



FILED  
CITY OF SEATTLE

2014 OCT 22 AM 10:44

CITY CLERK

Land Use Referrals

Type of Approvals: **Rezone**

Project Number: **3016024**

Site Address **2203 (2209) Eastlake Ave E**

Environmental Review Required? **Yes**

Full Subdivision	PCD/Public Projects	Rezone/Council Cond. Use	Major Inst. Master Plan/PD's	Short Plat/LBA	Shoreline Permit	Other

Selected Agencies
Please Review the attached application and send your response within fourteen (14) days to:  LU Routing Coordinator: <b>PRC</b> E-Mail: <a href="mailto:prc@seattle.gov">prc@seattle.gov</a> Fax #: (206) 233-7901 Mail Stop: SMT-21-00  Assigned Planner: Gary Papers Email: <a href="mailto:gary.papers@seattle.gov">gary.papers@seattle.gov</a>
Addressing
Ordinance BPE -
<b>X</b> <b>City Clerk (CH 03-10)</b>
City Light Plan Review Team (SMT 3624) - <i>LBA's, SP's, Full Subs only</i>
<b>City Light Real Estate (SMT 3012)</b> <i>- Unit Lot Sub and Full Unit Lot Sub only</i>
Department of Natural Resources
Drainage Review
Fire (FM 02-04) <b>** Fire review not required for short ULS when ONLY creating unit lots **</b>
Geo-technical Engineer
Health (PH-1100)
Metro - Environmental Planning
Office of Housing -SMT-57-00
Other
Parks & Recreation (PK 01-01)
SDOT - Street Use (S MT - 3900)
Sign Inspector
Water (SMT 49-00)
WSDOT- To: Local Area Manager PO Box 330310, Seattle, WA 98133-9710
Zoning Review

Application Date: Click here to enter a date. Date Referred: Click here to enter a date.

2 Week Target Date Click here to enter a date. 4 Week Target Date: Click here to enter a date.

Water conducting all electronic plat reviews from documents scanned into EDMS as of 2013

# 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 NCIP-30 AND LR2 RC TO NC2P40**

## ADDITIONAL APPROVALS REQUIRED:

Design Review

Grading

SPACE FOR  
PROJECT LOCATION  
MAP

The comment period ends \_\_\_ but may be extended to \_\_\_ by written request. All comment letters will be posted to the DPD web site. To submit written comments or to obtain additional information, contact Seattle's Department of Planning and Development (DPD), 700 5th Av Ste 2000, PO Box 34019, Seattle, WA 98124 -4019. Contact by phone (206) 684-8467 or email [PRC@seattle.gov](mailto:PRC@seattle.gov). Be sure to refer to Master Use Project #3016024

Combining Sites

# 3016024 - SEPA/Contract Rezone

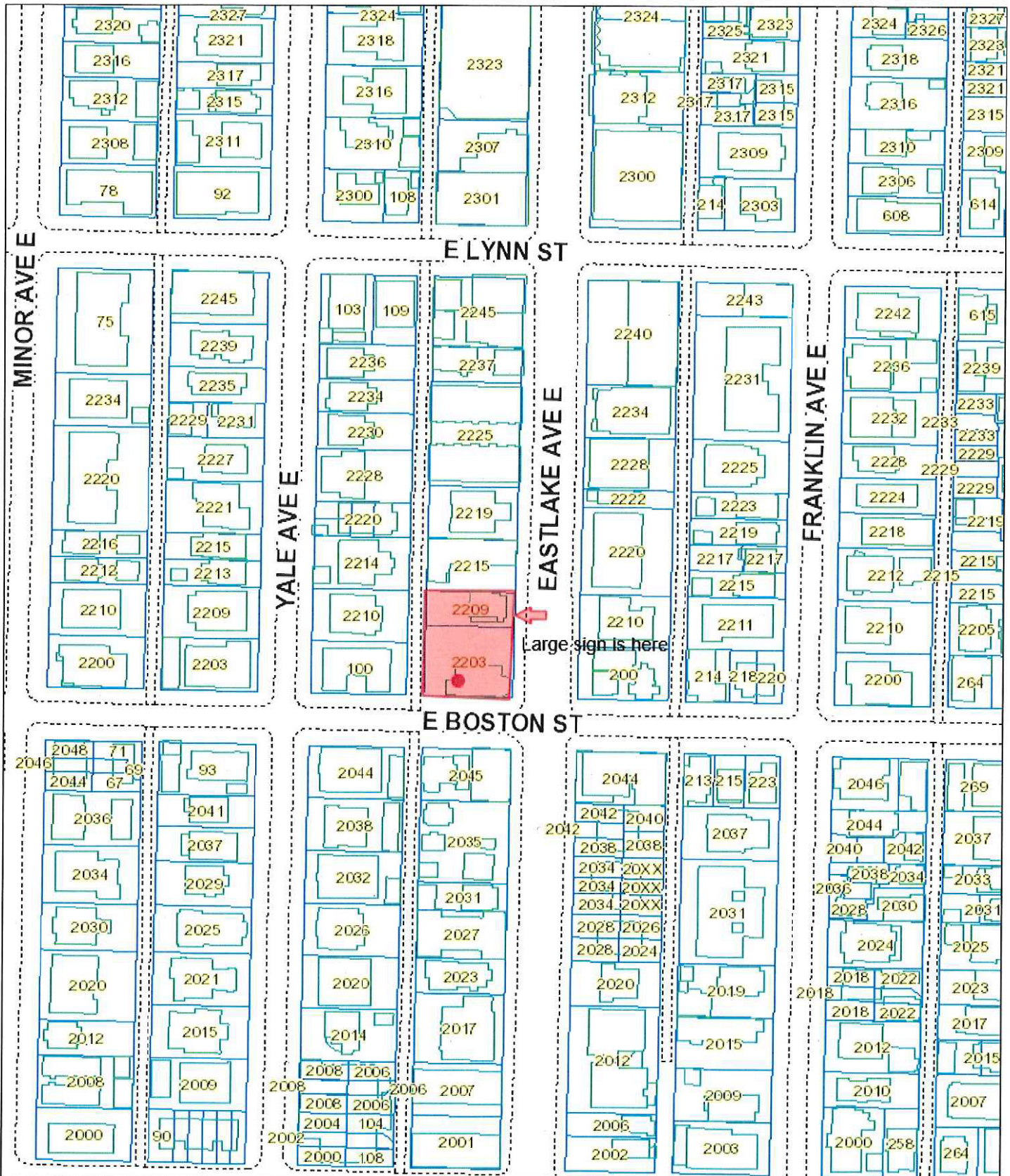
2023 Eastlake Ave E  
Map 91



Feet

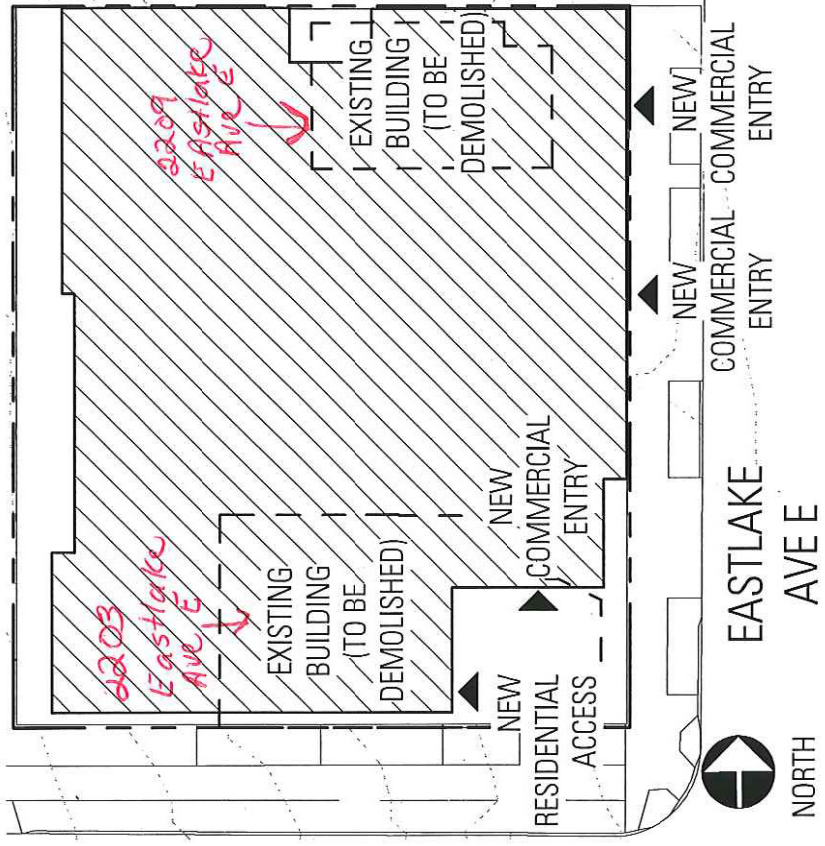
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145



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Coordinate System: State Plane, NAD 83-91, Washington North Zone | Vertical Datum: North American Vertical Datum of 1988 (NAVD88). Map produced by DPD GIS Viewer (DPD - IT GIS).

ALLEY



BOSTON ST



EASTLAKE AVE E

NEW COMMERCIAL ENTRY

NEW COMMERCIAL ENTRY

A/P # 3016024 DISCRETIONARY LAND USE ACTION

Application Information

Stages

	Date / Time	By		Date / Time	By
Processed	09/26/2014 09:58	COMMANS	Temp COO		
Approved			COO Issued		
Final			Expires		

Associated Information

Associated Information				Valuation	
Type of Work	FULL C FULL REVIEW (COMPLEX)	# Plans	1	Declared Valuation	5000000.00
Dept of Commerce	CMRCL COMMERCIAL	# Plans	0	Calculated Valuation	0.00
Priority	<input checked="" type="checkbox"/> Auto Reviews	Bill Group		Actual Valuation	0.00

Description of Work

Council Land Use Action for a contract rezone a parcel of land from NC1P-30 and LR2 RC to NC2P40. Project also includes Land Use Application to allow 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.

Parent A/P #

Project #	3016024	Project/Phase Name		Phase #	
Size/Area	0.00	Size Description		Subdivision Code	
Proposed Start		Proposed Stop		% Completed	0.00
% Complete Formula					

Land Use

Decision Type IV

Land Use Components

Building ID Information

Project Includes

Use	N	Ground Disturbance	Y	
TRAO Applies	N	EDG Required		
Design Review	Y	Development In ROW		
Incentive Plan	N			
PASV Req'd This Permit	Y	Done Under		Permit Remarks
Fee Ordinance Exception	NONE			(*1)

Special Flags

Priority Green N

Building ID Information

Building ID

NONE

Land Use Components

LU Component	Component Detail	Outcome	Component Add Date
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COUNCIL CNCL REZONE CNT 10/20/2014

COMMANS

Report Date 10/20/2014 11:58 AM

Submitted By

Page 2

Land Use Components LU Component Comments Added By	Component Detail	Outcome	Component Add Date
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DSGN RVW 1	DR STRUCT LOC		09/17/2014
to allow setback less than 15' for portions of the structure greater than 13' in height.			
COMMAN			
DSGN RVW 1	DR STRUCT LOC		03/11/2014
to allow a setback less than 15' from the abutting residential zone			
COMMAN			
DSGN RVW 1	DR OTHER		09/17/2014
to reduce the floor to floor height requirement for non residential uses at street level.			
COMMAN			
SEPA	SEPA DNS		09/23/2014
COMMAN			

Template Type	A/P #	A/P Type	Status	Stage
BLDG	6378644	CONSTRUCTN		Pre-Processed

Employee Employee ID	Last	First	MI	Comments
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No Employee Entries

Log Action Comments	Description	Entered By	Start	Stop	Hours
OTHER	OTHER ACTION TRAO review not required for this project.	WEATHER	06/12/2014 09:03	06/12/2014 09:03	0.00
REINST	A/P STATUS REINSTATE From STOP WORK To ACTIVE -	HARRISJ1	11/12/2013 06:40		0.00
STOP	A/P STATUS STOP WORK From ACTIVE To STOP WORK - PENDING FEES	HARRISJ1	11/04/2013 13:41		0.00

## Rezone Application Cover Letter

Dear Ms. King:

Following below is a request for a rezone and an upzone<sup>1</sup> for property situated at 2203 and 2209 Eastlake Avenue E. As background, the applicant, Barrientos LLC (“applicant” or “Barrientos”) is in the process of entitling a four-story, mixed use structure on Eastlake Avenue E. Barrientos has a history of developing responsible mixed-use projects in the City of Seattle.

