project that we're talking about tonight. And it provides a similar scale to get a sense of what that pedestrian role might be like too as you turn the corner. The Dean Zema project across the street, modularity and rigidity of that is really interesting. Obviously that's a wood building, very low scale, but there's some cues we picked up on on that. And then the Serafina project across the street. So, looking at the materials in the neighborhood, now again kind of picking up on this idea of the heavier masonry base and the lighter more transparent top, we've got a materials board here that you all can come up and look at it afterwards, but we are looking doing kind of a warm tope-colored masonry base and then a lighter top. The paving we're proposing has kind of a natural aggregate mix of local rock in it. So it actually is rooted in the region as well. A lot of the materials will be a darker bronze or painted bronze or black-brown color. So this is the corner. So Eastlake going off to the right, Boston descending down to the left. You can see on the left here, that we have this setback that is provided above the base of the building. You can also see that at the north end of the block where we pulled all of

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

the façade of the residence back and this is being, the guidance of talking to you at the two EDG meetings, working through it and feeling that it really is the best approach for the building. You'll see the corner plaza, obviously cut out, and this is really supposed to be this very inviting part of the building where it really allows the landscape to spill off the sidewalk and in. We terraced down, and we've got about an 18-foot right-of-way that we're fully landscaping with the sidewalk. You'll see some terraced planters up close in some later views. This is the view from Boston, just to the southwest. The outline of the adjacent multi-family project. Again, a heavier masonry base that raps around the corner. We are treating the windows in this commercial base as a commercial quality window. And then as you move up to this lighter top you've got more of a residential grade window, which will still be a dark color window and relate, but it's got a finer scale to it. This is a view down Eastlake. To the left here, is just the outline ghosting of the motel here and the parking lot adjacent to it, so you see how we're holding the street edge here and, in essense, waiting for a future development to come along, but we've set back about two-thirds of that façade. So again, now we have just a bunch of windows there. And that kind of helps soften the whole edge of the building. We feel like with the modulation here, that it doesn't need a lot of ornamentation or anything to adorn it, but we're open for some discussion there too. These are some sections through the building that I'm talking about what I was just mentioning, which is the setbacks. So, this is Eastlake, this is the walkway that brings you up to the residential entry. This is that setback on Eastlake – approximately three feet. This is Boston, so

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

looking down the street and we are providing about a five-foot setback off the property line there. And then when you drop down to the alley, we're about eight feet back, with the upper façade of the building. Starting to move down a little closer to the people realm of the building, and working with Karen, we've come up with a very flexible space here that can accommodate a lot of different programs in the future. We've got some outstanding retail points that you'll have heard of, which very much share with the idea of the pedestrian realm kind of continuing down here so as people are walking down the sidewalk, it kind of rolls into this plaza and the plaza really becomes part of that public space. The landscape you'll see off to the south here on Boston, so again, everything just kind of flooding into the plaza. A bunch of images off the right of how we might interface the building with the street right of way and the sidewalk. This is at the corner plaza at Boston off to the left and Eastlake to the right. So again, the landscape really filling in and carrying people into the plaza space. We're not providing a lot of extra canopies and things. It all depends on what that tenant takes over this wants to do. And these are fully operable window walls that allow the inside space to spill out. We've got a small ramp that takes you up to the residential entry here. Well, really again, this is kind of enhancing that gateway aspect of this intersection of Boston & Eastlake. Walking up into the residential lobby, so we've got the canopy that projects out. There's a slight buffer off to the right with some landscape buffer here that separates that program space of the plaza. It might converted to a specific use via the retail space [unintelligible few words] this ramp that brings you up, it's a very

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

gradual ramp. Now looking south on Eastlake this is essentially standing next to the driveway next to the motel, here looking down the façade, so, you know, picking up cues at Serafina across the street and up the street, just trying to figure out how we can make this just as rich an experience for people walking by as we possibly can. These windows will be operable so that the inside can spill out depending on the tenant. The canopy provides rain shelter. You're also seeing up close the masonry materials we're using down here. So again, introducing a good material that's going to last a long time a really, a really well-scaled building for the neighborhood. This is a section through the alley, so looking northbound on the alley, and we have a slight buffer that brings you up to the residential level. This is one of the two-story high lofts that opens to that. But you can see the landscape buffer there as well as the eight-foot setback to the property. This is a blow-up of the alley view and then Boston. So again the wide street right-of-way, that we're planting very lushly. We've got a buffer. I was just pointing out a section along the two units in the back. So these are the two, two-story loft units the building. Again, we're working with Karen to make sure that we get just the right plant material in there. This is a section of Boston Street, so effectively looking down hill towards Lake Union. Again, we've got almost eighteen feet of this multi-layered landscape that we've really put a lot of thought into, like how materials can pose what the landscape is and it's kind of rich landscape experience year round. This is that whole Boston elevation, so this is where you can see it, the plaza at the corner and the landscape carrying around down Boston Street back to the alley. We've got a series of

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

planters that are effectively part of the building, but we've taken that opportunity to make these terraced planters kind of enhance the landscape so, you've got all the groundcover and you've got trees but you also have these planters that pull the landscape up off the building.

NATALIE GUALY: You have five minutes left.

MIKE MARIANO: Thank you. This is a corner. This is the alley. This is looking up Boston Street. So, again, these are these landscape planters. This is the multi-layerd landscape that we have down here. The entry to the residential unit on the corner here has a slight buffer to it. You'll also see some cable trellice that we're carrying up the façade. This south façade was a great opportunity to actually take that landscape and bring it up vertically on the façade. South elevation of the building, so that's just what we were just talking about. Signage – really our approach to signage has been the building is a very restrained and elegant one and finish and massing, and signage really gives a cue as to what's inside. Now, we've gone for a very contemporary feel on the inside of the building, clean, modern, and some warm hues and clues and things. So that's what's recalled by the signs on the outside, just kind of a hint of what people encounter when they enter the building. Lighting, we're really focused on the retail along Eastlake and going into the plaza and then just back on the alley, very limited, matt white fixtures, very concealed. We don't want any stray light to escape the site, trying to hold that very contained, very minimal. So, I provided an update of the departure sheets, slight rephrasing of some of the wording in there, but no significant change – really the

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

first departure is a floor-to-floor height for the commercial use of the street level. And then the second departure is directly associated with the setback on the north side. And I'll talk about those two individually. So, we did a study of the Serifena elevation looking at what back, what the street level was, the sidewalk, and what the clearance was up above. And essentially we carried that over to our site. So what we'd like to do is, in lieu of providing a 13 foot first floor height, floor to floor height for that first floor, we'd like to actually reduce it to 12 foot 3, and our interest there is in talking with potential retail tenants, and it's really important that we get at grade access. We don't want any ramps or steps in the units, and reducing this height allows us to maintain continuity of that Eastlake sidewalk as it ascends up to the north just slightly. But again, you know, looking at adjacent buildings we feel like it's a reasonable solution. Now, the other departure is the setback, so, the orange color is the reduced setback that we'd like to request. And the then blue is the additional setback that we're providing. So, the corner plaza here we've shaded in a slightly lighter blue, but we've got darker blue setback to the side here. The whole plaza sets back. If you go off to the south elevation here on the alley we've got additional setback that we're providing again on Eastlake additional setback there. You go to the north façade we've got additional setback that we're providing on the alley, and on Eastlake. And then it's this north elevation, so this is the Eastlake elevation view, looking at the very north end of the building. So in order to reinforce that street façade, what we've done is extend the portion of that building. A part of the last unit at the very north end of the building, actually out to the

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

property line, within 12 inches of it. And, so, we'd like a departure for that. And then, on the other side, we've got about two thirds of that façade that's actually pulled back five feet, so it's a reduced departure there. But what I'd like you to do is look at a balance between the blue and the orange here is what we're trying to do. Really, the transition to the multi-family lower-intensity use to the north we feel is achieved with the setback we have here, and we also know that eventually that site's going to be redeveloped to, so this help maintain that street, that Eastlake street elevation . And that is the end of what I was going to show you.

NATALIE GUALY: Thank you very much. So we're now going to jump to Board clarifying questions. So Dan, would you like to begin?

DAN FOLTZ: Yea. Very nice presentation. Thank you for that. Just one clarification, and it was on your very last departure. It's the blue versus brown. Is there true equity there? The section is going to be deceiving, so do you have a volumetric or anything on the brown versus the blue?

MIKE MARIANO: We have a tremendous amount of study that we've done, looking at the volume and like shadow studies that show you as, we have not calculated the actual volume. You understand?

DAN FOLTZ: Yea, I do.

MARIA BARRIENTOS: And this was, the reason for the departure is a direct response from our first EDG meeting where the Board asked us to set the building back, and so before we had a bigger setback on the north side. In order to

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

set back Eastlake and Boston, we discussed it with you all about moving it north. And, at the time, we came back to the second EDG meeting, we had no setback. Since then, working with the planners we decided to have some zone transition, so setback some on the north side. The main reason we did it was to create a better zone transition, but the unintended consequence, which was good, was to be able to add windows on that side to provide more light. That wasn't the driver, but it was a nice consequence of that.

SHELLEY BOLSER: Mike, can you show a site plan showing where the setbacks are?

MARIA BARRIENTOS: *It's probably easier to see that, yea.*

MIKE MARIANO: You know I've got, I've got the early study, I mean, you've got more detail in your packets, but, in here. Really it's, you know, this is a good diagram. So then, the dashed line shows what we had last talked with you about at the EDG meeting. So where we thought we would just pull the [unintelligible few words], and go ahead and pull that north edge. But in lieu of that, we're going to go ahead and pull the north edge for that distance, and then recess the rest back about five feet, which may allow us to get a bunch of windows in there too, while still roughly maintaining, really, what we are, when you asked about volume, I don't really know exactly how volume but as far as FAR goes, it's balanced.

DAN FOLTZ: Thank you very much.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

NATALIE GUALY: Christina?

CHRISTINA ORR-CAHALL: Yea, I have only one, first, really good presentation. Thank you. I have only one question, so, and I realize the motel isn't going to be there forever, but in this current plan does the motel still continue to sort of have its driveway cut through and use your alley at the exit.

MARIA BARRIENTOS: Yes.

MIKE MARIANO: They do. It's my understanding that the alley is so steep that few people actually use it.

CHRISTINA ORR-CAHALL: O.K.

MIKE MARIANO: But we do maintain... we don't affect that at all.

CHRISTINA ORR-CAHALL: So that still works in this plan?

MIKE MARIANO: Uh huh. Uh huh.

CHRISTIANA ORR-CAHALL: Great. Thank you.

MIKE MARIANO: Sure.

KRYSTAL BRUN: I don't have any questions. Thank you.

CURTIS BIGELOW: I'd like to echo the excellent presentation. Thank you. My only question was the difference between AD and now from the Eastlake setback. Is it really only nine inches?

MIKE MARIANO: Yea. It's probably closer to forty or so.

MARIA BARRIENTOS: Yea.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

MIKE MARIANO: I mean, we've really tried to not impact the approach that we talked with you early on about setting it back from the Eastlake façade, you know, that what you see on the street of the box. As our southern book end on the block, it seemed like [unintelligible two words].

MARIA BARRIENTOS: I think when we did the setback on the north, we had to creep into Eastlake a little bit. So that, yea, we didn't crunch the units, so that they were weird.

MIKE MARIANO: That's my presentation.

NATALIE GUALY: O.K. Thank you very much. So with that said, we're going to now go to public comment period. I would just like to remind members of the public that this is not a question and answer session with the applicant. This is an opportunity for you to say what you would like to see in the project. Ideally, if you do that in the form of the City's Design Guidelines. And also just a kinda reminder that our Board does not have purview over parking requirements or zoning. So Shelley kind of touched on that earlier so. Do we have any members of the public who would like to make any comments? Yes.

SARAH ARMSTRONG: I prepared a presentation. I didn't realize I needed to bring a projector. So, I hopefully, the pictures I've printed out will be visible to everybody in the group. I'll direct them to the Board. I agree that it was a lovely presentation, but I think that it excluded some considerations that I'd like to make sure factor into your decision here tonight. This is the block immediately to the north of the properties. We've seen pictures of the motel which is a two-story

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

building. I believe it's zoned for three. There's a condo building that was built in 1968 that is also three stories. It has relatively recent sales so I would anticipate that it would remain a three story building for the near future. There's this cute little cottages which is actually listed as a condominium. It's built in 1921, also recent sales. I anticipate that this one to one-and-a-half story building would remain in the neighborhood. And then we're all familiar with the fly shop here, which is actually zoned for NC1-30, I believe, but when they redid the building at the corner, they didn't make any modifications to the fly shop, so something tells me that's going to be here for the long term. But enough about the north; I want to talk to you about the south end of the site, which is where I live. This is a map of the area with three blocks to the south. This is Newton Avenue down here. Not until you get to this commercial building do you find a building that is three stories. So I wanted to draw to scale that this building is at the edge of a transition zone. And it's not as much I actually walk, I actually walk every day to work, and it's not 'til you get there that you see anything that exceeds three stories. Some close up pictures, I'll just race through these. This is from the site going, actually this going north to south. Sorry. South to north toward the site. As you can see, these are the buildings. This is probably the closest one in scale, but as you can see, still within the height that it was allowed to be built, and I'd like to point out there's pretty minimal content on the roof top. There's just not a lot of stuff beyond the height that they were allowed to build to. Moving up the street to the north, another great examples of all buildings that have been built at the current allowed height. One thing that I think is really

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

interesting about this building. I think this one really wanted to be taller, and in order to be taller, it's actually partially subterranean. It's a little bit lower to the ground. So the main floor is a little bit lower than street level. And then the site here; so, getting to the design guidelines that I really would like to point out. This is a picture of the building on the alley, and this is actually a picture of the buildings that abut the building on the alley. Design Guideline D1 requires that the proposal complement or transition to neighboring buildings. So you can see that the height of the proposed building would starkly contrast to the one-story apartment building across the alley to the west of the site. Design Guideline D2 requires the developer use topography to make this a successful fit with neighboring buildings. And as you see, the height carries across the building and it's nearly seventy feet when you get to the alley. So seventy feet is in stark contrast to the buildings on the alley. So, in a phrase of how I would like the design to, I would like the design to comply the design be required that it step down to consider the neighboring buildings. Buildings across the street and, this is actually the proposed site, so I think this is actually a screen shot that I snapped from a late version of the developers plans. You can see this orange square, just how it relates in scale to the buildings immediately surrounding it. Three more design guidelines that I don't think the project as proposed meets. D3 requires that projects, sorry, 2D3 requires that projects located at the edge of less intensive zones provide an appropriate transition or a step in height, bulk and scale. And the development proposed to NC2 standards removes that transition. At sixty feet in height above Eastlake, the proposed building would completely dwarf well-

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

established buildings in the vicinity, and you can see that in this picture here. 2D4 requires that projects strive for a successful transition between zones for a project that abuts a less intense zone. The proposed development does not following the indicated strategies of lowering building height, breaking up its mass, or matching the scale of adjacent properties. 2D5 requires that projects respect adjacent properties and minimize disruption. The proposed building would block light, air, and sunlight, and loom above properties in the vicinity. This building is fifty-seven feet seven inches as proposed. If you haven't been to the site, and you've mentioned the driveway at the Eastlake Motel so I know you're familiar with the site. If you have not been, I encourage you to please go down and visit the site. Eastlake Avenue is not nearly as wide as it's portrayed in some of the earlier pictures that were shown above, and I urge you tonight to not approve the building as it's design is represented this evening. Thank you.

NATALIE GUALY: Thank you very much. We appreciate your time. Do we have any other members of the community who would like to make some comments [*unintelligible two words*].

CHARLES WHEELER: Yea. I have one or two. I'm Charles Wheeler. The meeting location tonight waa supposed to be across the street.

SHELLEY BOLSER: Yea. That was...

CHARLES WHEELER: In the Engineering Building. You may have people there. You probably should watch for them as I suggest you all watch. The

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

other thing is the Design Guidelines for the alley. There's a setback for it. The alley is really small, in the back of the building. You just can't [unintelligible few words].

NATALIE GUALY: O.K. Thank you very much. Do we have any other members of the public? Yes.

EMILY WHEELER: Hi. Emily Wheeler. Two comments. One, the ramp in the plaza seems to, seems to kind of break up that usefulness of the plaza. I'm sure there's a reason, there's a reason why it's there. But it really seems like it breaks up the potential use of that plaza having that ramp come through. That ramp could be pushed half inside half outside, or all the way inside. Somehow make that plaza actually more useable instead of having it two-thirds flat and one third ramp with a railing. It seems like not a good urban plaza like shoving that our there. These kind of actually go together. Sarah said it does not seem to meet the height, bulk and scale requirements as far as stepping down to the adjacent zoning. Half, a quarter of the site, I guess, is technically zoned L2-30, and the zone, the hotel to the north is L2-30 so that's 30 feet tall; this building is pushing 60 feet tall. That's not transitioning. I think allowing a variance or a deviation of pushing that Eastlake façade all the way to the property line. Maybe that would be fine up to thirty feet; the top two, the top floor needs to not push all the way to the edge. I think there should be some discussion about that so that the building could step down to that L2 zone to the north. The intent of this site is to [unintelligible word] the rest of it. And again as you go to the alley, the zoning behind it. I think actually is L3. Yes, it's still thirty feet, it has a higher FAR, but it's still thirty feet on the other side of the alley,

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

and we're talking about a seventy foot tall building. I know it's developer work and we're trying to make a profit here, but it seems to me if we're trying to step down to the zoning which is what the Design Guidelines say you need to do that top floor should be half a floor and should step down to the alley, and should not be so greatly exceeding what the Guidelines recommend. And, I'm kind of a little bothered by not, you know they have a 13 foot floor to floor, I think there's a point to that, as far as, so in studying this someone's decided that 13 feet is what commercial businesses really need, and they want to take of nine inches. It seems , that's it.

NATALIE GUALY: O.K. Thank you very much. Do we have any other members of the public? So I think we have

IRA APPELMAN: Yes. I'd like to speak.

NATALIE GUALY: O.K.