Throughout the entitlement process, Barrientos has conducted and completed extensive outreach with the community, both through established community review mechanisms (*e.g.*, Early Design Guidance), and through informal community review mechanism (*e.g.*, meeting with neighbors over coffee to discuss the project and any concerns). The Master Use Permit (“MUP”) submittal strictly adheres to the Design Review Board’s guidance.

The project requires rezoning the subject property to NC2P-40 from NC1P-30 and LR2 RC. Following below we provide DPD with the Rezone Application Submittal Information as required by DPD’s rezone application form. Following this information, we provide DPD with a written analysis of rezone criteria that addresses the submittal requirements as set forth in the Seattle Municipal Code. The submittal also includes the following: (1) early design guidance from the Design Review Board, (2) letters of support from property owners and residents located near the project, and (3) six copies of scale drawings that conforms to the requirements in DPD TIP #228.

Please do not hesitate to contact us if you have any questions regarding this submittal. Our contact information is included below.

Sincerely,

BARRIENTOS LLC  
Attn: John Links  
John@mbarrientos.com  
(206) 914-8130

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<sup>1</sup> To simplify the application materials, the term “rezone” encompasses both the requested rezone and upzone.

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**ANSWERS TO THE REZONE APPLICATION SUBMITTAL  
INFORMATION SHEET IN DPD TIP #228**

**DPD Project Number:**

3016024

**Subject Property Address:**

2203 and 2209 Eastlake Avenue E., Seattle, WA 98102.

**Summary of existing zoning classifications and proposed change:**

2203 Eastlake Ave E. is currently split-zoned NC1P-30 and LR2 RC. 2209 Eastlake Ave E. is currently zoned LR2 RC.

The proposal is to rezone both parcels to NC2P-40.

**Approximate Size of property/areas to be rezoned:**

Approximately 12,300 sq. ft.

**If the site contains or is within 25 feet of an environmentally critical area, provide information if required pursuant to SMC 25.09.330 and CAM 103B:**

The site does not contain any critical areas, and it is not within 25 feet of an environmentally critical area.

**Applicant Information:**

**a. Property owner and owner's representative:**

JP Links  
Barrientos LLC  
2003 Western Ave. Suite 610  
Seattle, WA 98121  
john@mbarrientos.com

**b. Other? (Explain):**

No other applicant information is necessary.

**Legal description of property(s) to be rezoned:**

2203 Eastlake Avenue E.: Lots 1 and the South 20 feet of Lot 2, Block 8, Green's Addition to the City of Seattle, according to the Plat thereof recorded in Volume 2 of Plats, page 73; EXCEPT the

East 7-1/2 feet condemned in King County Superior Court Cause No. 56815 for widening of Eastlake Avenue as provided by Ordinance No. 14883 of the City of Seattle.

2209 Eastlake Avenue E: The North 40 feet of Lot 2, Block 8, Green's Addition to the City of Seattle, recorded in Volume 2 of Plats, page 73, records of King County, Washington; EXCEPT the East 7.5 feet thereof condemned for Eastlake Avenue East; subject to easements, restrictions, reservations and covenants of record, if any.

**Present use(s) of property:**

2203 Eastlake Avenue E. includes a 2,700 sq. ft. structure that currently includes two retail and one residential tenant.

2209 Eastlake Avenue E. includes a 1,800 sq. ft. home that was recently remodeled after previous tenants stripped the building of all its fixtures.

Both structures described above will be demolished. One residential tenant will be displaced. The project applicant has complied with the tenant relocation assistance ordinance.

**What are the planned uses for the property if a rezone is approved?**

Development objectives include utilizing the site for a mixed-use building with commercial and residential uses. More specifically, this rezone application accompanies a MUP application that would entitle a four-story, mixed-use structure with 3,000 sq. ft. of retail space at ground level fronting on Eastlake Avenue E. and 45 residential units. Parking for 39 vehicles to be provided within a garage off the alley.

**Does a specific development proposal accompany the rezone application? If yes, please provide plans:**

Yes. A specific development proposal does accompany the rezone application. The proposal has completed two early design guidance review meetings, and the project's Master Use Application is included with this rezone application submittal information. The plans are attached as the last item in this application.

The project's name is The Waterton. The terms "The Waterton" and "project" are used interchangeably throughout this rezone application.

**Reasons for the requested change in zoning classification and/or new use:**

The rezone will enable the developer to build a more thoughtful project that is consistent with the Seattle Comprehensive Plan Urban Village Strategy and Eastlake Neighborhood Plan. The Waterton 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,<sup>2</sup> and (3) new housing within the Eastlake residential urban village.

More specifically, as identified in the chart below, the rezone allows 14,605 sq. ft. of additional building area that is proposed to have ~1,000sq. ft. of additional commercial and up to 18 additional new dwelling units.<sup>3</sup>

Current Code (Without LEED Silver or Build Green 4 Star)						
Parcel	Zone	FAR	Circulation (14%)	Commercial SF	Residential SF	Residential Units (~660 SF)
2203	NC1P-30	15,375	2,153	2,000	11,223	17
2209	LR2-RC	6,765 (1.1 FAR)		0	6,765	5 (Density limit 1/1,200)
<b>Totals</b>		<b>22,140</b>		<b>2,000</b>	<b>17,988</b>	<b>22 Total Units</b>

Current Code (With LEED Silver or Build Green 4 Star)						
Parcel	Zone	FAR	Circulation (14%)	Commercial SF	Residential SF	Residential Units (~660 SF)
2203	NC1P-30	15,375	3,272	2000	18,098	
2209	LR2-RC	7,995 (1.3 FAR)		0		27
<b>Totals</b>		<b>23,370</b>		<b>2,000 SF</b>		

Rezone North Parcel, No Rezone on South						
Parcel	Zone	FAR	Circulation (14%)	Commercial SF	Residential SF	Residential Units (~660 SF)
2203	NC1P-30	30,740	4,304	2,968	23,468	36
2209	NC1P-30					

Proposed Scheme With Rezone						
Parcel	Zone	FAR	Circulation (14%)	Commercial SF	Residential SF	Residential Units (~660 SF)
2203	NC1P-40	37,975	5,299	2,968	29,708	45
2209	NC1P-40					

The increased development potential as realized through the proposed development advances Seattle’s Urban Village growth strategy and Eastlake Neighborhood’s goals as set forth in its Neighborhood Plan as discussed in greater detail in this application. While neighborhood plans are often vague due to their area-wide nature, we note that the rezone also advances the project’s more specific project objectives:

1. Develop high quality multi-family housing in this neighborhood;
2. Create a vibrant open plaza at the corner of Boston and Eastlake to both activate the area across from Serafina and create space for neighborhood interaction;
3. Provide opportunities for successful commercial tenant space that serves the neighborhood and also provides the opportunity for existing commercial tenants to return to this location;
4. Enhance the streetscape environment with pedestrian-oriented shops/restaurants and to create landscaping along Boston to compliment the landscape across the street from the restaurants Serafina and Cichetti;
5. Provide an entry that co-mingles the residential entry with neighborhood use of the courtyard corner plaza to activate and create “energy” and “buzz” at the street-level.
6. Step back the upper residential floors of the building on Eastlake and Boston, providing space provide for additional light onto surrounding property; and

<sup>2</sup> The Eastlake Neighborhood Plan explicitly lists this subject project as a mixed-use and commercial node, at Figure IV.I.

<sup>3</sup> This density calculation presumes approximately 660 sq. ft. per unit. It also presumes that commercial will not be constructed in a LR2 RC zone since the market on Eastlake Ave. E. does not support commercial with the residential authorized in the LR2 zone.

7. Maximize day light and access to the outdoors through large floor to ceiling windows and decks for each unit.

**Anticipated benefits the proposal will provide:**

The Waterton will provide 45 total units and 3,000 sq. ft. of commercial space. As currently designed, The Waterton advances many of the Eastlake Neighborhood's goals, including, but not limited to the following,

- Goal CD-4 Encourage pedestrian activity along streetscapes, alleys and hillclimbs;*
- Goal CD-6 Encourage pedestrian-scaled mixed-use development;*
- Goal CD-7 Promote compatibility between commercial and residential uses;*
- Goal CD-8 Manage residential growth;*
- Goal M-2 Enhance the streetscape;*
- Goal M-5 De-emphasize the business strip nature of Eastlake Avenue by concentrating new commercial development around several nodes.*

All of the Eastlake Neighborhood goals are analyzed in greater detail in this application.

The Waterton also advances the City of Seattle's Urban Village Plan by providing housing and commercial activity in the Eastlake Residential Urban Village. The City seeks to encourage growth in urban villages to reduce conversation pressure on the City's residential neighborhoods. The City's Urban Village goals are analyzed in greater detail in this application.

**Summary of potential negative impacts of the proposal on the surrounding area:**

The requested rezone would provide the underlying zoning needed to complete the development proposal that advances the neighborhood plan and the City's urban village strategy. The Waterton has undergone extensive review through the Early Design Guidance process. The applicant has also voluntarily reached-out to the community outside of the EDG process.<sup>4</sup> Through this extensive outreach, the applicant has identified potential negative impacts and mitigated the same, as identified below:

- **Tree Removal.** One individual expressed concern about the removal of a tree that exists on the northern portion of the property. The applicant's certified arborist reviewed the tree and identified several issues that undermine the tree's ability to survive.<sup>5</sup> The Design Review Board unanimously preferred the massing scheme that removed the tree, thereby providing adequate space to create the preferred courtyard at the intersection of East Boston St. and Eastlake Avenue E.

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<sup>4</sup> For example, see the public comments at the second EDG meeting at page 4 of the Second Early Design Guidance of the East Design Review Board, attached.

<sup>5</sup> The arborist's letter is included in the applicant's second EDG materials, dated July 23, 2014.

- Views. Some neighbors expressed concerns about potential view impacts of the proposed 40-foot structure. To address this concern, the applicant is following the Design Review Board's ("DRB") guidance and submitting its MUP application in conformance with Massing Option Three (3). The DRB commented that this Massing Option will mitigate view impacts by setting back the residential floors from the East and South (see insert location to see the setback in the plan). In addition, the applicant is treating the roof as a "fifth façade" by incorporating a compelling green roof design that maximizes existing views to the lake (see image to the right) and view from above.

- Tree Removal. One individual expressed concern about the removal of a tree that exists on the northern portion of the property. The applicant's certified arborist reviewed the tree and identified several issues that undermine the tree's ability to survive.<sup>6</sup> The Design Review Board unanimously preferred the massing scheme that removed the tree, thereby provided adequate space to create the preferred corner plaza at the intersection of East Boston St. and Eastlake Avenue E.

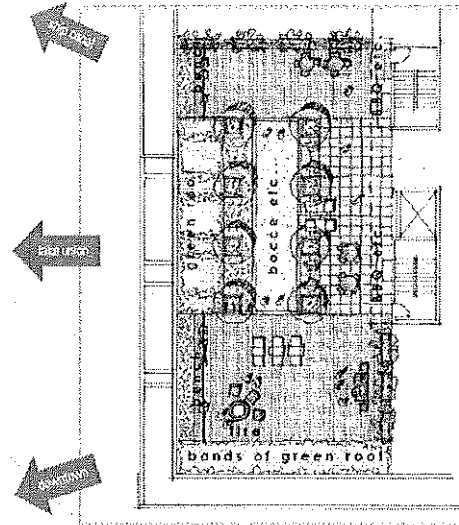


Image showing the "fifth façade"

- Reduced Northern Setback. One requested design departure is a reduced northern setback. The reduced northern setback provides adequate space for the preferred corner plaza. One individual expressed concern about the reduced north setback. However, the general consensus is that this design departure advances the neighborhood's vision for this project.
- Sunlight on Eastlake Ave. The submitted design at the first EDG meeting (May 21, 2014), *i.e.*, Massing Option Three (3), maximizes sunlight onto Eastlake Ave, mitigating concerns regarding sunlight on Eastlake Ave. This decision also furthers the design review guidelines highlighted by the Design Review Board.
- Transition to Residential Neighborhood. Finally, the submitted design addresses compatibility concerns primarily raised at the first Early Design Guidance meeting. For example, the project advances the "public life" design review guidelines, which include: "encourage human interaction and activity at the street-level with clear connection to building entries and edges." To advance this priority, the primary entrance is off of the corner plaza<sup>7</sup> and significant attention and discussion surrounded the commercial space on the edge of the project.