IRA APPELMAN: My name is Ira Appelman and I'm speaking also for Karen Appelman, who couldn't make it here. We've provided comments and I don't know if the Board has, I just request that the Board review all the comments that have been provided by the public before it makes any decisions. In our comments we pointed out, and I'll be very brief on how it's illegal for the Board to discuss this because of RCW 36.70B, which essentially says that project review cannot revisit zoning. So they're separate issues. You zone first. And then you do project review later. And the reason why that's important is in general for the public they'd love to have both of them at the same time because in most of these projects if the public objects they'd like to revisit the zoning. But, the way state law is written, you can't

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

revisit zoning once you come to project review. So, since this doesn't fit, as the developer admits, within the zoning, you're prohibited from doing it under state law. My second point and I've written, so I've provided written comments and I think the, written comments have been provided by a lawyer for a building across the street. My second objection to this meeting is that it's far away from where the building is and this violates the policy of DPD to encourage public participation. And, just as proof, we had forty to fifty people at a meeting within the neighborhood, but now we have less than ten within the neighborhood. And that's because this is far away. And Karen couldn't make it, which I think she might have been able to make it if it was, if it was in the neighborhood. I think the main problem of the building that people have is how massive it is, and, you've got this drawing within your packet. And you can see that that building is huge, and it's huge with respect to the buildings around it, and it's huge with respect to any of the buildings in the neighborhood. And so I think that's the problem that people have with it and there are a couple of places which are quoted in the handout as to which design guidelines that violates, and I think Sarah did a great job. Two things – you said, there is in here something about commercial parking, about parking, and it's about DC1. And, we haven't heard anything about how commercial, parking for the commercial buildings is going to work. We don't have any wayfinding for people who want to use the commercial part of this, and we don't really, based on the, at least, maybe I've missed something, but I don't see anything there on the vehicular access and circulation of DC1 for those cars that are arriving, not as residents, but as using the

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

commercial areas, and those commercial areas are important because the developer is depending upon them to create this vibrant connection between the street and the building. So, we're sort of wondering why that hasn't been mentioned. Maybe it is, but I missed it. The other part about transportation is that if somebody wants to, I mean, there's discussions about weather protection. If somebody is in that building as a resident, and wants to catch a cab or a bus or a car, they really aren't able to do that without getting soaked or chilled, by the wind coming from the WSW. And the tiny little overhang at the entrance to the building is still well back from the street level, so you'd never be able to see anything on the street. And it seemed to me, based on the drawings that the overhang in the front due to the, which they're calling a canopy, but it's really due to the balconies up on front. I think they're a lot smaller. They're only three feet by three inches but on the drawing it looks like they come out almost half way into the sidewalk, which I don't think they do. So I think the drawing is inaccurate. And I don't think three feet three inches is going to provide much weather protection. Anybody who's been out in the rain and wind, you're going to get completely soaked given that amount. So those are the comments that I have, but the main problem is the huge massing of the building.

NATALIE GUALY: O.K. Thank you very much for your comments. We've also received some emails.

SHELLEY BOLSER: Yea.

NATALIE GUALY: So Shelley will be going over those.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

SHELLEY BOLSER: So, public comments received since MUP intake. And I'm directed only to summarize the Design Review related comments for it. So we've received many, many, many comment letters, but a lot of the issues have to do with the proposed rezone and environmental review, so I'm just only sticking to the Design Review comments here. So, a few of them said the building should be designed to transition to the lower nearby buildings and lower zoning heights. The proposed design should be designed to use the design examples in CS2 including things like reducing the height, bulk, and scale, maintaining light and air for nearby buildings and streets, preserving public views from adjacent streets to Lake Union, stepping down to the West with the topography. Somebody mentioned that a rooftop stair tower should be oriented East-West to maximize views across the site and minimize the appearance of building height. There was support for the proposal's increase retail along Eastlake. And support for the causal impact on pedestrian activity. Support for the overall design and support for removing the existing curb cuts since those impact pedestrians and bicyclists. And, a comment that development along Eastlake should focus on the streetscape as the hub of the neighborhood development corridor. And there was support for the proposed SE corner plaza. So, as I mentioned, DPD will continue to review all the other comments that we have received in regards to the rezone, the environmental impacts, the meeting location, the overall process. But the Design Review Board's authority is only to recommend how does the proposal meet the Design Review Guidelines. So the Board cannot deny the project, but they can recommend further design review with specific

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

changes related to the Design Review Guidelines, recommend conditions related to compliance with the Design Guidelines, or recommend approval with no conditions.

NATALIE GUALY: O.K. Thank you very much for that Shelley.

SHELLEY BOLSER: There's one other public comment.

NATALIE GUALY: O.K.

EMILY WHEELER: Sure. Just reading in your submittal packet, I want to read proposed departure regarding the height. It says departure request to half the four foot height bonus with the floor to floor height on Eastlake Avenue of eleven for the north commercial space and twelve foot two at the south commercial space. I would recommend, and I hope you guys would consider, not giving this developer an additional four feet of height if they can't meet the thirteen foot limit. And that something, not part of this discussion?

SHELLEY BOLSER: It's not. The floor to floor height, I know it's very confusing, but the floor to floor height is a departure. The additional four feet, is a decision that's made by the zoning reviewer based on separate criteria. So, you can definitely submit comment and I'll let some other here know. Yea, I know. I'm sorry it's so confusing.

MARIA BARRIENTOS: Can I just respond? I think the packet, that we changed the word zoning. There's been a zoning correction. We said we had phrased that incorrectly and so we rephrased it to only talk about the floor to floor height. We had just written it wrong.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

SHELLEY BOLSER: O.K. Emily, you want the packet?

EMILY WHEELER: Is there still a four foot bonus included in this? Is that how we get to 60 feet from 40 feet?

SHELLEY BOLSER: Mike, will you let us know? Are you guys requesting?

MIKE MARIANO: Yes. We are taking the four foot bonus.

SHELLEY BOLSER: For height? O.K. So that's part of something zoning review Yes. Floor to floor height is a departure that is up for discussion.

NATALIE GUALY: O.K. So with that we are now going to go to our Board deliberation period. We ask that the room remain silent during this time. If some of you would like to speak, we ask that you go outside. If we're not speaking loud enough, please let us know and we'll [unintelligible few words]. Thank you. [The DRB members moved the desks so they could face each other.] So we're actually doing good on timing. So, talking points? Height-bulk-scale, certainly, materials, courtyard, alley, departures obviously, what else?

CHRISTINA ORR-CAHALL: Roof-deck. Garden, whatever you want to call it.

CURTIS BIGELOW: Transitions with neighboring

NATALIE GUALY: Yea I think that will probably go with height-bulk-scale. Anything else? So height-bulk-scale.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

CURTIS BIGELOW: I actually was looking with the public comment about page five that shows the, I'll call it [unintelligible few words] of the neighborhood and this building in it. Actually, to me it looks like it fits very well into the Eastlake height-bulk-scale. There are some small buildings, but there are quite a few large scale buildings on that street. I think it fits very well.

DAN FOLTZ: I do too. I think as you continue north there

NATALIE GUALY: You might speak up a little.

DAN FOLTZ: Sorry. I agree. I think as you head north there's large examples of what you're making. Also, if you step into the way-back machine, I believe I remember correctly that in the first and or second EDGs, we focused a lot on the massing and there were concessions made by the applicant in order to maximize the impact of those reductions, so kind of I've already, at least once or twice, looked at the massing critically.

CURTIS BIGELOW: I think their gesture of pushing back the upper story is very, it helps the whole street thing.

KRYSTAL BRUN: I agree with that. I think that the pedestrian experience, especially with along Eastlake, it feels, the way that they've crafted it, I think it takes the height of the building away from the people on the street below, and I think that the use of materials kind of emphasizes that. I really like the balconies as a way to add some interest to the façade, but also it doesn't overemphasize the fact that the building is set back a little ways, either.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

CHRISTINA ORR-CAHALL: [unintelligible few words]

NATALIE GUALY: So I think one of the questions, given public comment, so we see our zoning envelope which is on page 15. Do you actually mind pulling that up so that the public can see, as well, the section.

MIKE MARIANO: I don't have that one in our slide show. There's too much minutia in there.

NATALIE GUALY: So I guess one of the biggest concerns in terms of public comment is stepping back and reducing, stepping back on the back side, back of house, actually, nope, I take that back. I take my comment back, what I was about to say.

CURTIS BIGELOW: They set back the whole building along the alley.

NATALIE GUALY: Right. Do we think that's sufficient?

CURTIS BIGELOW: It's more than five feet; it's eight or nine?

NATALIE GUALY: The question is I guess is, contextually, do we think that's sufficient?

CURTIS BIGELOW: I do. There are many buildings in this neighborhood [unintelligible two words]. We've looked at many buildings in the alley where the alley side grows, which is the alley side.

NATALIE GUALY: Right.

CURTIS BIGELOW: It's the back of all property.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

NATALIE GUALY: Right.

CURTIS BIGELOW: It seems like appropriate [unintelligible few words].

NATALIE GUALY: What do you guys think?

DAN FOLTZ: I agree.

KRYSTAL BRUN: Yea. I agree. Unfortunately with the topography such as this area that's always going to be. You're always going to have that feeling. But, I mean, it's the back of the building. Well, I won't say the back of the building, but it's the alley side.

NATALIE GUALY: Right. With the comments that we have said, as well, I'm in support of this, of this massing, given the context of what we see. Obviously, we've all been to this site so we know what the site is. But when we look at, you know, something like this as on page 5, we do see that specifically going north, further down Eastlake there are buildings comparable in overall massing with this. They might not have the same height, but they're still three stories.

UNKNOWN: [unintelligible few words]

NATALIE GUALY: So next we have materials.

EMILY WHEELER: If you're basing this on [unintelligible word]

NATALIE GUALY: I think we're basing it on my site experience being there, driving down Eastlake, walking down Eastlake, biking down Eastlake. I'm

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

kind of deriving this more from personal experience engagement with the neighborhood and not just this.

EMILY WHEELER: What about the zoning to the north?

SHELLEY BOLSER: So one quick clarifying question is O.K. But this is the time for the Board to deliberate, so we need to let the Board deliberate at this time.

NATALIE GUALY: O.K. So we were at materials. Where does everybody feel with the palette that the applicant has presented?

CHRISTINA ORR-CAHALL: I think it's quiet and elegant,

DAN FOLTZ: I agree to.

CHRISTINA ORR-CAHALL: Which I think is good, given the massing, that it is quiet and elegant.

NATALIE GUALY: Right. I agree.

CHRISTINA ORR-CAHALL: And of quality.

NATALIE GUALY: Yea. I agree. The materials are durable and long lasting. O.K. Discussion on the courtyard.

CURTIS BIGELOW: We talked about the courtyard at the last EDG and we had quite a long discussion on it, and it used to have a trellis over it. I think removing the trellis has really opened it up in a positive way. I think it's nice. It is, I

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

think that the comment about the ramp is true but I think that adds to its interest, kind of allows it to have a multi-level.