<sup>6</sup> The arborist's letter is included in the applicant's second EDG materials, dated July 23, 2014.

<sup>7</sup> At the second Early Design Guidance meeting the Design Review Board liked how the corner plaza added "small neighborhood character" to the project.

**List other permit approvals being requested in conjunction with this proposal**

The Waterton received early design guidance from the Design Review Board, and it is in the 90-day waiting phase for the tenant relocation assistance ordinance permit. In conjunction with this proposal, the applicant is requesting approval of a contract rezone for a MUP that incorporates design review guidance.

**SMC 23.34.004**

*A. Property Use and Development Agreement. The Council may approve a map amendment subject to the execution, delivery, and recording of a property use and development agreement (PUDA) executed by the legal or beneficial owner of the property to be rezoned containing self-imposed restrictions upon the use and development of the property in order to ameliorate adverse impacts that could occur from unrestricted use and development permitted by development regulations otherwise applicable after the rezone. All restrictions imposed by the PUDA shall be directly related to the impacts that may be expected to result from the rezone. A contract rezone shall be conditioned on performance or compliance with the terms and conditions of the PUDA. Council may revoke a contract rezone or take other appropriate action allowed by law for failure to comply with a PUDA. The PUDA shall be approved as to form by the City Attorney, and shall not be construed as a relinquishment by the City of its discretionary powers.*

The proposal is for a contract rezone in which the development would be controlled by the use of a Property Use and Development Agreement (PUDA). The PUDA would restrict the development of the properties proposed for the rezone to the structure already recommended for approval through the Design Review process. The Design Review analysis and additional neighborhood letters of support are included in this packet.

*B. Waiver of Certain Requirements. The ordinance accepting the PUDA may waive specific bulk or off-street parking and loading requirements if the Council determines that the waivers are necessary under the agreement to achieve a better development than would otherwise result from the application of regulations of the zone. No waiver of requirements shall be granted that would be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

The project is not requesting a waiver for off-street parking or loading. The project has requested design departures, as identified in the attached Design Review Board analysis.

**SMC 23.34.007 – REZONE EVALUATION**

*A. The provisions of this chapter apply to all rezones except correction of mapping errors. In evaluating proposed rezones, the provisions of this chapter shall be weighed and balanced together to determine which zone or height designation best meets those provisions. In addition, the zone function statements, which describe the intended function of each zone designation, shall be used to assess the likelihood that the area proposed to be rezoned would function as intended.*

*B. No single criterion or group of criteria shall be applied as an absolute requirement or test of the appropriateness of a zone designation, nor is there a hierarchy or priority of rezone considerations, unless a provision indicates the intent to constitute a requirement or sole criterion.*

This section requires the consideration of all applicable rezone criteria with no single criterion being the determining factor. This packet addresses each criterion to allow for a thorough review.

*C. Compliance with the provisions of this chapter shall constitute consistency with the Comprehensive Plan for the purpose of reviewing proposed rezones, except that Comprehensive Plan Shoreline Area Objectives shall be used in shoreline environment redesignations as provided in SMC Subsection 23.60.60.B.3.*

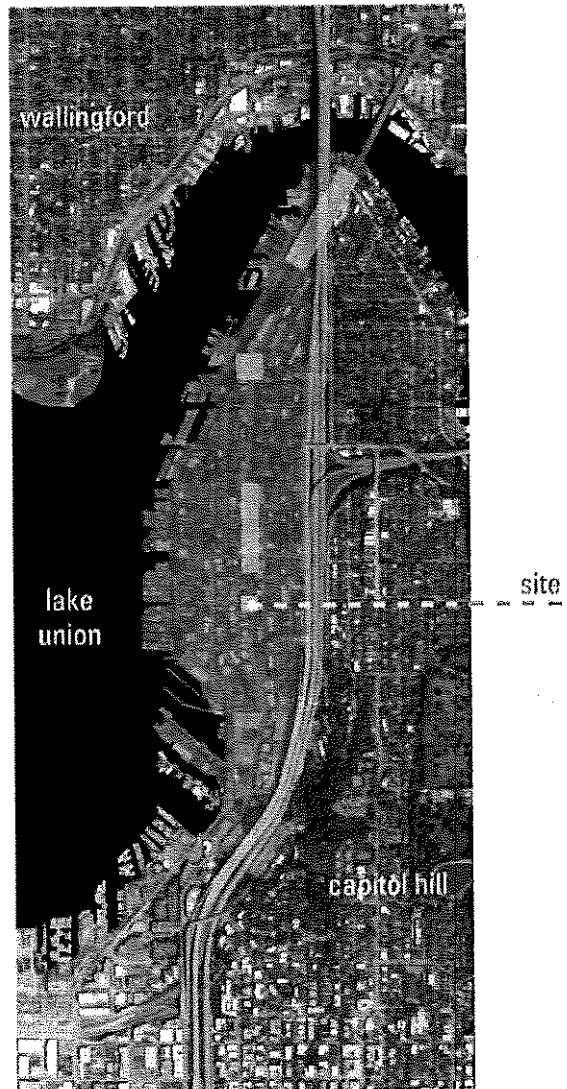
This application complies with every provision of ch. 23.34 SMC.

*D. Provisions of this chapter that pertain to areas inside of urban centers or villages shall be effective only when a boundary for the subject center or village has been established in the Comprehensive Plan. Provisions of this chapter that pertain to areas outside of urban villages or outside of urban centers shall apply to all areas that are not within an adopted urban village or urban center boundary.*

The proposal is located within the Eastlake Residential Urban Village in the Eastlake Neighborhood.

*E. The procedures and locational criteria for shoreline environment redesignations are located in Sections 23.60.060 and 23.60.220, respectively.*

The proposal is not located within any shoreline area.



■ eastlake residential urban village (designated by Seattle Dept)  
▨ nonurban areas

not to scale ①



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

The proposal is not a correction of a mapping error and so should not be evaluated as a Type VI Council land use decision.

**SMC 23.34.007 Conclusion:** The Proposed rezone meets the requirements of SMC 23.34.007, per the analysis above

**SMC 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.

The proposal is to rezone two parcels of property (currently zoned NC1P-30 and LR2 RC) to NC2P-40. The rezone would allow additional height and FAR, thereby authorizing the construction of a structure that cannot be developed under current zoning. The proposed structure will include 45 new residential units. The proposal is to demolish the one existing residential unit at the site. Thus, this proposal will increase the City’s housing supply by a net of 44 residential units. The additional residential units would contribute to achieving “no less than the one hundred twenty-five (125%) of the growth targets” for the Eastlake Urban Village.

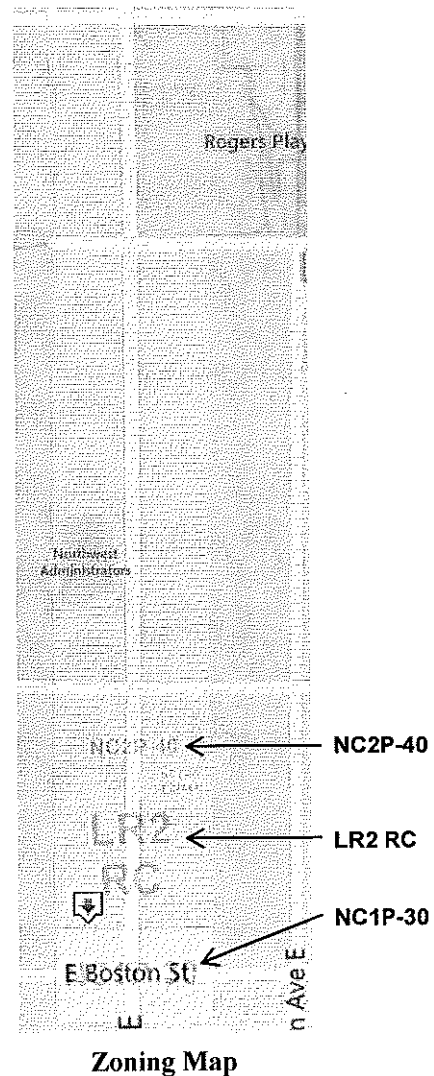
2. For the area within the urban village boundary of hub urban villages and for residential urban villages taken as a whole the zoned capacity shall not be less than the densities established in the Urban Village Element of the Comprehensive Plan.

The proposal is located in the Eastlake Residential Urban Village. The proposed zoning – NC2P-40 – is not less than the densities established in the Urban Village Element of the Comprehensive Plan. In fact, a significant portion of property along Eastlake Avenue E. is already zoned NC2P-40 (The zoning map to the right has an arrow on the project site. The map shows a significant portion of Eastlake Avenue zoned for NC2P-40). The area immediately to the north, zoned LR2 RC is an established motel.

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.

Analysis comparing the characteristics of the area to the location criteria for multi-family zones (LR2 and LR3) and for Residential Commercial Zones NCI is provided in the section titled *Functional and Locational Analysis*.

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



After conferring with a DPD permit technician, we determined that there is no evidence of recent zoning changes in the immediate area. The most recent zoning change occurred in 1986. On June 8, 1986, the south parcel, 2203 Eastlake Avenue E., was rezoned from a Neighborhood Business Zone (BN) to an NC1-30 (currently known as NC1P-30). On June 8, 1986, the northern parcel, 2209 Eastlake Avenue E., was rezoned from a Multiple Residential Low Density Zone (RM) to L2-RC (currently known as LR2-RC).

In other words, it appears that this area has not been analyzed for rezoning since the adoption of the Growth Management Act, the adoption of the City of Seattle's Comprehensive Plan, the adoption of the City of Seattle's Urban Village growth strategy, and the adoption of Eastlake's Neighborhood Plan.

*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.*

The project site lies within the planning area of the Eastlake Residential Urban Village neighborhood action plan, adopted in 1998 ("Neighborhood Plan").

2. *Council adopted neighborhood plans that apply to the area proposed for rezone shall be taken into consideration.*

The Neighborhood Plan identifies the key elements and strategic goals the neighborhood seeks to implement moving forward. The following section will identify the relevant goals and policies of the neighborhood as they relate to the proposed rezone and provide commentary.

Neighborhood Plan, Chapter IV: Community Design Element

The Neighborhood Plan Community Design Element seeks to encourage pedestrian-scaled mixed-use development that provides neighborhood services. This vision is set forth at the outset of the Neighborhood Plan's Community Design Element:

*To preserve and enhance Eastlake's existing and future community character as a residential lakefront community. This character is best defined as a desired mix of elements including low to moderate residential density, pedestrian-scaled mixed-use development, appropriate neighborhood services, Lake Union maritime uses, and compatible architectural styles.*

The project seeks to improve and revitalize Eastlake Avenue E. with a pedestrian-scaled, mixed-use development that advances the Neighborhood's vision.<sup>8</sup> For example, the corner plaza creates

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<sup>8</sup> During the Design Review process, neighbors repeatedly spoke of increased traffic on Eastlake Avenue as an issue that has created more problems than benefits for the neighborhood. Increased motor-traffic compounded by a dearth of community-oriented commercial activity has bifurcated the western and eastern halves of the neighborhood and created a challenging pedestrian environment.

a pedestrian space along Eastlake, and the project's commercial space creates the opportunity for neighborhood services. The Waterton's design ensures compatible architectural styles of other buildings near the project site (*see e.g.*, the Design Review Board meeting notes).

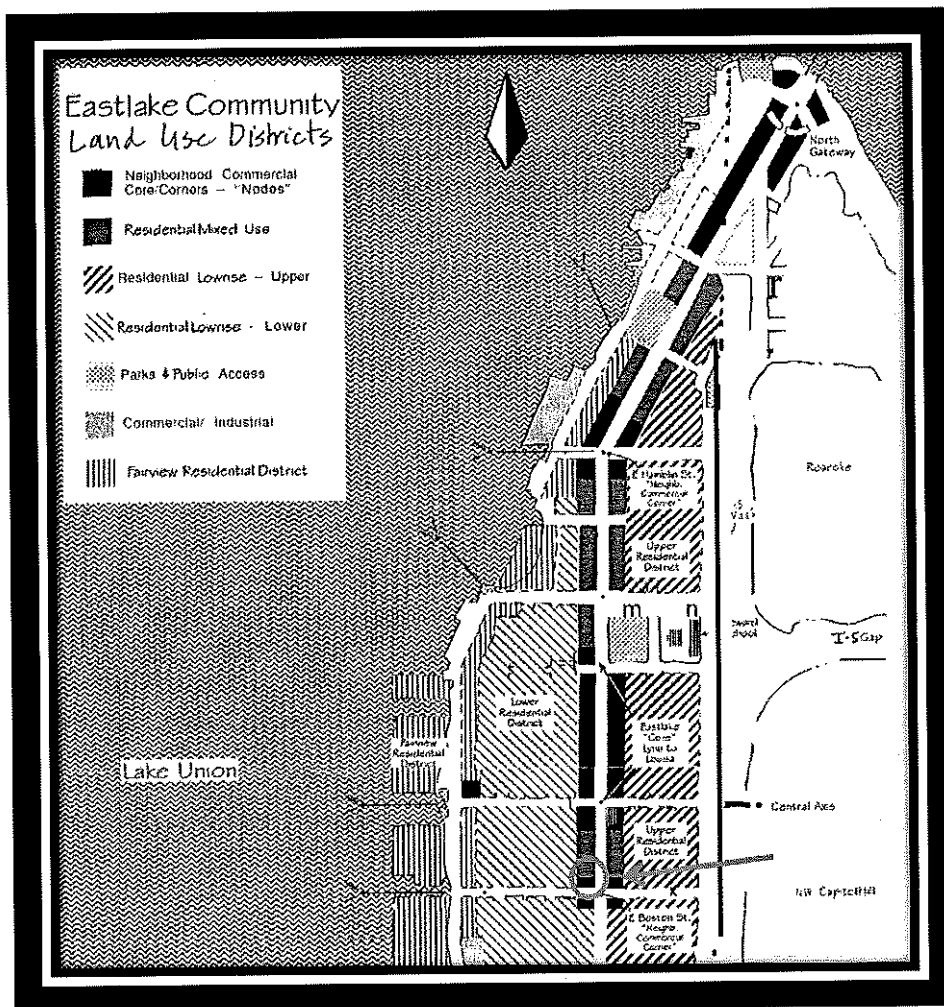
We address the specific neighborhood goals below:

*Goal CD-1 Preserve the traditional diversity and scale of Eastlake development*

- This issue was thoroughly reviewed before the Design Review Board. The massing of the project is consistent with other developments along Eastlake, and the project was scaled so that the project has similar height and bulk of other structures and planned structures for Eastlake Avenue E.

*Goal CD-2 Establish identifiable districts, nodes and gateways*

- The Neighborhood Plan includes a blueprint for these "identifiable districts, nodes and gateways" shown below:



Map Showing the Neighborhood Plan's Community Land Use Districts

As demonstrated above, The Waterton is located in a Neighborhood Commercial node and it is slated for Residential Mixed Use.

Located at the southernmost neighborhood commercial corner on Boston and Eastlake Ave., The Waterton will serve as a gateway into the Eastlake commercial and pedestrian hubs. The proposed rezone would enhance Eastlake's pedestrian and commercial experience by connecting the, currently patchy and discontinuous, retail hubs.

*Goal CD-3 Create and enhance Eastlake viewscales and view corridors*

- The Waterton enhances Eastlake viewscales by treating the roof as the “fifth façade” by incorporating a compelling green roof design. The South façade steps back from the property line at the street level and again at the residential levels above the second level.

*Goal CD-4 Encourage pedestrian activity along streetscapes, alleys and hillclimbs.*

- The Eastlake Ave. arterial is one of the oldest and most iconic thoroughfares in Seattle, which connects the booming South Lake Union neighborhood to the, already thriving, University District. The rezone would enable The Waterton to diminish the auto-oriented nature of Eastlake Avenue by increasing pedestrian-interest and activity in the commercial node through the use of an engaging streetscape and density. For example, the open and neighborhood-scale corner plaza will encourage pedestrian activity along the street. Pedestrian activity that will be generated by both the commercial and the residential entry at this key corner gateway to the Eastlake community.

*Goal CD-5 Improve the ecological health of Eastlake and avoid or minimize environmental impacts*

- The Waterton plans to maximize the amount of green space on-site to mirror the lush greenscapes across the street to south and east and throughout Eastlake. The corner corner plaza is no exception; the project design minimizes the amount of impervious surface in an effort to make the plaza as “green” as possible. Beyond the plaza, an ample setback from Boston Street on the south allows a lot of landscaped area to further enhance the streetscape. Setbacks on the residential levels (above the street-level) will also create permanent planters for additional plantings. Lastly, the rooftop deck will contain various landscape elements, making it both visually appealing for Eastlake residents in neighboring buildings looking down over The Waterton.

*Goal CD-6 Encourage pedestrian-scaled mixed-use development*

- The Waterton design reflects the pedestrian-scaled mixed-use development envisioned by the Neighborhood Plan, with its pedestrian activated central corner plaza, commercial storefront along Eastlake Avenue E. and wider-than typical planting area along Boston and Eastlake Ave E. to create a pedestrian-desirable experience.

*Goal CD-7 Promote compatibility between commercial and residential uses*

- The City's urban village strategy seeks to promote compatibility with commercial and residential uses by encouraging projects like The Waterton in the Eastlake Residential Urban Village.<sup>9</sup>

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<sup>9</sup> Seattle's Comprehensive Plan, Urban Village Element, p. 1.3, section A.

- In addition to encouraging growth in urban villages, many physical edges surrounding the project site, thereby reducing any commercial encroachment onto residential uses. Eastlake Ave. E is to the east. Boston Street is to the south. An alley is to the west. And an existing motel is located to the north.
- Finally, with its actual street-front massing, with the rezone, at the same bulk, height and scale as the opposite side of the street., The Waterton would mirror the Eastlake Lofts (2245 Eastlake Avenue East, constructed in 2007), on the north-end of the same block at the intersection of Eastlake Ave and E. Lynn Street.
- Massing is partially a function of material design and the design elements of the building tructure. The Waterton will have a brick base that anchors the building to the ground with light-colored exterior and floor-to-ceiling windows in the residential units above the street-level commercial and residential spaces. The building upper-floor exterior will be dominated by glazing surrounding the exterior panels and a nondescript, but light-colored, exterior above the first level. Ultimately, The Waterton will be characterized by its lush landscape which and interactive street-level facade.

*Goal CD-8 Manage residential growth*

- The Waterton will assist in accommodating projected comprehensive plan growth by providing 45 total residential units. More specifically, this rezone will allow up to 18 more units than are allowed by current zoning.

Neighborhood Plan, Chapter VI: Transportation Element

Among other items, the Neighborhood Plan Community Design Element seeks to pedestrian activity. This vision is set forth at the outset of the Neighborhood Plan’s Transportation Element:

*A neighborhood whose seniors, children, and disabled can stroll at will or cross the street without danger. A neighborhood where bicyclists feel safe and welcome. A neighborhood with frequent buses and convenient bus stops. A neighborhood whose businesses have good truck access. A neighborhood not overwhelmed by through traffic or freeway noise and pollution.*

The neighborhood’s vision is followed by several goals:

*Goal T-1 Reduce speeding and collisions*

*Goal T-2 Make it safer and more convenient for pedestrian s to cross the street*

*Goal T-3 Add and improve sidewalks and walkways*

*Goal T-4 Improve bicycle conditions*

*Goal T-5 Improve bus service for Eastlake residents, employees and customers*

The Waterton, serving as a portal into the Eastlake commercial activity zone, will contribute to achieving the overall goals listed above. The garage-entry to The Waterton will be on the alley, that is entered off of Boston Street, thus eliminating the current driveway for 2203 that is accessed off of Eastlake Avenue and making Eastlake Avenue E. safer for both vehicles and pedestrians. Beyond the aforementioned improvements to the streetscape and pedestrian right-of-way, The Waterton will have a minimum of 1:1 tenant to bicycle storage ratio. Any single project has limited capacity to significantly improve the broader transportation goals outlined in the Eastlake UV Plan.

Nonetheless, the The Waterton will lay the foundation for future Eastlake revitalization efforts by providing a pedestrian and transit-oriented project.

#### Chapter VII: Main Street Element

After the Transportation Element, the Neighborhood Plan includes a “Main Street” Element. The Neighborhood Plan’s Main Street Element seeks to create a sense of place on Eastlake:

*A neighborhood whose residents and employees prefer also to shop and dine there. A neighborhood with quality retail and service businesses that reach out to potential customers everywhere. A neighborhood which is lively and busy in the evening and during the day. A neighborhood with a clean and vital Main Street that adds to the sense of community.*

The neighborhood’s vision is followed by several goals:

*Goal M-1 Develop a theme and possible event*

*Goal M-2 Enhance the streetscape*

*Goal M-3 Improve bus service, traffic, and parking*

*Goal M-4 Market Eastlake to new businesses and customers*

*Goal M-5 De-emphasize the business strip nature of Eastlake Avenue by concentrating new commercial development around several nodes*

The increased density associated with the proposed rezone will enhance Eastlake’s sense of space by creating more demand for neighborhood-serving businesses and by helping to revitalize Eastlake Avenue into a thriving hub of activity. More density means more customers for future business. The Waterton seeks to make Eastlake Avenue a destination, rather than a thoroughfare from South Lake Union to the University District.

#### Neighborhood Plan Conclusion:

The Neighborhood Plan concludes that Eastlake tends to lack a true commercial identity. According to the Neighborhood Plan, Eastlake Avenue does not provide its residents with a sufficient amount of retail and service-oriented businesses, which are prerequisites to the highly sought-after pedestrian activity. With the proposed rezone, The Waterton will link and extend the existing commercial corridor, identified as the “Eastlake Commercial Core,” thereby creating a contiguous, ground-level commercial streetscape strengthening existing business and enabling future businesses to thrive. The increased density, engaging-streetscape, and lush open space at the SE corner of the site will create opportunities for successful commercial businesses in this location. The Waterton seeks to be the catalyst for the transformation of Eastlake Avenue from a thoroughfare to a pedestrian friendly, active and interesting destination.

In response to the Design Review Board and neighborhood comments with concerns about massing and scale, The Waterton will have engaging street-oriented commercial uses with a light-colored exterior and maximum glazing on residential floors above the commercial. By virtue of the sloping grade from Interstate 5 to Lake Union, the Eastlake Avenue façade will provide a similar pedestrian experience as the development across the street and the condominiums located at the north end of the same block. The proposed contract rezone will enable The Waterton to provide the neighborhood with new residents and retail customers, extending and linking together the existing commercial zone to increase and strengthening and supporting the commercial activity in Eastlake.

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.*

The Neighborhood Plan does not contemplate rezones.