CHRISTINA ORR-CAHALL: I think it differentiates the use of entrances to this base versus we you really are able to flow out and still allow handicaped access easily and things like that.

NATALIE GUALY: Yea I just want to make that clarification Mike. That is a ramp that's required for ADA access. Is that correct?

MIKE MARIANO: It is. It's a one in twenty ramp so it's pretty gentle.

MARIA BARRIENTOS: Yes, that's right.

NATALIE GUALY: O.K. Thank you. Yea. The renderings that were proposed for the courtyard in terms of its landscaping that's really a unique spot and great application for that courtyard.

DAN FOLTZ: Here, here.

NATALIE GUALY: O.K. , jumping to the alley.

CURTIS BIGELOW: I've noticed, one of the members of the public said it's a narrow alley and according to the survey it's a twenty foot wide alley, which seems generous for an alley. If you look on page nine, it notes it as a twenty foot right-of-way. Which seems very good sized. There's already a parking lot.

CHRISTINA ORR-CAHALL: Well, that's the reason I raised the question about the motel. Was could they meet that corner.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

CURTIS BIGELOW: It's seems like it's the appropriate place for auto access, and I actually think put [unintelligible word] proposal [unintelligible two words] really wonderful addition

NATALIE GUALY: Right.

KRYSTAL BRUN: Is there, can you clarify, is there any intent to have commercial access to the parking, or is it strictly residential?

MARIA BARRIENTOS: We don't know to be honest, what we're going to do operation, but we have designed it so that there is access both at that level we could put a different gate in a different location, but we've also oriented our elevator and stairs so that people could come up into our lobby. We've separated our lobby so that can come up an access the commercial without, you know, breaking any security for the residents that are in the residential side. I can't promise exactly how we're going to operate but we've designed the possibility into the building.

NATALIE GUALY: O.K. Thank you for that. Do we have any follow-up with the alley? What about the roof-deck?

CHRISTINA ORR-CAHALL: I like roof decks. I like that so many of us are seeing more and more of the roofs buildings like this, and there was a public comment about it running East to West. I think it makes sense where it is running now, but I was wondering if in fact you could maybe make it larger and extend it somewhat to the East so that the view from up above would actually, kind of be

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

enhanced a bit. I know that's extra money, but I think it would make a lot of neighbors higher up that hill quite happy.

MARIA BARRIENTOS: Expand the roof deck.

MIKE MARIANO: Not in the center?

CHRISTINA ORR-CAHALL: Extend East so into the L. No no no. Yea. And not the whole roof, but an L on that side which has a little bit of vista in the street. I think it, just a suggestions that I think would be neighborly, and I think could benefit the building. I think the buildings would use it.

NATALIE GUALY: I think, for me, it's something I'm fine with the applicant exploring, but I don't think it would greatly enhance the building enough that I would make it a condition.

CHRISTINA ORR-CAHALL: Well, I'm not making it a condition. I'm asking to look at it.

NATALIE GUALY: Just to explore it?

CHRISTINA ORR-CAHALL: I actaully think if you did move it a little bit East and nail it down it would, it has the potential to sort of animate from above and from below to the, to the courtyard.

NATALIE GUALY: O.K., anything else regarding the rooftop? O.K., then it looks like we're going to jump to the

CHRISTINA ORR-CAHALL: I have one more landscape question.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

NATALIE GUALY: Oh go ahead.

CHRISTINA ORR-CAHALL: I realize that you think this motel is going to go down at some point. I wonder if there's anything temporary to do to that totally blank façade.

MARIA BARRIENTOS: Show that façade. We talked to the motel owners and originally we had thought we would put a green screen, which we would still be willing to do. I think we struggle with green screens on a north facade. I think if anyone walks by the placard, we've replanted that three times now. It just doesn't grow very well in our climate, the climbing vine. The screen itself provides a relief and its attractive so we could consider it, or we could do more paint, or we even talked this afternoon about whether it might be appropriate to, because we just did an art piece for artists on another building, where we've actually got another blank side on the pedestrian side and we got some pretty cool proposals from artists and we could do something a little more interesting, you know, as it wraps around.

CHRISTINA ORR-CAHALL: I just think that would be nice, and not just for the motel, but from the standpoint when you're driving down that street. And again, I think you're probably right that it will vanish and so something that's temporary, but whether it's an art piece, or, you know, a screen piece, or planting, or whatever, just something to soften that would be nice. So thank you for, I'm glad you've investigated that.

MARIA BARRIENTOS: Yea, we realize [unintelligible] that big, but yea, it is blank.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

CONTRACTOR: I think there are still some vines poking around in one of the walls, actually.

NATALIE GUALY: O.K. So on to the departures. It looks like they have four of them. Yea

SHELLEY BOLSER: I just wanted to make sure that was sort of something that the applicant can consider, not making it a condition.

CHRISTINA ORR-CAHALL: I'm not making it a condition as long as they're taking it seriously, and I must say I always favor planting over painting, things like that, but I'm also not good at what grows. I do not have a green thumb.

NATALIE GUALY: O.K. So, going to the departure list, we have four departures. Three are kind of clumped together, one is independent. So the first departure is the four to four height for commercial uses at street level. Zoning requires that it be 13 feet; they are proposing the north commercial face at 12 foot 2 and 11 foot 4. We commonly have this departure come up. Usually we have departure come up for the grade change. It sounds like the main motivation for this is to keep the regulating line from Serafina across the street over. I'm inclined to support this, not so much for the regulating line, but knowing that if we were to go up it would just make the building taller.

CURTIS BIGELOW: I agree.

KRYSTAL BRUN: Yea, I agree.

CHRISTINA ORR-CAHALL: I agree.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

DAN FOLTZ: Yea. I was totally lost, myself, the connection trying to be made with Serafina.

MIKE MARIANO: It's more of a discrete study of what worked across the street and not necessarily carrying that data across.

DAN FOLTZ: Yea, I agree with that.

NATALIE GUALY: O.K. So we would, are inclined to support that. And then the other departure. Set back requirements for lots abutting or across the alley from residential zones. The departure requested to eliminate triangular 15 foot setback from residential zone at the northeast corner of the site. I guess I should just go all of them, the departure requested reduces the setback residential zone to the north of the site, and then, the departure requested to have windows and openings within five feet of the abutting residential zone lot. Proposed design includes windows within a foot and a half of the abutting residentially zoned lot to the site. Mike, do you mind if I ask clarification again, the main intent on how this betters the design of the building.

MIKE MARIANO: It's really these windows simply being within this distance of the property line. So, from our perspective it maintains the transparency of those units, just holds the street edge. Rather than carry that blank façade around the Eastlake side, it's transparently activated.

NATALIE GUALY: Board?

MIKE MARIANO: It's a land use issue.

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

CURTIS BIGELOW: [unintelligible few words] departures at EDG, I highly encouraged them to hold the street edge and make a great façade. And I think they've done an excellent job of it. So I would support all three of these.

NATALIE GUALY: O.K.

KRYSTAL BRUN: I am inclined to support them for the reasons [unintelligible] as well.

DAN FOLTZ: Agreed.

CHRISTINA ORR-CAHALL: Agreed.

NATALIE GUALY: O.K. So with that said it sounds like we are in agreement of We're all in agreement of this project moving forward?

BOARD: Agreed. Agreed. Agreed.

NATALIE GUALY: O.K. Thank you very much.

MARK MARIANO: Thank you to the Board members whose terms have expired and you're still working.

[MEETING ADJOURNED]

Ira B. Appelman
2226 Eastlake Ave. E, #304
Seattle, WA 98102
(206) 235-4953

Exhibit C

Exhibit D

From: "Marwaha, Jasmine" <Jasmine.Marwaha@seattle.gov>
Subject: RE: EASTLAKE: A Community NOT a Corridor
Date: April 2, 2015 at 4:26:44 PM PDT
To: 'Karen Appelman' <KIAppelman@aol.com>
Cc: "Rutzick, Lisa" <Lisa.Rutzick@seattle.gov>, "Auriemma, Anthony" <Anthony.Auriemma@seattle.gov>

Hi Karen,
The Design Review Board, as you probably know, is divided into seven geographic districts, and meetings take place within that district. According to the design review calendar, there is another project up for review at the East Design Review Board Meeting, for which TOPS would not be a convenient location.
http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/upcomingreviews/
I'm not sure if DPD has ever moved a Design Review Board meeting location for a particular project. The challenge may be that each District encompasses many neighborhoods, and DPD is trying to find the best location to find a right balance.
I am cc-ing Lisa Rutzick, who manages the Design Review Program at DPD, in case she has more to add.
Best,
Jasmine

Jasmine Marwaha
Legislative Aide to Councilmember Mike O'Brien
Seattle City Council
206-684-8800

Follow Mike on:

From: Karen Appelman [mailto:KIAppelman@aol.com]
Sent: Friday, March 27, 2015 12:39 PM
To: Marwaha, Jasmine
Subject: Re: EASTLAKE: A Community NOT a Corridor

Hi Jasmine:
Thanks so much for checking to make sure the DPD public meeting on an Eastlake community project was moved from far away at Seattle University to TOPS in the Eastlake community. As you may know, there are actually TWO meetings on that development project. The more important meeting, the Design Review Board Recommendation meeting, is still scheduled, also at Seattle University, on April 8th.
I emailed DPD's Shelley Bolser yesterday to ask that the April 8th meeting also be moved to our community. Would it be possible for you to check to make sure the April 8th meeting is also moved to TOPS? The purpose of the DRB Recommendation meeting is to inform the community and take public input that may influence the final recommendation. As before, scheduling the meeting miles away from the Eastlake community will necessarily, greatly reduce attendance and frustrate the purpose of the meeting. Many Eastlake community neighbors won't have the opportunity to understand and comment on the project if the meeting is not held at TOPS.
I received an email today from DPD Director Sugimura with the following acknowledgment of the importance of holding meetings in the community:

"I agree that having this meeting in the impacted neighborhood makes the most sense. There are times when we cannot find the appropriate space for public meetings in the neighborhood itself and we must find nearby locations. While not ideal, we do our best to find locations that are accessible and can accommodate the anticipated meeting size."