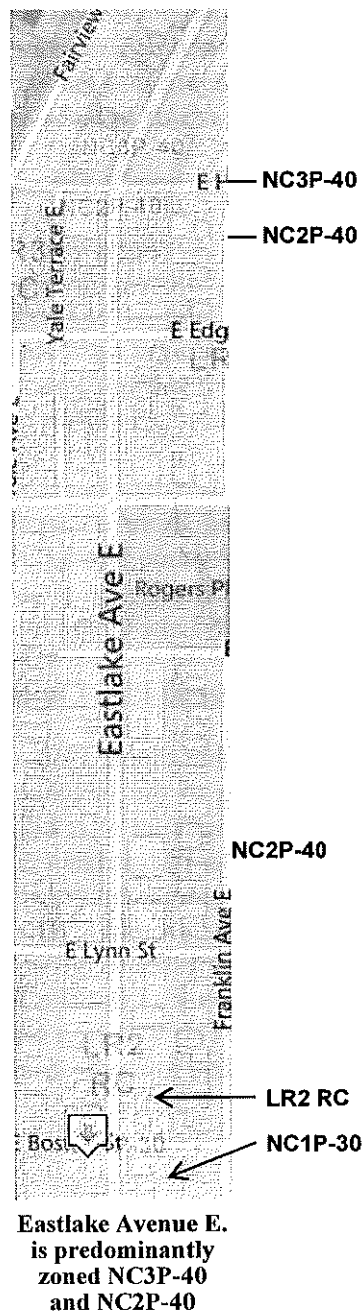
*E. Zoning Principles. The following zoning principles shall be considered:*

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.*

As background, to the north of the project site, Eastlake Ave E is predominantly zoned NC2P-40 and NC3P-40. To the south of the project site, Eastlake Ave E. is predominantly zoned C1-40 and C1-65. The project site is currently zoned NC1P-30 and LR2 RC (see the zoning map to the right). The proposal is to rezone both parcels to NC2P-40.

The project site is immediately bordered by an alley to the west, E. Boston St. to the south, Eastlake Ave E to the east, and a parcel of land zoned LR2 RC to the north.

Beyond these boundaries, the project site is immediately surrounded by LR3 and LR2 RC zones. The LR2 RC zone adjacent to the North, authorizes apartments up to 30 feet in height. The LR3 zone adjacent to the West, across the alley from the project, authorizes apartments up to 40 feet in height. The proposal is to authorize a mixed-use structure that is 40 feet in height, which is consistent with the existing authorized height throughout most of Eastlake Ave E (see the DPD map the right showing a NC2P-40





zone from between Boston street nearly without interruption until Hamlin Street, where the zone becomes NC3P-40).

The Design Review Board extensively reviewed the proposal's impact on other zones (see the attached guidance from the DRB). The proposed 40-foot high mixed-use structure will incorporate the Design Review Board's guidance through the execution and recording of a Property Use and Development Agreement ("PUDA"). Specifically, the PUDA will include massing design and street scape elements that mitigate impacts to view, shading, while activating the street. Thus, the proposal is consistent with preferred zoning principles of gradual transitions between zoning categories, including height limits.

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.*

Topography slopes down from east to west. The topography on the proposed parcel follows this pattern and slopes down on the Boston Street westward by one-story. There is very little topographic change from north to south on Eastlake Avenue E.

Beside the topographic changes, there is a large, 20-foot-wide improved alley on the west-side of the proposed site that serves as a physical buffer between the two LR3-zoned buildings boarding bordering our parcel to the west (see the aerial photo to the right). Beyond the alley, both of the multi-family residential buildings to the west are also accessed by surface-parking, thus further extending the alley buffer between The Waterton and the properties to the west.



**Image Showing Buffers**

The east-fronting section of the proposed site is bordered by a five-lane arterial, Eastlake Avenue E.

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.*

Both sides of Eastlake Avenue E. are currently zoned for commercial-use. The proposed rezone to an NC2P-40 would maintain the established orientation of commercial uses facing each other across Eastlake Avenue E. and focus intensity away from the residential LR3 zone to the east. The Waterton proposal eliminates surface parking and replaces it with residential along the alley. This boundary then becomes surface parking for the residential uses across the alley, creating an even wider buffer for the existing apartment building to the west.

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.*

The proposal to increase the allowable height limit from 30 feet to 40 feet does not exceed a height limit of 40 feet.

*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;*

The future project will have a positive impact on the supply of housing in the neighborhood and surrounding area by providing additional residential and commercial space where virtually none (one unit) currently exists. The rezone will add needed housing capacity and retail activity to the Eastlake neighborhood taking pressure off rent escalation.

*b. Public services;*

There will be an increase in demand for public services from the proposed net gain of 44 residential units and commercial space.

*c. Environmental factors, such as noise, air and water quality, terrestrial and aquatic flora and fauna, glare, odor, shadows, and energy conservation;*

No adverse impacts are anticipated from the change in zone. Noise will be limited to that typically generated by neighborhood-commercial and residential activities. All construction-related noise will be conditioned through the MUP.

Terrestrial flora and fauna are largely inapplicable to this redevelopment project. The project will result in the removal of a single Japanese Maple tree. Aquatic flora and fauna are inapplicable here.

Shadowing on adjacent streets and buildings would increase with increasing height. The proposed massing, with setbacks along the south and east property lines as well as the placement of the corner plaza on the southeast corner of the project site all minimize shadowing impacts.

Energy consumption will be increased with the net gain of 44 residential units. The project will comply with all relevant energy code and attain a Seattle Green Factor score of at least 0.3.

*d. Pedestrian safety;*

The proposed rezone will enable the development to enhance the streetscape with landscaping that will provide some buffering of the sidewalk (pedestrians) to the street (cars). Additionally, ample green-space and commercial-activity that will likely have a dampening effect on the speed of car-related traffic on the Eastlake arterial, thus making Eastlake Avenue a more pedestrian-friendly and safe environment.

*e. Manufacturing activity;*

Not applicable.

*f. Employment activity;*

The proposed mixed-use project commercial space will create additional jobs and employment opportunities in the neighborhood.

*g. Character of areas recognized for architectural or historic value;*

There are notable buildings with architectural character in the surrounding neighborhood including the Serafina restaurant building, multiple mid-century modern structures, numerous courtyard multi-family projects, and Spanish style apartment buildings.

*h. Shoreline view, public access and recreation.*

The project may restrict some views of Lake Union. To address this issue, the project has included setbacks at the residential levels along the east and south sides of the building to minimize impacts. There is no public access impact to lake activities or other recreational activities.

*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;*

The site has vehicular access from Boston Street (south side) and Eastlake Avenue E. (east side), which is an arterial vehicular corridor. Interstate 5 and State Route 520 are also adjacent to the neighborhood, with an access point at Roanoke St.

*b. Street capacity in the area;*

The existing street is five lanes wide with one traffic lane in both directions, 1 turn lane, and 2 parking lanes with additional lane capacity during rush hours. DPD did not request a traffic study as a result of the project.

*c. Transit service;*

DPD's parcel data lists the subject property as being located within a frequent transit area. Eastlake Avenue E. is the primary corridor served by public transit into the neighborhood. Bus lines primarily connect the University District to Downtown. Bus lines include the 70, 71, 72, 73 and 83.

*d. Parking capacity;*

In response to neighborhood comments regarding parking, The Waterton will provide approximately 39 parking stalls. Per the Seattle Municipal Code, no parking is currently required. To encourage commercial activity, parking will be available to the general public visiting the commercial/retail.

*e. Utility and sewer capacity;*

The project will increase demand on utility and sewer. Seattle City Light has capacity to provide electrical service to The Waterton. Seattle Public Utilities has confirmed capacity to provide water to the Waterton. King County has adequate sewer capacity.

*f. Shoreline navigation.*

Not applicable.

**Conclusion:** There is an anticipated need for police and fire services for the 45 new residential units (of which 18 new units are attributable to the requested rezone) and commercial uses at The Waterton. There are no adverse environmental impacts associated with the project that are not mitigated below a level of significance by existing regulations. Positive impacts includes pedestrian safety, improved pedestrian street-scape, commercial revitalization of Eastlake Avenue E., and providing additional housing units. Adequate utility capacity exists to serve the site. Although there would be increased energy consumption, The Waterton, built in conformance with updated energy codes will be significantly more energy efficient per dwelling unit than the existing buildings at the project site.

*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.*

Significant changes in state law, city planning, and population demographics have occurred since the City of Seattle last rezoned property surrounding Eastlake Avenue E. in 1986.<sup>10</sup> In 1990, the State Legislature enacted the Growth Management Act ("GMA," Ch. 36.70A. RCW). The GMA

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<sup>10</sup> In 1986, The City of Seattle rezoned the south parcel, 2203 Eastlake Avenue E., from a Neighborhood Business Zone (BN) to an NC1-30 (currently known as NC1P-30). The City of Seattle rezoned the northern parcel, 2209 Eastlake Ave East, from a Multiple Residential Low Density Zone (RM) to L2-RC (currently known as LR2-RC).

directs planning jurisdictions, such as the City of Seattle, to encourage development in urban areas, encourage the development of housing, and to encourage economic development.<sup>11</sup> The GMA directs local governments to advance these goals through coordinated comprehensive planning.

In 1994, in response to the GMA, the City of Seattle adopted a Comprehensive Growth Plan. The most recent comprehensive plan establishes four broad goals: (1) diverse housing and employment growth, (2) pedestrian and transit-oriented communities, (3) the provision of services and infrastructure targeted to support that growth, and (4) enhancements to the natural environment. The Comprehensive Plan identifies Urban Villages as the areas where the City seeks to encourage growth. Numerous goals and policies in the Urban Village element encourage pedestrian- and transit-oriented residential and commercial uses in Residential Urban Villages,<sup>12</sup> for example:

As Seattle's population and job base grow, urban villages are the areas where conditions can best support increased density needed to house and employ the city's newest residents. By concentrating growth in these urban villages, Seattle can build on successful aspects of the city's existing urban character, continuing the development of concentrated, pedestrian-friendly mixed-use neighborhoods of varied intensities at appropriate locations throughout the city.<sup>13</sup>

The Comprehensive Plan also recognizes that compact urban growth has environmental benefits:

Locating more residents, jobs, stores and services in close proximity can reduce the reliance on cars for shopping and other daily trips and decrease the amount of fossil fuels burned and the amount of greenhouse gases emitted. Increasing residential and employment densities in key locations makes transit and other public services convenient for more people and therefore makes these services more efficient.<sup>14</sup>

The Comprehensive Plan allows Neighborhoods, such as Eastlake, to have more autonomy and flexibility to accommodate growth. Another changed circumstance is the Eastlake Neighborhood's creation of a Neighborhood Plan in 1996, which is reviewed in detail above. The Neighborhood Plan is consistent with Seattle's Comprehensive Plan insofar as both planning documents seeks to encourage mixed-use development along Eastlake Avenue E., to provide additional housing, address commercial need, and to create a pedestrian- and transit-oriented environment.

**Conclusion: Since the subject property was rezoned, the State Legislature enacted the GMA, the City Council adopted Seattle's Comprehensive Plan, including its Urban Village Strategy, and the residents in Eastlake have adopted its Neighborhood Plan. Each of these plans specifically seek to encourage construction of pedestrian- and transit-oriented mixed-**

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<sup>11</sup> The GMA's nonexclusive goals are set forth in RCW 36.70A.020.

<sup>12</sup> The Comprehensive Plan recognizes that commercial uses in Residential Urban Villages will focus on providing goods and services for residents and surrounding communities Seattle's Comprehensive Plan, Urban Village Element, p. 1.4, Section A.

<sup>13</sup> Seattle's Comprehensive Plan, Urban Village Element, p. 1.3, section A.

<sup>14</sup> Seattle's Comprehensive Plan, Urban Village Element, p. 1.3, Section A.

**use projects like The Waterton that will provide increased housing units and commercial space in the Eastlake Residential Urban Village.**

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

The project is subject to the following overlays: Pedestrian, Eastlake Residential Urban Village, and Frequent Transit.

The Eastlake Overlay District is intended to create a community identity for Eastlake Ave E. that includes an enhanced, safe and interesting streetscape, small business establishments and pedestrian activity at street level, and strengthened commercial and residential areas.

As described in the “changed circumstances” section (above), the Urban Village strategy preserves single family neighborhoods and open space by creating more compact, pedestrian friendly mixed-use areas throughout the city. Moreover, the creation of these districts decentralizes city-wide development strategies, thereby providing urban villages more autonomy and flexibility to plan for growth.

The City of Seattle Frequent Transit District Overlay is a designation given to areas with transit service at least every 15 minutes during most of the day and changes the minimum parking requirements for new development in these district overlays.

*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.*

Not applicable.

*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.*

Not applicable.

**SMC 23.34.00 Conclusion:** The Proposed rezone meets the requirements of SMC 23.34.008, per the analysis above. The Proposed rezone also substantively advances the Growth Management Act, the City's Urban Village strategy, and the Eastlake Neighborhood Plan.

## SMC 23.34.009 – HEIGHT LIMITS OF THE PROPOSED REZONE

### ***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.*

The proposed rezone would allow an additional ten feet of height, thereby authorizing a structure that is forty feet with an additional four-foot bonus for a mixed-use building subject to thirteen-foot floor to floor for the commercial uses.<sup>15</sup> This height is consistent with the NC2 zone classification. Most of the parcels along Eastlake Avenue E. are currently zoned NC2P-40 or NC3P-40.

The Seattle Comprehensive Plan seeks to encourage dense development in Seattle's Urban Villages:

As Seattle's population and job base grow, urban villages are the areas where conditions can best support increased density needed to house and employ the city's newest residents. By concentrating growth in these urban villages, Seattle can build on successful aspects of the city's existing urban character, continuing the development of concentrated, pedestrian-friendly mixed-use neighborhoods of varied intensities at appropriate locations throughout the city.<sup>16</sup>

The Urban Village Element of the Comprehensive Plan repeatedly discusses the need for goods and services in Urban Villages. The rezone will accommodate the commercial uses envisioned by Seattle's Comprehensive Plan and the Eastlake Neighborhood Plan. With the current zoning and height limits, it is theoretically possible to construct 2,000 commercial s.f. However, after accounting for residential entrances and the community-requested corner plaza on Boston and Eastlake, it is only possible to construct approximately 1,100 commercial s.f. This commercial area may accommodate one restaurant, but it does not provide enough commercial space to accommodate planned commercial uses along Eastlake Avenue E. In contrast, the planned rezone, which will allow the project to accommodate 3,000 commercial s.f. is consistent with the relevant plans.

The proposed rezone would allow the same multifamily residential uses that are allowed in the existing zone, so there is no potential to displace preferred uses.

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<sup>15</sup> SMC 23.47A.012.A.1.a

<sup>16</sup> Seattle's Comprehensive Plan, Urban Village Element, p. 1.3, section A.



*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.*

The site slopes downward to the west by one-story. This is consistent with the natural topography surrounding Eastlake Avenue E. The project has the potential to block views of Lake Union. To mitigate for this potential, the developer designed the roof to become the “fifth facade” of the structure, along with South facade setbacks.

*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 development is a good measure of the area's overall development potential.*

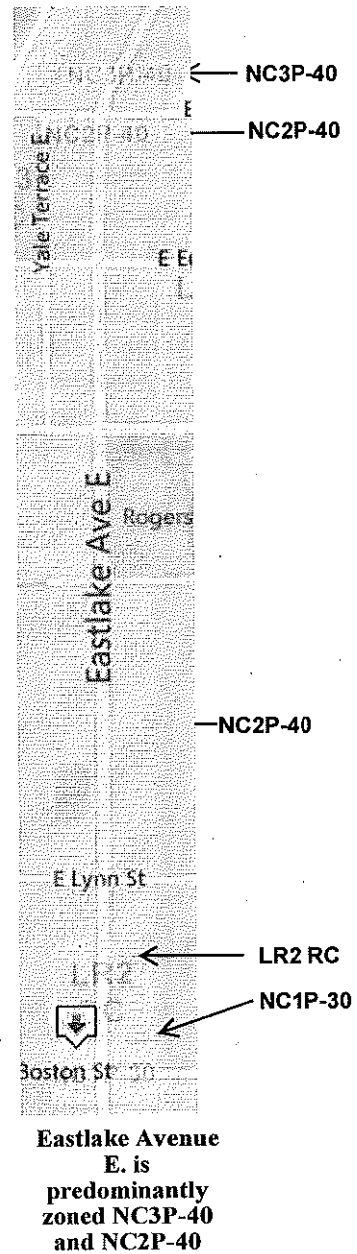
The current zoning authorizes 30-foot heights, with an additional four-foot bonus for a mixed-use building subject to thirteen-foot floor to floor for the commercial uses.

The proposed 40-foot height limit is consistent with existing zoning on Eastlake Avenue E. and with existing development. The majority of parcels on Eastlake Avenue E. are already zoned NC2P-40 or NC3P-40. In the immediate vicinity, a four-story apartment is located immediately to the west of the project, across the alley, while other structures consist of one-story to three-story structures. Most of these structures were constructed prior to the City's enactment of the Seattle's Urban Village strategy. Additional four-story structures are located on Eastlake Avenue E., just to the north of the project site.

*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.

As described above, the proposed 40-foot height limit is consistent with existing zoning on Eastlake Avenue E. and with existing development. The majority of parcels on Eastlake Avenue E. are already zoned NC2P-40 or NC3P-40. See the zoning map to the right. In the immediate vicinity, a four-story is located immediately to the west of the project, across the alley, while other structures consist of one-story to three-story structures. Most of these structures were constructed prior to the City's enactment of the Seattle's Urban Village strategy. Significantly more four-story structures are located on Eastlake Avenue E., just to the north of the project site.



*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

The Neighborhood Plan does not provide specific height recommendations. The Neighborhood Plan reviewed the existing zoning along Eastlake Ave. E. and determined that “the existing zoning tools would significantly compromise Eastlake’s objectives, produce an inferior development, or

restrict development more than intended.”<sup>17</sup> As identified in the Neighborhood Plan analysis (above), the Eastlake Neighborhood seeks to encourage pedestrian-friendly and transit-oriented mixed-use development, such as The Waterton.

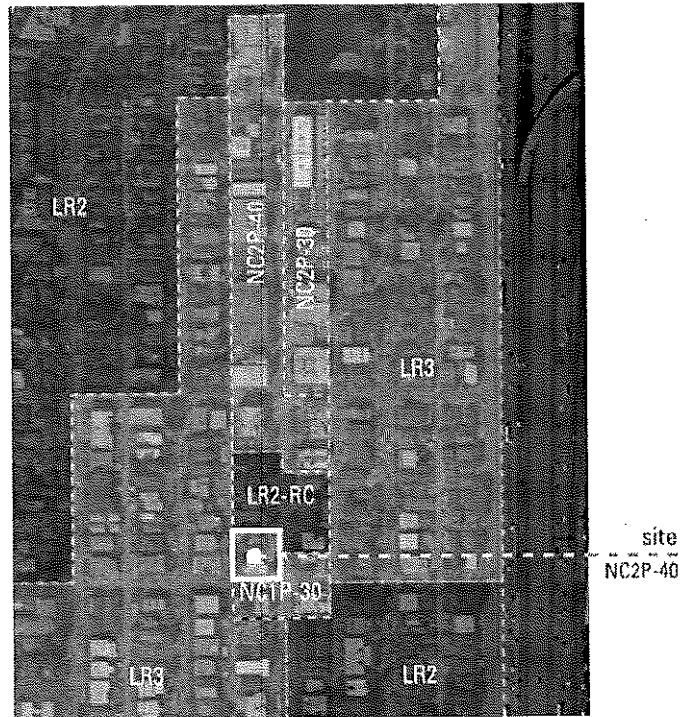
**Conclusion: The increased height that would result from rezoning the property from LR2 RC and NC1P-30 to NC2P-40 satisfies the criteria of SMC 23.34.009, as described above. More specifically, the increased height is consistent with existing zoning along Eastlake Ave. E, and it will authorize development and uses that are envisioned by Seattle’s Comprehensive plan and the Eastlake Neighborhood Plan.**

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<sup>17</sup> Neighborhood Plan, IV-17 at third paragraph.

## SMC 23.34.072 – DESIGNATION OF COMMERCIAL ZONES

SMC 23.34.072 discourages the encroachment of commercial zones into residential areas. The site is surrounded by property zoned NC1, LR3, LR2-RC, and LR2. The zoning map to the right identifies the zoning of the property surrounding the project site. We address the requirements of SMC 23.34.072 in detail below.



### **23.34.072 Designation of commercial zones.**

*A. The encroachment of commercial development into residential areas shall be discouraged.*

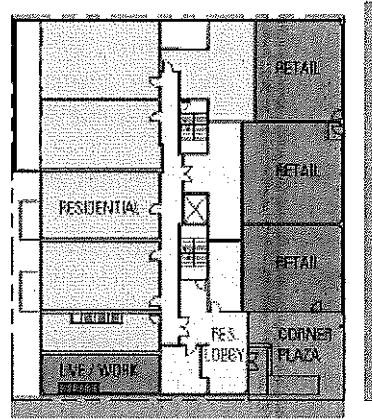
Seattle's Comprehensive Plan seeks to protect residential areas by encouraging residential and commercial growth in Urban Villages, such as the Eastlake Residential Urban Village at issue here: "The strategy of focusing future development in urban villages continues to direct new development away from Seattle's single-family areas."<sup>18</sup>

In addition to protecting single-family areas, The Waterton is designed to ensure that there is no commercial encroachment into existing multi-family residential areas. The uses around the site are as follows:

- To the north, a motel adjoins the site (currently zoned LR2-RC).
- To the east, the five-lane Eastlake Ave E. exists. Offices are located on the other side of Eastlake Ave. E.
- To the south, Boston Street exists. Two restaurants are located on the South side of Boston Street across from the project.

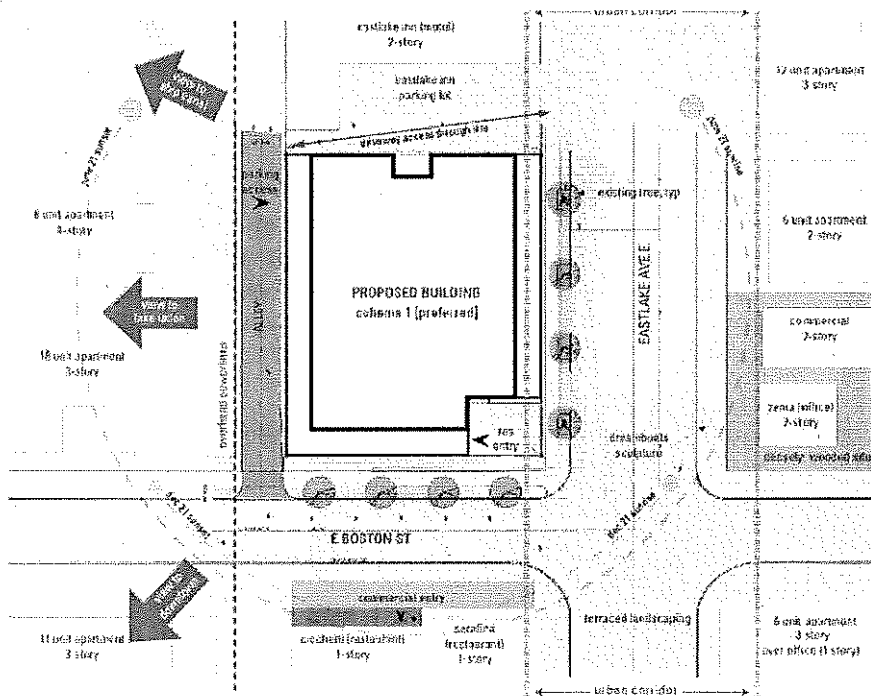
<sup>18</sup> Seattle's Comprehensive Plan, Urban Village Element, p. 1.4, Section A.

- To the west, a 20-foot-wide alley exists. Multi-family structure exists on the other side of the alley.<sup>19</sup> As shown in the project design (to the right), the proposal is to construct the residential units and the work/live unit off of the existing alley so that the proposed retail does not border the existing residential zone.



**Residential and work/live unit off of the alley**  
ground floor and site plan

We provide a visual depiction of the uses surrounding the project site, below:



*B. Areas meeting the locational criteria for a single-family designation may be designated as certain neighborhood commercial zones as provided in Section 23.34.010.*

<sup>19</sup> Similar to the proposed structure, one existing development just to the west of the alley and directly across from The Waterton? is also four stories in height.