As we've seen, TOPS at Seward is most often available. We are hoping that with a little encouragement from the Mayor and City Council, DPD will implement its own policy and agree to hold meetings on projects that impact the Eastlake community at TOPS.

Thanks for working to increase the public accessibility of meetings that affect the neighborhoods. Please be sure to express our thanks to Councilmember O'Brien for caring about the Eastlake community.

Best regards,

Karen

Karen I. Appelman, 206-323-7636, KIAppelman@aol.com

Exhibit E

From: **"Auriemma, Anthony"** <Anthony.Auriemma@seattle.gov>
Subject: RE: EASTLAKE: A Community NOT a Corridor
Date: **April 2, 2015 at 5:30:43 PM PDT**
To: **'Karen Appelman'** <KIAppelman@aol.com>
Cc: **"Rutzick, Lisa"** <Lisa.Rutzick@seattle.gov>, **"Marwaha, Jasmine"** <Jasmine.Marwaha@seattle.gov>

Hi Karen,
Thanks for writing me as well. You had asked if Councilmember Rasmussen could intervene on the Eastlake community's behalf and make sure the April 8 meeting is held at TOPS. I'm almost 100% sure that the meeting you are referring to deals with the development and proposed rezone at 2203 Eastlake Avenue E, but I do want to confirm that. In addition to your prior e-mail, our office recently received a separate request from the Eastlake Community Council to move the April 2 meeting regarding this development from Seattle University to TOPS School.
Unfortunately, Councilmembers are specifically prohibited from reading anything or talking to anyone about projects that concern proposed rezones, until the issue comes before Council for consideration. Therefore, I am actually prohibited from sharing your message with Councilmember Rasmussen or discussing anything with him related to this issue. Below I am sharing the message I recently sent to the Eastlake Community Council, which helps further explain why Councilmember Rasmussen is prohibited from intervening on the Community Council's behalf with DPD.
I'm sorry this is not a satisfactory answer, but this is just unfortunately not an issue that Councilmembers can intervene in. I do hope that Jasmine's e-mail does help explain why this meeting will be at Seattle University.
Thanks,

Anthony Auriemma
Legislative Assistant
Office of Seattle City Councilmember Tom Rasmussen
206.684.8593
www.seattle.gov/council/rasmussen/

From: Auriemma, Anthony
Sent: Tuesday, March 24, 2015 4:54 PM
To: 'Eastlake Community Council'
Cc: Bolser, Shelley; Haines, Stephanie; Sugimura, Diane
Subject: RE: DPD's April 2 public meeting about project proposal #3016024 must be relocated to the Eastlake neighborhood, as requested by 200+ petition signatures

Chris:
Thank you for your e-mail to Councilmember related to the proposed rezone application for 2203 Eastlake Avenue E (Clerk File 314127), but I had to intercept this message on Councilmember Rasmussen's behalf before he could see it. This is because state law and Council rules prohibit him from reading anything or talking to anyone that may influence his opinion about the project. If you'll allow me, I'll explain why:
When Council is expected to make a decision to approve or deny a rezone on a specific piece of property, that decision is something we call "quasi-judicial." It means Councilmembers must act on the proposal as unbiased judges. As judges, they are required to apply the existing law and make their decision based only on the facts they receive in the official record. Therefore, they

must stay removed from conversations, presentations, or arguments made outside of that official record.

The official record is made by the City's Hearing Examiner. It includes a report and a recommendation from Seattle's Department of Planning and Development (DPD) as well as copies of the public comments submitted to DPD, testimony and exhibits from a public hearing held by the Hearing Examiner where the public can testify and provide documents to be included in the official record, and the recommendation from the Seattle Hearing Examiner. This official record, which also includes the tapes of the Hearing Examiner hearing, is provided for Councilmembers to review and then act upon. When all is finished, everyone knows what information the Councilmembers used to help make their decision, so everyone is assured it was a fair process. It's called the "appearance of fairness" doctrine.

The proposed rezone at 2203 Eastlake Avenue E is quasi-judicial, so Councilmember Rasmussen can only consider what is in the official record. You are very welcome to submit your comments to DPD. The Department is required by the Land Use Code to respond in its report to written comments. The link to the DPD webpage that explains how to comment is: http://www.seattle.gov/dpd/Notices/Public_Comment/How_To_Comment/default.asp. Your comments can then make their way to all of the Councilmembers through a transparent process via the official record.

I know the bulk of your message is regarding only the location of DPD's April 2 public meeting, but to maintain an appearance of fairness, any discussion at all pertaining to this rezone outside of the official record must be kept from Councilmembers. I have also made sure that staff from all other Council offices were made aware of your e-mail and the fact it is related to a quasi-judicial matter. Director Sugimura may be able to respond to the concern over the meeting location.

Please let me know if you have any questions.

Sincerely,

Anthony Auriemma
Legislative Assistant
Office of Seattle City Councilmember Tom Rasmussen
206.684.8593
www.seattle.gov/council/rasmussen/

From: Eastlake Community Council [mailto:info@eastlakeseattle.org]
Sent: Monday, March 23, 2015 5:27 PM
To: Murray, Edward; Sugimura, Diane
Cc: Bolser, Shelley; Haines, Stephanie; Harrell, Bruce; Godden, Jean; Sawant, Kshama; O'Brien, Mike; Licata, Nick; Bagshaw, Sally; Clark, Sally; Burgess, Tim; Rasmussen, Tom
Subject: DPD's April 2 public meeting about project proposal #3016024 must be relocated to the Eastlake neighborhood, as requested by 200+ petition signatures
Importance: High

Mayor Murray, members of the City Council, and Director Sugimura—

On March 3, the Eastlake Community Council sent to DPD the attached letter along with 124 signatures on petitions opposing the project at 2203/9 Eastlake Avenue (MUP # 3016024) and its proposed rezone and asking that DPD "hold a public meeting in the Eastlake neighborhood to hear public comment regarding the proposed project and rezone." A hundred more signatures have since been collected, with more coming in; we will also provide those to DPD.

DPD has scheduled the requested meeting for April 2. But contrary to the request on the petition that it be held in our Eastlake neighborhood, DPD has chosen to locate this meeting at Seattle University—three

miles away, on the other side of I-5 and Capitol Hill, with geography making it difficult for Eastlakers to journey to by bus, bike, or on foot--and even to reach by car at that hour.
It is bad enough that all Design Review Board meetings about Eastlake projects are now being held at this far away and difficult to access location—but it is completely unacceptable that this location would also be used for a meeting that 200+ petition signatures from our neighborhood asked for and for it be held in the Eastlake neighborhood.
Here is some background from our attached letter: "Please note that the requested public meeting is separate from any meeting of the Design Review Board. The DRB meetings should also be held in the Eastlake neighborhood, just as they were in the founding years of the design review program. As ECC has often pointed out to DPD: with so many large projects being proposed in Eastlake, it is harmful to public participation and to a good land use process for the DRB meetings about neighborhood projects to be held" so far away.
There is still time for DPD to arrange for an Eastlake location and to renotice the April 2 public meeting as being located there. It is strange for DPD to claim in the e-mail below that it could not find a meeting location in Eastlake. I just checked this afternoon with TOPS-Seward School (at the very center of Eastlake), and on that very evening of April 2, both the library and the cafeteria of the school are available for DPD to hold this public meeting there. (We suggest the cafeteria, which is where the City held the Jan. 8, 2013 public meeting on the Ride the Ducks proposal—also held because we had requested it via petition signatures.) DPD can reach the TOPS-Seward school secretary Janice Runner by calling 252-3510 or by e-mailing jmrunner@seattleschools.org.
There is time to make and notice the requested change of venue. Unless it favors developers over the community, DPD cannot claim otherwise. As seen in the attached DPD notice, the most recent scheduled meeting on this project which was noticed widely for March 4 was, at the developer's request, canceled and rescheduled by DPD on March 2 (just two days' notice).
Acre by acre, development is proceeding faster in Eastlake than possibly anywhere else in the City, and yet DPD no longer locates in Eastlake those public meetings that are about Eastlake projects--even when a public meeting is held in response to petition signatures that call for it, and that request it to be held in Eastlake. We are concerned that the Mayor and City Council are not aware of the damage to public trust and to good government from the current situation.
Please see that the people of Eastlake get better treatment from their Mayor, City Council, and Department of Planning and Development, by insisting that DPD hold the April 2 public meeting at TOPS-Seward School. If is not possible to relocate the April 2 meeting to Eastlake, please insist that DPD schedule in Eastlake a later public meeting about the proposed project and rezone; and if a later date is chosen, please have DPD consult with ECC to avert scheduling conflicts (Despite having conveyed the request to DPD, ECC was never contacted by DPD about a date or location.)
Chris Leman (206) 322-5463
President, Eastlake Community Council
info@eastlakeseattle.org
http://eastlakeseattle.org
From: Marwaha, Jasmine
Sent: Thursday, April 02, 2015 4:27 PM
To: 'Karen Appelman'
Cc: Rutzick, Lisa; Auriemma, Anthony
Subject: RE: EASTLAKE: A Community NOT a Corridor
Hi Karen,
The Design Review Board, as you probably know, is divided into seven geographic districts, and meetings take place within that district. According to the design review calendar, there is another project up for review at the East Design Review Board Meeting, for which TOPS would not be a convenient location.
http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/upcomingreviews/
I'm not sure if DPD has ever moved a Design Review Board meeting location for a particular project. The challenge may be that each District encompasses many neighborhoods, and DPD is trying to find the best location to find a right balance.
I am cc-ing Lisa Rutzick, who manages the Design Review Program at DPD, in case she has more to add.
Best,

Jasmine
Jasmine Marwaha
Legislative Aide to Councilmember Mike O'Brien
Seattle City Council
206-684-8800

Follow Mike on:

From: Karen Appelman [mailto:KIAppelman@aol.com]
Sent: Friday, March 27, 2015 12:39 PM
To: Marwaha, Jasmine
Subject: Re: EASTLAKE: A Community NOT a Corridor

Hi Jasmine:

Thanks so much for checking to make sure the DPD public meeting on an Eastlake community project was moved from far away at Seattle University to TOPS in the Eastlake community. As you may know, there are actually TWO meetings on that development project. The more important meeting, the Design Review Board Recommendation meeting, is still scheduled, also at Seattle University, on April 8th.