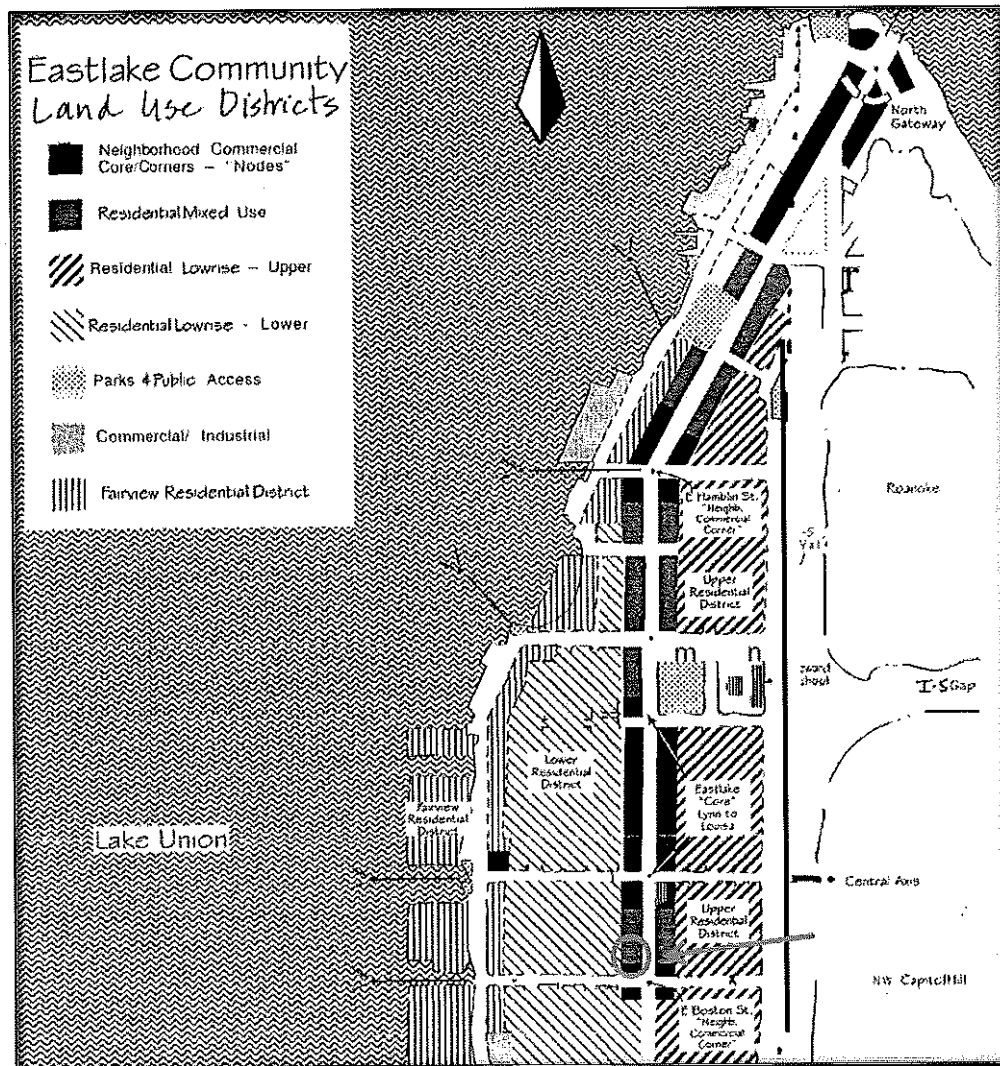
Not applicable. The area is not zoned Single Family.

C. Preferred configuration of commercial zones shall not conflict with the preferred configuration and edge protection of residential zones as established in Sections 23.34.010 and 23.34.011 of the Seattle Municipal Code.

Not applicable. The area is not zoned Single Family.

D. Compact, concentrated commercial areas, or nodes, shall be preferred to diffuse, sprawling commercial areas.

The Neighborhood Plan identifies the project site as a commercial node and Residential Mixed Use (see arrow identifying the project site, below):



Map Showing the Neighborhood Plan's Community Land Use Districts

*E. The preservation and improvement of existing commercial areas shall be preferred to the creation of new business districts.*

The proposal does not involve a new business district. The proposal seeks to enhance the existing Eastlake Ave. E. residential and business community.

**SMC 23.34.072 Conclusion:** The Proposed rezone meets the requirements of SMC 23.34.072, per the analysis above.

## FUNCTIONAL AND LOCATIONAL CRITERIA ANALYSIS

This analysis begins with a review of the functional and locational criteria for the requested NC2 zone. Because the site is currently zoned LR2 and NC1, we also analyze each zone situated between LR2 and NC2 in chapter 23.34 SMC: NC1, RC, HR, MR/85', MR, LR3, and LR2. As analyzed in greater detail below, this section concludes that the Neighborhood Commercial Two ("NC2") zone is the most appropriate zone designation for the project site when applying the Seattle Municipal Code's function and locational criteria under chapter 23.34 SMC.

### **23.34.076 Neighborhood Commercial 2 (NC2) zones, function and locational criteria.**

*A. Function. To support or encourage a pedestrian-oriented shopping area that provides a full range of household and personal goods and services, including convenience and specialty goods, to the surrounding neighborhoods, and that accommodates other uses that are compatible with the retail character of the area such as housing or offices, where the following characteristics can be achieved:*

*1. A variety of small to medium-sized neighborhood-serving businesses;*

The Seattle Comprehensive Plan seeks to develop a "commercial identity" along Eastlake. Seattle Comprehensive Plan EL-G2 envisions a "safe and interesting streetscape with pedestrian activity, a strengthened commercial identity and residential community, and reduced conflicts between residential and commercial uses along Eastlake Avenue E."<sup>20</sup> Similarly, the Neighborhood Plan seeks to require "street-level neighborhood serving uses in most commercial and mixed-use buildings."<sup>21</sup> The Neighborhood Plan reviewed the existing zoning along Eastlake Ave. E. and determined that "the existing zoning tools would significantly compromise Eastlake's objectives, produce an inferior development, or restrict development more than intended."<sup>22</sup>

The rezone will accommodate the commercial uses envisioned by Seattle's Comprehensive Plan and the Eastlake Neighborhood Plan. With the current zoning and height limits, it is **theoretically** possible to construct approximately 2,000 commercial s.f. However, after accounting for residential entrances and the community-requested corner plaza, it is **actually** possible to construct approximately 1,100 commercial s.f. at the project site. This commercial area may accommodate one restaurant, but it does not provide adequate commercial space to accommodate planned commercial uses along Eastlake Ave. E. In contrast, the planned rezone, which will allow the project to accommodate 3,000 commercial s.f., is consistent with the relevant plans, and it is also consistent with the NC2 zone's functional criteria for supporting small to medium-sized neighborhood-serving businesses.

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<sup>20</sup> Also see Seattle Comprehensive Plan EL-P25 and P29.

<sup>21</sup> Neighborhood Plan, IV-11 at CD-1.

<sup>22</sup> Neighborhood Plan, IV-17 at third paragraph. Similarly, the Neighborhood Plan Evaluation of Existing Regulatory Tools (Exhibit E) includes several



2. *Continuous storefronts built to the front lot line;*

The Waterton will be constructed to the sidewalk, thereby encouraging a pedestrian-oriented environment.

3. *An atmosphere attractive to pedestrians;*

Significant consideration has been given to create an atmosphere attractive to pedestrians. Existing restaurants on the South Side of Boston Street attract pedestrians. To encourage a pedestrian-oriented atmosphere, The Waterton includes a corner plaza to activate the sidewalk and to create a pleasant gathering space for pedestrians and for customers who are walking from store to store.

4. *Shoppers can drive to the area, but walk from store to store.*

The proposal will support and expand shopping areas in Eastlake Ave. E., providing for retail sales for the adjoining residential neighborhood. The area already includes a variety of small neighborhood serving businesses, such as the restaurants across Boston Street and the offices across Eastlake Ave. E. Some existing businesses, such as the Serafina, are built to the sidewalk line, and the proposed project proposes to achieve the same standard. Currently, the atmosphere is attractive to pedestrians, and the proposal, including the pedestrian-friendly corner plaza will enhance the pedestrian experience. Shoppers regularly walk from store to store, although shoppers also drive to the area. The proposal will create additional retail, increasing the vibrancy and continuity of pedestrian experience of Eastlake Ave. E.

*B. Locational Criteria. A Neighborhood Commercial 2 zone designation is most appropriate on land that is generally characterized by the following conditions:*

1. *Primary business districts in residential urban villages, secondary business districts in urban centers or hub urban villages, or business districts, outside of urban villages, that extend for more than approximately two blocks;*

The project site is located in a business district in the Eastlake Residential Urban Village. More specifically, the Neighborhood Plan specifically identifies the project site as a mixed-use commercial node.<sup>23</sup>

2. *Located on streets with good capacity, such as principal and minor arterials, but generally not on major transportation corridors;*

The project site is located on the corner of Eastlake Ave. E. and Boston Street. Eastlake Avenue E. is a class 3 arterial,<sup>24</sup> with significant capacity.

3. *Lack of strong edges to buffer the residential areas;*

There are many physical edges surrounding the project site. Eastlake Ave. E is to the east. Boston Street is to the south. An alley is to the west. And an existing motel is located to the north. It is

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<sup>23</sup> Neighborhood Plan, Figure VI.1.

<sup>24</sup> See e.g., [http://www.seattle.gov/transportation/sim\\_arterial\\_list.htm](http://www.seattle.gov/transportation/sim_arterial_list.htm) (Eastlake Ave. E. from Lynn to Boylston).

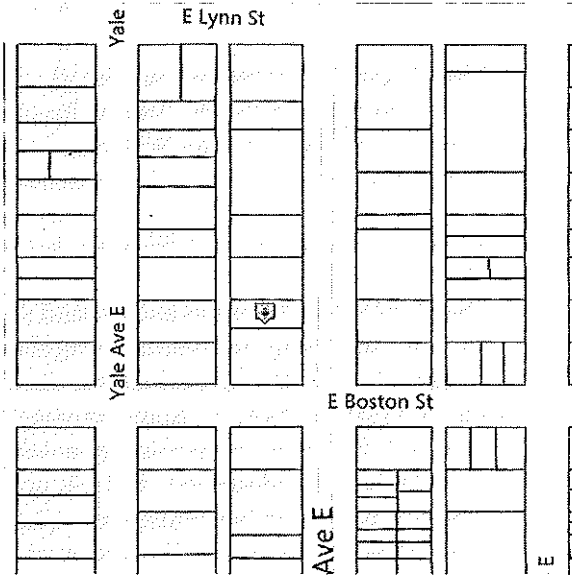
conceivable that this project site satisfies the criteria for the more intensive NC3 zone, which requires separation by physical edges (SMC 23.34.078AB.3.), although the applicant requests this less intensive zone.

4. *A mix of small and medium sized parcels;*

The Code does not define “small sized parcels” or medium sized parcels.” The southern parcel is 8,200 s.f. and the northern parcel is 4,100 sq. ft. These parcels can reasonably be characterized as medium or small parcels. A review of DPD GIS demonstrates that the area consists of parcels with similar sizes.

5. *Limited or moderate transit service.*

DPD’s parcel data depicts this site as having frequent transit service, thereby satisfying the locational criteria for a more intensive zone.



Parcel Sizes Near the Project Site

**Conclusion:** The subject property satisfies the NC2 zoning functional and locational criteria. Although it is possible that the subject property satisfies the criteria for the NC3 zone, the NC2 zone is the least intensive zone that enables the scale of residential and commercial uses envisioned in the Seattle Comprehensive Plan and in the Eastlake Neighborhood Plan. In contrast, the property does not satisfy the function and locational criteria for all of the zones from LR2 to NC1, as described below.

23.34.074 Neighborhood Commercial 1 (NC1) zones, function and locational criteria.

The NC2 and the NC1 functional criteria and generally the same. However, the property does not satisfy many of the NC1 zone’s locational criteria.