I emailed DPD's Shelley Bolser yesterday to ask that the April 8th meeting also be moved to our community. Would it be possible for you to check to make sure the April 8th meeting is also moved to TOPS? The purpose of the DRB Recommendation meeting is to inform the community and take public input that may influence the final recommendation. As before, scheduling the meeting miles away from the Eastlake community will necessarily, greatly reduce attendance and frustrate the purpose of the meeting. Many Eastlake community neighbors won't have the opportunity to understand and comment on the project if the meeting is not held at TOPS.

I received an email today from DPD Director Sugimura with the following acknowledgment of the importance of holding meetings in the community:

"I agree that having this meeting in the impacted neighborhood makes the most sense. There are times when we cannot find the appropriate space for public meetings in the neighborhood itself and we must find nearby locations. While not ideal, we do our best to find locations that are accessible and can accommodate the anticipated meeting size."

As we've seen, TOPS at Seward is most often available. We are hoping that with a little encouragement from the Mayor and City Council, DPD will implement its own policy and agree to hold meetings on projects that impact the Eastlake community at TOPS.

Thanks for working to increase the public accessibility of meetings that affect the neighborhoods. Please be sure to express our thanks to Councilmember O'Brien for caring about the Eastlake community.

Best regards,
Karen

Karen I. Appelman, 206-323-7636, KIAppelman@aol.com

Exhibit F

From: **"Rutzick, Lisa"** <Lisa.Rutzick@seattle.gov>
Subject: RE: EASTLAKE: A Community NOT a Corridor
Date: April 3, 2015 at 12:19:30 PM PDT
To: **"Marwaha, Jasmine"** <Jasmine.Marwaha@seattle.gov>, **'Karen Appelman'** <KIAppelman@aol.com>
Cc: **"Auriemma, Anthony"** <Anthony.Auriemma@seattle.gov>

Thank you, Jasmine. Yes, for the purpose of consistency and predictability, the East Board always meets on the Seattle University campus.

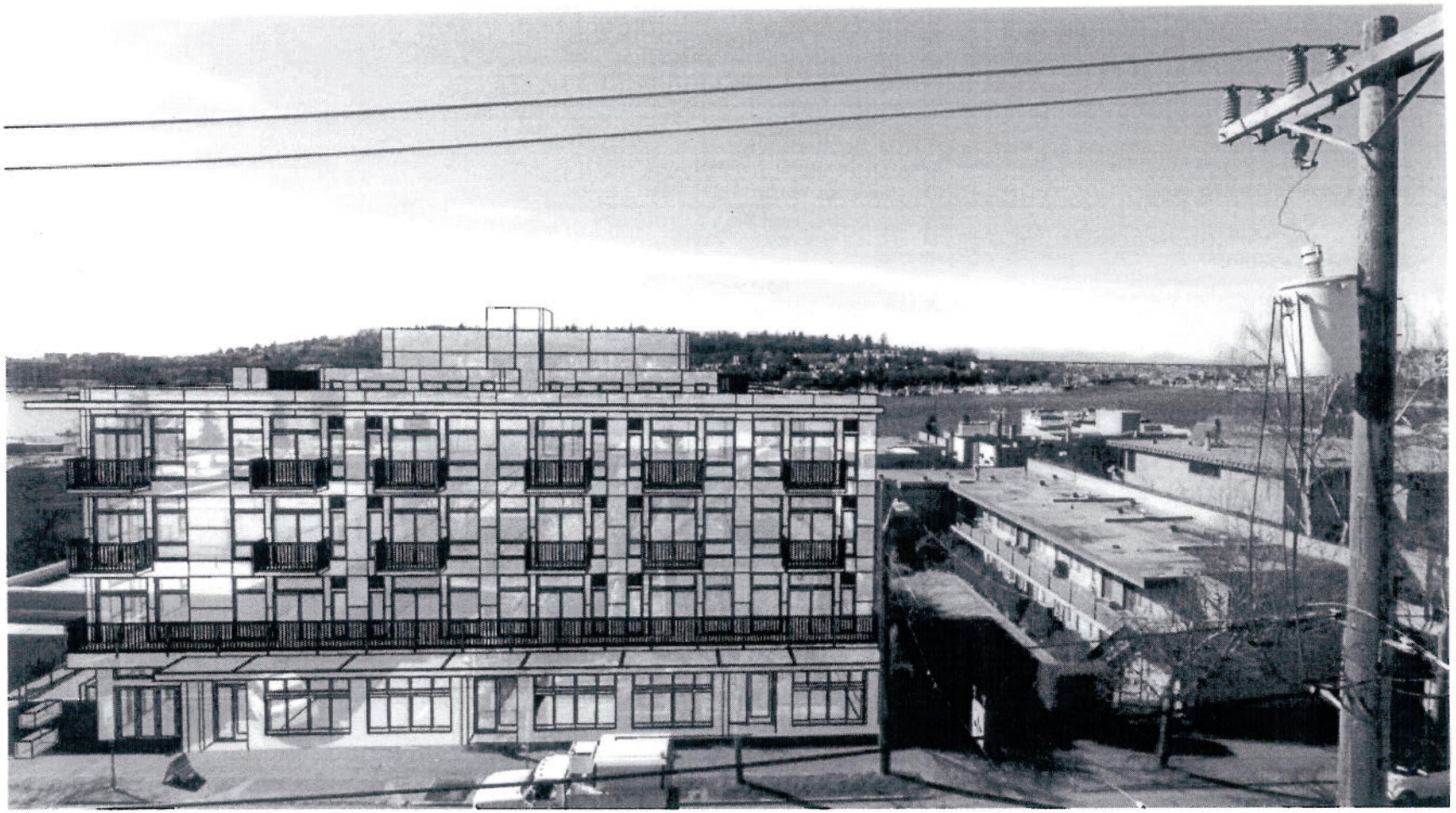
Lisa

Lisa Rutzick | Design Review Program Manager | Department of Planning and Development | City of Seattle | 206.386.9049|

Exhibit G

Exhibit H

schemata
workshop



Sketch A-5

View: **Across Eastlake Ave E - 45 ft**

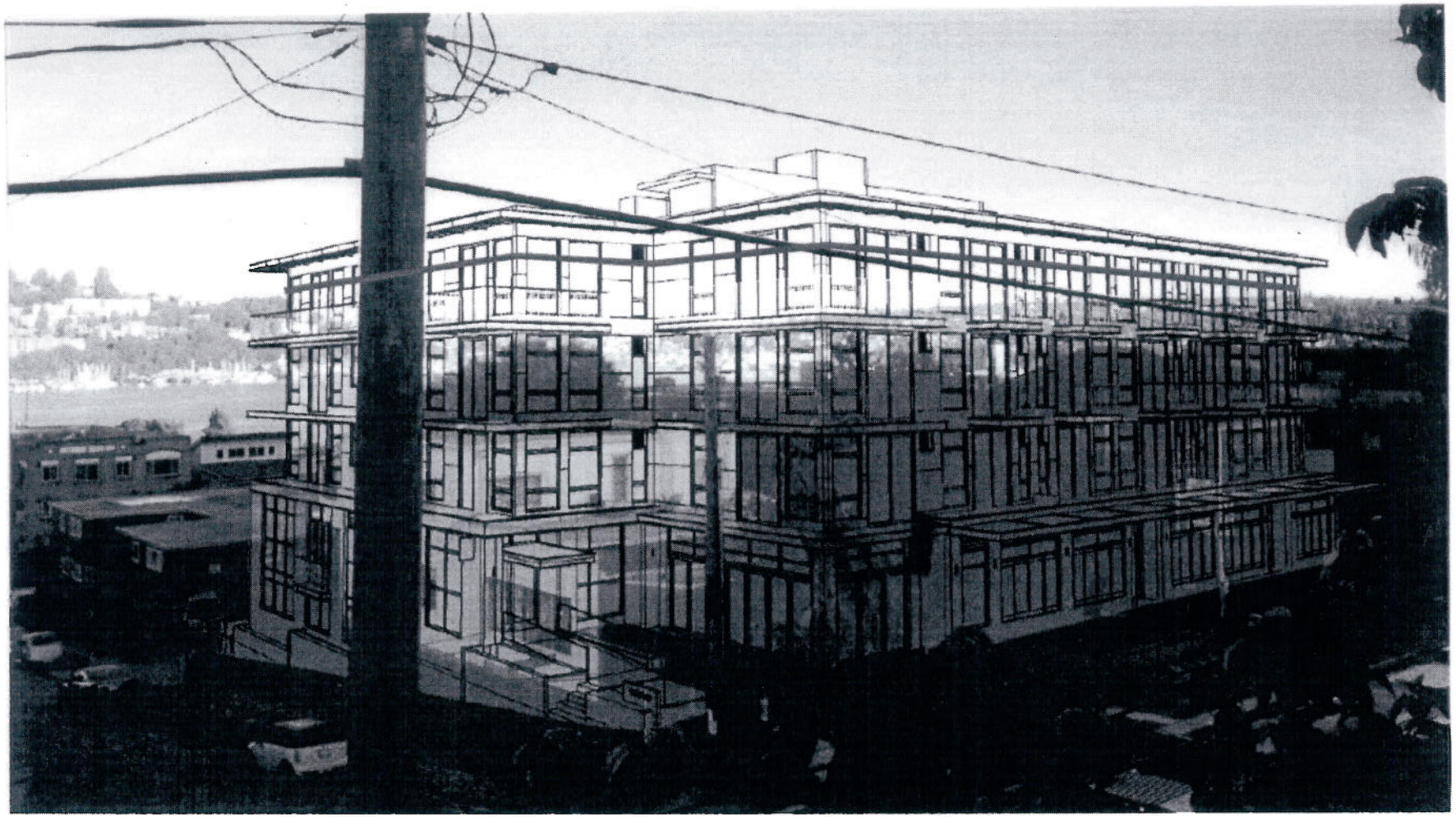
Current Proposed Design

2015.03.05

Exhibit I

The purple line depicts the 40-foot height limit from which the four-foot height bonus is measured

schemata workshop



view from kitty corner neighbor deck view (Sarah Armstrong, apt 3100)
2014.10.22

proposed building

Exhibit J

ARAMBURU & EUSTIS, LLP

Attorneys at Law
J. Richard Aramburu
rick@aramburu-eustis.com
Jeffrey M. Eustis
eustis@aramburu-eustis.com

720 Third Avenue, Suite 2000
Seattle, WA 98104
Tel 206.625.9515
Fax 206.682.1376
www.aramburu-eustis.com

March 30, 2015

East Design Review Board
Attn: Shelley Bolser
Department of Planning and Development
700 5th Avenue, Ste 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: 3016024 – Barrientos rezone application

Dear Design Review Board Members:

On behalf of residents within the 201 East Boston Condominium, we request that you table action on review of the design for the above proposal until after the City Council has taken action on the rezone proposal. Until then, the application is premature in that the applicant seeks review of a development under a zoning classification that has not been, and may never be approved for the property.

The Board should suspend review of the current proposal.

Conducting design review on a proposal that does not meet current zoning standards is inappropriate for at least three reasons. First, apart from approved design departures, a decision on an application for design review must ultimately "meet all codes and regulatory requirements applicable to the subject site ... ." SMC 23.41.008.F.2. That requirement cannot be met where the proposed design does not conform to current regulations, but is predicated upon approval of a change in zoning that may never be given.

The southerly portion of the proposed site is zoned NC-1, which allows the development of commercial use to a height of 30 feet; the northerly portion of the site is zoned LR 2, allowing residential use, also to a height of 30 feet, each with four foot allowances. The applicant's design fails to conform to either zoning classification, as it proposes commercial development over the entirety of the ground floor and it proposes a four story structure whose height off of Eastlake Avenue would be approximately 59 feet,[1] or nearly twice the base height allowed under current zoning. At the end of the

[1] See Waterton Plan Set V2 at page A301 (40' Base height elevation +4' bonus +4' parapet + 11'elevator)

design review process, the ultimate conclusion cannot be rendered, that the proposal complies with zoning regulations applicable to the site, because plainly it does not.

Rather than engaging in an academic exercise of determining conformance with non-existent zoning, the Board should simply table the application until after the City Council has acted upon the rezone request. If the rezone application is approved, then design review may proceed. In the meanwhile, the design review is simply being conducted on a hypothetical project.

Second, design review on a proposal not allowed by current zoning is premature. Currently, the City is revising its comprehensive plan. Rather than being considered in isolation, the proposal should be considered in the context of plan review. Among other design goals, the Eastlake Neighborhood Plan envisions:

> *residential growth [that] is consistent with Eastlake's character, size, scale,* infrastructure and public services, and occurs in locations appropriate for residential uses.[2]

The applicant's proposal is not consistent with the character, size and scale of development in its vicinity. The west side of Eastlake to the north of the site is developed in two and three story residential buildings, consistent with its LR 2 zoning.[3] The west side of Eastlake Avenue to the north of East Boston does not have a 4 story building until its intersection at East Lynn Street, at a site zoned NC2-P40, which transitions to more intensive zoning to the north.[4]

Moving south of East Boston Street across from the site, the west side of Eastlake holds a one story commercial use (the *Serafina* and *Cicchetti restaurants*), a three story apartment building, a 1½ story house, a three story apartment building, a two story house, a three story apartment and a two story motel.[5] Nothing exceeds three stories until one reaches the office building at East Blaine Street, three blocks south of the site.

If the Eastlake neighborhood goals concerning the scale of development are to be reconsidered, that should occur first in the context of comprehensive plan review and then through the adoption of zoning to implement changes in the comprehensive plan, which is the sequence mandated by the Growth Management Act.[6] The GMA further requires that any revisions to plans and zoning occur in the context of all other

---

[2] Eastlake Neighborhood Plan, Goal EL G-5.
[3] See photos of westside of Eastlake Avenue within Applicant's Early Design Guidance at 6.
[4] See zoning map contained within Applicant's Early Design Guidance at 2.
[5] See photos within Applicant's Early Design Guidance at 6.
[6] RCW 36.70A.040(3)(d)(GMA cities to adopt comprehensive plans and development regulations to implement those plans).

proposals so that their cumulative effects may be considered together, rather than on a piecemeal basis,[7] which is the approach inherent in the pending application.

Third, the Board's consideration of a design failing to conform to zoning and the Eastlake Neighborhood Plan conflicts with another important statute, the Local Project Review Act. At RCW 36.70B.030(3), this statute requires that during project review a local government not reexamine items already defined by development regulations, including the type of land use permitted and the density of residential development permitted. Yet that is what the proposal asks for, to expand retail uses and to intensify residential zoning. Even though the City allows contract rezones, the process here is backwards, as it potentially allows the review of a single development to influence the scale of development that should be determined on a broader scale.

The proposed design should be rejected as inconsistent with design guidelines.

If the Board continues with its review, the proposed design should be rejected on its merits because it fails to conform to a number of applicable design guidelines. Although conformance with each and every design strategy is not required, "all projects are expected to meet and address all of the guidelines[;]" further, attention should be given "in determining which approaches and strategies are particularly applicable to a given project[:]"

> While all projects are expected to meet and address all of the guidelines, they are not expected to apply all the approaches and strategies listed for each guideline. Not all of the approaches and strategies will be relevant to every project. Applicants, Design Review Boards, and other reviewers should use their judgment and discretion in determining which approaches and strategies are particularly applicable to a given project. [City Wide Guidelines at v.]

The proposed development does not meet all of the design guidelines and it does not meet the particular strategies applicable to this project.

The project fails to meet Design Guideline CS 2, which provides that "Urban Pattern and Form:"

> Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

Part D to this guideline lists five strategies to address height, bulk and scale, which are excerpted below:[8]

---

[7] RCW 36.70A.130(2)(b)(all proposals for updates, amendments or revisions of the comprehensive plan "shall be considered...concurrently so the cumulative effect of the various proposals can be ascertained.")

1. Existing Development and Zoning: Review the height, bulk, and scale of neighboring buildings as well as the scale of development anticipated by zoning for the area to determine an appropriate complement and/or transition. ...

2. Existing Site Features: Use changes in topography, site shape, and vegetation or structures to help make a successful fit with adjacent properties; ...

3. Zone Transitions: For projects located at the edge of different zones, provide an appropriate transition or complement to the adjacent zone(s). Projects should create a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zone and the proposed development. ...

4. Massing Choices: Strive for a successful transition between zones where a project abuts a less intense zone. In some areas, the best approach may be to lower the building height, break up the mass of the building, and/or match the scale of adjacent properties in building detailing. ...

5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy and outdoor activities of residents in adjacent buildings.

The proposal conforms to neither the CS 2 Guideline nor any of the strategies related to height bulk and scale:

Contrary to Guideline CS 2D-1, the proposal neither complements nor transitions to neighboring buildings. As shown by the photos of the westerly block face of Eastlake Avenue East set forth within the applicant's own Early Design Guidance document, the 59 foot height of the proposed building would contrast starkly to the one story development to the north of the site, to the one story development across East Boston Street to the south of the site, and to the one story apartment across the alley to the west of the site.

Contrary to Guideline CS 2D-2, the development does not use topography to make a successful fit with adjacent properties. Rather than stepping down the slope from Eastlake Avenue, the project carries its height across the site

[3] The Design Guidelines and strategies are excerpted here in the interest of space, and not to suggest that other provisions would not apply. The full text of the strategies is contained within the Citywide Guidelines and available on DPD's website at:
http://www.seattle.gov/dpd/cs/groups/pan/@pan/documents/web_informational/p2083771.pdf

reaching nearly 70 feet (69'10") at the alley to the west. See Plan Sheet A202. This contrasts to the one story height of the apartment building directly across the alley to the west and even to the three story apartment buildings along the west side of the alley farther to the north.

Contrary to Guideline CS 2D-3, the proposal lies at the edge of less intensive zones to the south, but fails to provide an appropriate transition or a step in perceived height, bulk and scale. The existing NC-1 and LR-2 zones were placed on the site to provide a transition between the more intensively zoned commercial area to the north of Boston Street and the residentially zoned areas to the south of Boston Street. By proposing development to NC-2 standards, the project removes that transition. The buildings to the south (the one story Serafina and Cicchetti restaurant building) and the apartments to the west are well established for which there is no anticipated redevelopment. As noted above, the height of the proposed building does not step down to the north, the south, or to the west.

Contrary to Guideline CS 2D-4, the project abuts less intense zones to the south and to the west, but does not follow the indicated strategies of lowering building height, breaking up its mass, or matching the scale of adjacent properties.

Contrary to Guideline CS 2D-5, the project does not respect adjacent properties and minimize disruption of privacy. To the contrary, it would block light, air and sunlight to the north and loom above properties to the south and west.

In sum, the proposal does not conform to Guideline CS2 or to any of its implementation strategies for height, bulk and scale. Based upon these inconsistencies the Board should not recommend approval of the proposed design.

The proposal also fails to conform to Guidelines CS3 and DC2 and their implementing strategies. Guideline CS3 requires the project to "[c]ontribute to the architectural character of the neighborhood." This guideline is implemented in part through the Strategy at CS3-A1:

> **1. Fitting Old and New Together:** Create compatibility between new projects, and existing architectural context, including historic and modern designs, through building articulation, scale and proportion, roof forms, detailing, fenestration, and/or the use of complementary materials.

Guideline DC2 requires the project to:

> Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

This guideline is implemented by a number of strategies, including those at DC2-C3:

> **3. Fit With Neighboring Buildings:** Use design elements to achieve a successful fit between a building and its neighbors, such as:
> a. considering aspects of neighboring buildings through architectural style, roof line, datum line detailing, fenestration, color or materials,
> b. using trees and landscaping to enhance the building design and fit with the surrounding context, and/or
> c. creating a well-proportioned base, middle and top to the building in locations where this might be appropriate. Consider how surrounding buildings have addressed base, middle, and top, and whether those solutions—or similar ones—might be a good fit for the project and its context.

The proposed building does not conform to Guidelines CS3 and DC2 or the above implementing guidelines because it is out of scale with neighboring buildings. Its design does not complement the one-story, brick Serafina building across Boston to the south, the Zema building across Eastlake to the east or the one and two story buildings within the same block to the north. At 60 feet in height above Eastlake Avenue, the proposed building would completely dwarf well-established buildings in the vicinity.

For these reasons we urge the Design Review Board to not recommend approval of the proposed design. The proposal is premature and the design fails to conform to numerous design guidelines and implementation strategies.

Thank you for your attention to this letter.

Sincerely yours,

ARAMBURU & EUSTIS, LLP

Jeffrey M. Eustis

cc: Residents of 201 East Boston

Exhibit K

ARAMBURU & EUSTIS, LLP

Attorneys at Law
J. Richard Aramburu
rick@aramburu-eustis.com
Jeffrey M. Eustis
eustis@aramburu-eustis.com

720 Third Avenue, Suite 2000
Seattle, WA 98104
Tel 206.625.9515
Fax 206.682.1376
www.aramburu-eustis.com

April 2, 2015

East Design Review Board
Attn: Shelley Bolser
Department of Planning and Development
700 5th Avenue, Ste 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: 3016024 – Barrientos rezone application

Dear Design Review Board Members:

On behalf of residents within the 201 East Boston Condominium, we respond to the Foster Pepper letter of April 1, 2015 and re-affirm our request that you table action on review of the design for the above proposal until after the City Council has taken action on the rezone proposal.

Foster Pepper's letter essentially is a defense of putting the project review horse before the planning cart and to turn the sequence of land use decision making on its head. The citations given by Foster Pepper do not support its defense of such an inverted process.

As the legislative findings in support of RCW 36.70B.030 make clear, project review, which includes design review, must begin with the choices made in the adoption of the plan and zoning designations for the site and shall not reexamine those determinations:

> (1) Given the extensive investment that public agencies and a broad spectrum of the public are making and will continue to make in comprehensive plans and development regulations for their communities, it is essential that project review start from the fundamental land use planning choices made in these plans and regulations. If the applicable regulations or plans identify the type of land use, specify residential density in urban growth areas, and identify and provide for funding of public facilities needed to serve the proposed development and site, these decisions at a minimum provide the foundation for further project review unless there is a question of code interpretation. The project review

> process, including the environmental review process under chapter 43.21C RCW and the consideration of consistency, should start from this point and should not reanalyze these land use planning decisions in making a permit decision.

Chapter 347, §§ 404 and 405 (Laws of 1995)(Legislative Finding 1)(Emphasis supplied.) Accordingly, RCW 36.70B.030(3) provides that:

> During project review, the local government or any subsequent reviewing body shall not reexamine alternatives to or hear appeals on the items identified in subsection (2) of this section [including the density of residential development]. ...

Foster Pepper's reliance on RCW 36.70B.030(5) is misplaced, since that section does not change the sequence of land use decision making established by the statute. In full, RCW 36.70B.030(5) states:

> (5) Nothing in this section limits the authority of a permitting agency to approve, condition, or deny a project as provided in its development regulations adopted under chapter 36.70A RCW and in its policies adopted under RCW 43.21.060. Project review shall be used to identify specific project design and conditions relating to the character of development, such as the details of site plans, curb cuts, drainage swales, transportation demand management, the payment of impact fees, or other measures to mitigate a proposal's probable adverse environmental impacts, if applicable.

This provision does not say that project review may be used to second guess residential density determinations made in the adoption of the underlying zoning, which the Barrientos application is effectively asking the Design Review Board to do by proposing a design that does not conform to existing zoning.

In our prior letter of March 30, 2015, we argued that the Barrientos proposal asked the Design Review Board for a recommendation that was legally impossible to make, to find that the proposal would "meet all codes and regulatory requirements applicable to the subject site[,]" which is a requirement of SMC 23.41.014.F.2. Foster Pepper contends that such a requirement does not exist. In fact it does, at SMC 23.41.014.F.2. We had correctly cited the language, just attributed it to a different section of code. Nonetheless, the fact remains that in consideration of a design that is predicated upon future approval of a zoning change, a recommendation finding compliance with currently applicable planning and zoning cannot be legally made.

Foster Pepper also misplaces reliance upon SMC 23.76.040.G.2 as authorizing the process followed here. It does not. That section governs notices of application and

identifies four types of land use decisions for which the DPD Director shall provide notice to the City Clerk. In any event, we have not contended that the City lacks authority to approve contract rezones. However, we maintain that consideration of the Barrientos contract rezone request is inappropriate where the requested zoning is inconsistent with the neighborhood plan and is presented at the same time that the City is updating its comprehensive plan. Both GMA and the Local Project Review statute contemplate that residential density determinations be made in the context of planning, not on an *ad hoc*, site-specific, project-by-project basis.

For the reasons given above and in our prior letter, the Design Review Board should table its review of the proposed design.

Thank you for your attention to this letter.

Sincerely yours,

ARAMBURU & EUSTIS, LLP

Jeffrey M. Eustis

cc: Residents of 201 East Boston
Jeremy Eckert

Exhibit L

Exhibit M

What is LinkedIn? Join Today Sign In

Krystal Brun

470 connections

Engineer at Turner Construction Company

Seattle, Washington | Construction

Current: City of Seattle, Turner Construction Company

Previous: The Museum of Flight, Turner Construction Company, Smithsonian Institution

Education: The George Washington University

Join LinkedIn and access Krystal's full profile. It's free!

As a LinkedIn member, you'll join 300 million other professionals who are sharing connections, ideas, and opportunities.

- See who you know in common
- Get introduced
- Contact Krystal directly

View Krystal's Full Profile

Experience

Design Review Board Member - Get Engaged Program

City of Seattle

August 2014 – Present (11 months) | Capitol Hill

Engineer/ Cost Analyst

Turner Construction Company

September 2012 – Present (2 years 10 months) | Greater Seattle Area

2012-2014:
Interiors Engineer for the Viktoria Apartments, a $55M volume, 249 unit mixed-use, luxury apartment high rise project in Belltown. Managed over 15 subcontractors and over $10 million of interiors, plumbing and landscaping scope. Reviewed contract terms, prepared RFIs, reviewed submittals and shop drawings, and negotiated change order cost with subcontractors and owner representatives. Assisted in the review of BIM coordination modeling for drywall clash detection. Compiled, reviewed and uploaded LEED documentation.

2014-Current:
Project Set Up Engineer and Cost Engineer.
Work with multiple project teams to establish and review project budget set-up structures and upload the projects to SAP. Providing monthly assistance to project teams to monitor the current project budget and forecast remaining cost over the life of the project. Prepare monthly and quarterly auditing reports to determine the financial position of ongoing construction projects. Provide troubleshooting assistance as needed by project teams to navigate cost monitoring tools.

2013-2014:
Co-founded Leadership Turner Seattle, a group established to engage early and mid-level career employees in peer networking, soft skill training opportunities, and community outreach projects on a monthly basis.

Find a different Krystal Brun

First Name Last Name

Example: Krystal Brun

Krystal Brun
Customer Service Specialist at Doc Halo
Cincinnati Area

More professionals named Krystal Brun

People Also Viewed

Katie Trimpe
Project Engineer at Turner Construction Company

Brenda Baxter
Project Manager Turner Construction Company

Michelle Bungay
Project Manager at Turner Construction

Ashley Lippincott
Engineer at Turner Construction

Nathan Wolfson
Graduate Assistant at The George Washington University

Samantha Cyrulnik-Dercher
Scheduler/Staff Assistant at U.S. House of Representatives

Garrett Turpin
Concrete Engineer at Turner Construction Company

Jeffrey Isakson
Owner

Jeff Isakson

Ads You May Be Interested In

Reamote Control Software
Remote Control Meetings and Data Transfer - Try now!

Data Center Design
Experts in IT, Cabling & Facility Data Center / Computer Room Design

Invitation from LinkedIn
Place Ads on LinkedIn. Acquire new customers for your business. Try it now!