B. *Locational Criteria. A Neighborhood Commercial 1 zone designation is most appropriate on land that is generally characterized by the following conditions:*

1. *Outside of urban centers and urban villages, or within urban centers or urban villages where isolated or peripheral to the primary business district and adjacent to low-density residential areas;*

The subject property is located in an urban village and it is designated as a commercial node. Therefore for subject property is not “isolated” or “peripheral” to the primary business district. It is also not adjacent to low-density residential areas. For example, a four-story and a three-story multi-family apartment are located immediately to the west of the project, across the alley.

2. *Located on streets with limited capacity, such as collector arterials;*

Eastlake Avenue E. is a class 3 arterial,<sup>25</sup> with significant capacity.

*3. No physical edges to buffer the residential areas;*

There are many physical edges surrounding the project site. Eastlake Ave. E is to the east. Boston Street is to the south. An alley is to the west. And an existing motel is located to the north.

*4. Small parcel sizes;*

The total project site is 12,259 sq. ft., significantly exceeding the lot sizes required for single family homes in the LR2 zone (e.g., one dwelling unit per 1,600 square feet<sup>26</sup>). Also see the analysis for the NC2 zone, showing a mixture of medium sized parcels.

*5. Limited transit service.*

DPD's parcel data depicts this site as having frequent transit service. Eastlake Ave. E. is the primary corridor served by public transit into the neighborhood. Bus lines primarily connect the University District to Downtown. Bus lines include the 70, 71, 72, 73, and 83.

**Conclusion: The property does not satisfy the NC1 zone's locational criteria.**

**23.34.070 Residential-Commercial (RC) zone, function and locational criteria.**

*A. Function.*

*1. Purposes. Areas that serve as the following:*

- a. As a means to downzone strip commercial areas which have not been extensively developed with commercial uses;*
- b. As a means to downzone small commercial areas which have not been extensively developed with commercial uses and where commercial services are available nearby;*

The property is located in an Urban Village. The City of Seattle does not wish to "downzone" these areas. Instead, the City's Comprehensive Plan directs the City to encourage growth in these areas.<sup>27</sup> In addition, the Neighborhood Plan establishes this area as a "commercial node."

...

*2. Desired Characteristics. Areas that provide the following:*

- a. Physical appearance resembling the appearance of adjacent residential areas;*

The project site currently includes a dry cleaners and offices. It does not resemble adjacent residential areas.

- b. Mixed use with small commercial uses at street level.*

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<sup>25</sup> See e.g., [http://www.seattle.gov/transportation/sim\\_arterial\\_list.htm](http://www.seattle.gov/transportation/sim_arterial_list.htm) (Eastlake Ave. E. from Lynn to Boylston).

<sup>26</sup> SMC 23.45.512.A

<sup>27</sup> See e.g., Comprehensive Plan – Housing Element Discussion B; Urban Village Element, more specifically Goal UV42. Also see the Comprehensive Plan's Urban Village Appendix – A stating that Eastlake's Residential Urban Village should accommodate 250 additional households by 2024,

[http://www.seattle.gov/dpd/cs/groups/pan/@pan/documents/web\\_informational/dpdd016656.pdf](http://www.seattle.gov/dpd/cs/groups/pan/@pan/documents/web_informational/dpdd016656.pdf)

*B. Location Criteria.*

1. *Requirement. A residential-commercial designation shall be combined only with a multifamily designation.*
2. *Other Criteria. Residential-Commercial zone designation is most appropriate in areas generally characterized by the following:*
  - a. *Existing Character.*
    - (1) *Areas which are primarily residential in character (which may have either a residential or commercial zone designation), but where a pattern of mixed residential/commercial development is present; or*
    - (2) *Areas adjacent to commercial areas, where accessory parking is present, where limited commercial activity and accessory parking would help reinforce or improve the functioning of the commercial areas, and/or where accessory parking would help relieve spillover parking in residential areas.*

With existing offices and dry cleaners, the project site is primarily commercial.

*b. Physical Factors Favoring RC Designation.*

- (1) *Lack of edges or buffer between residential and commercial uses;*
- (2) *Lack of buffer between major arterial and residential uses;*

There are many physical edges surrounding the project site. Eastlake Ave. E is to the east. Boston Street is to the south. An alley is to the west. And an existing motel is located to the north.

...

**Conclusion: The property does not satisfy the RC zone's functional and locational criteria.**

**23.34.028 Highrise (HR) zone, function and locational criteria.**

- A. Function. An area that provides a concentration of high density multifamily housing in a pedestrian-oriented neighborhood with convenient access to regional transit stations, and where the mix of activity provides convenient access to a full range of residential services and amenities and employment centers.*

The HR zone is inappropriate for Eastlake Ave. E. There are no regional transit stations and Eastlake Ave E does not provide convenient access to a full range of residential services and amenities and employment centers. For these reasons, no property in Eastlake Ave. E is zoned HR.

*B. Locational Criteria.*

1. *Threshold Conditions. Subject to subsection 23.34.028.B.2 of this section, properties that may be considered for a Highrise designation are limited to the following:*
  - a. *Properties already zoned Highrise;*
  - b. *Properties in areas already developed predominantly to the intensity permitted by the Highrise zone; or*
  - c. *Properties within an urban center or urban village, where a neighborhood plan adopted or amended by the City Council after January 1, 1995 indicates that the area is appropriate for a Highrise zone designation.*

The subject property does not satisfy this locational criteria: the subject property is not already zoned highrise; the area is not predominantly developed to the intensity permitted in the highrise

zone; and the Neighborhood Plan does not state that the area is appropriate for highrise development.

**Conclusion:** The property does not satisfy the HR zone's functional and locational criteria.

**23.34.026 Midrise/85' (MR/85') zone, function and locational criteria.**

*A. The Midrise/85' (MR/85') is most appropriate in areas generally characterized by the criteria described for a rezone to Midrise in Section 23.34.024.*

As outlined below, the subject property is not situated in an area characterized by the criteria for a rezone to Midrise in Section 23.34.024.

*B. In addition, the following shall apply to designate an MR zone as Midrise/85':*

*1. A neighborhood plan adopted by the City Council shall have designated the area as suitable for Midrise zoning with an eighty-five (85) foot height limit; and*

The Eastlake Neighborhood Plan does not characterize the area as suitable for Midrise zoning with an eighty-five (85) foot height limit.

*2. A height of eighty-five (85) feet could be accommodated without significantly blocking views; and*

Eight-five feet would likely block views of Lake Union.

**Conclusion:** The property does not satisfy the MR/85's zone's functional and locational criteria.

**23.34.024 Midrise (MR) zone, function and locational criteria.**

*A. Function. An area that provides concentrations of housing in desirable, pedestrian-oriented urban neighborhoods having convenient access to regional transit stations, where the mix of activity provides convenient access to a full range of residential services and amenities, and opportunities for people to live within walking distance of employment.*

The project site lacks convenient access to regional transit stations. Perhaps, because of this reason, no other area is zoned MR on Eastlake Ave. E.

*B. Locational Criteria.*

*1. Threshold Conditions. Subject to subsection 23.34.024.B.2 of this section, properties that may be considered for a Midrise designation are limited to the following:*

*a. Properties already zoned Midrise;*

*b. Properties in areas already developed predominantly to the intensity permitted by the Midrise zone; or*

*c. Properties within an urban center or urban village, where a neighborhood plan adopted or amended by the City Council after January 1, 1995 indicates that the area is appropriate for a Midrise zone designation.*

The subject property does not satisfy this locational criteria: the subject property is not already zoned Midrise; the area is not predominantly developed to the intensity permitted in the Midrise

zone; and the Neighborhood Plan does not state that the area is appropriate for Midrise development.

**Conclusion:** The property does not satisfy the MR/85's zone's functional and locational criteria.

## **LOWRISE ZONES (LR3 and LR2).**

### **23.34.020 Lowrise 3 (LR3) zone, function and locational criteria**

*A. Functions. The dual functions of the LR3 zone are to:*

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

### **23.34.018 Lowrise 2 (LR2) zone, function criteria**

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

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

The LR3 and LR2 zones' functional criteria seek to accommodate multifamily housing in existing multifamily neighborhoods. However, the functional criteria does not seek to accommodate commercial development or a pedestrian-oriented environment, as envisioned in Seattle Urban Village strategy or the Eastlake Neighborhood Plan.

As identified throughout this rezone application, the Seattle Comprehensive Plan and the Eastlake Neighborhood Plan seek to encourage commercial development. More specifically the Neighborhood Plan encourages "a requirement for neighborhood serving uses along the street-level facades of commercial and mixed-use buildings."<sup>28</sup> As identified in the Eastlake Neighborhood Plan, the "existing zoning tools would significantly compromise Eastlake's objectives, produce inferior development, or restrict development more than intended."<sup>29</sup>

**Conclusion, LR Functional Criteria:** The LR2 and LR3 zone authorize modest apartments, rowhouses, townhouses, cottages, and single-family structures. While these development scenarios may provide additional housing, these zones fail to substantively advance the City's Urban Village strategy and the Neighborhood Plan's strategy to encourage housing and pedestrian-oriented commercial uses along Eastlake Avenue E.

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<sup>28</sup> Neighborhood Plan, IV-11.

<sup>29</sup> Neighborhood Plan, IV-17, third paragraph.

**23.34.020 Lowrise 3 (LR3) zone locational criteria**

*B. Locational Criteria. The LR3 zone is most appropriate in areas generally characterized by the following conditions:*

...

*2. The area is near neighborhood commercial zones with comparable height and scale; The subject property is planned to be a mixed-use commercial node. It is not planned to be “near neighborhood commercial zones.”*

...

*7. The area well supported by existing or projected facilities and services used by residents, including retail sales and services, parks, and community centers, and has good pedestrian access to these facilities.*

The area is not well supported by existing retail sales and services. The Neighborhood Plan specifically identifies this area as providing additional retail services.

**23.34.018 Lowrise 2 (LR2) zone locational criteria**

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

*1. The area is either:*

*a. located in an urban center, urban village, or Station Area Overlay District where new development could help establish a multifamily neighborhood of small scale and density; or*

*b. located in or near an urban center, urban village, or Station Area Overlay District, or on an arterial street, and is characterized by one or more of the following conditions:*

*1) small-scale structures generally no more than 35 feet in height that are compatible in scale with SF and LR1 zones;*

The area is not characterized by small scale structures that are characterized by SF and LR1 zones. There is a four story structure immediately behind the subject property, and Eastlake Avenue E. has numerous four-story structures to the North of the subject property. Furthermore, there are no properties zoned SF or LR1 in the vicinity of the project site.

*2) the area would provide a gradual transition between SF or LR1 zones and more intensive multifamily or neighborhood commercial zones; and*

There are no properties zoned SF or LR1 in the vicinity of the project site.

*2. The area is characterized by local access and circulation conditions that accommodate low density multifamily development;*

*3. The area has direct access to arterial streets that can accommodate anticipated vehicular circulation, so that traffic is not required to use streets that pass through lower density residential zones; and*

4. *The area is well supported by existing or projected facilities and services used by residents, including retail sales and services, parks, and community centers, and has good pedestrian access to these facilities.*

The area is not well supported by existing retail sales and services. The Neighborhood Plan specifically identifies this area as providing additional retail services, which is only possible through the proposed rezone.

**Conclusion, LR locational criteria:** The project site does not satisfy the LR3 and LR2 locational criteria. All relevant planning documents seek to encourage additional commercial activity along Eastlake Avenue E. In contrast, the LR3 and LR2 zones are for areas “near commercial zones” that are “well supported by existing retail sales and services.”

**CONCLUSION:** The subject property arguably satisfies the NC3 zone criteria, although the applicant is requesting the less intensive NC2 zone. The subject property satisfies the NC2 zone’s functional and locational criteria. One of the key strategies of the Eastlake Neighborhood Plan is to strengthen the neighborhood’s retail commercial businesses by, among other things, concentrating the commercial areas, requiring more neighborhood-serving businesses in certain types of development projects, making the Eastlake Avenue streetscape more interesting and pleasant for pedestrians, and reducing the auto-orientation of the street and businesses. This vision is consistent with the NC2 zone’s criteria.



**EARLY DESIGN GUIDANCE OF THE  
EAST DESIGN REVIEW BOARD**

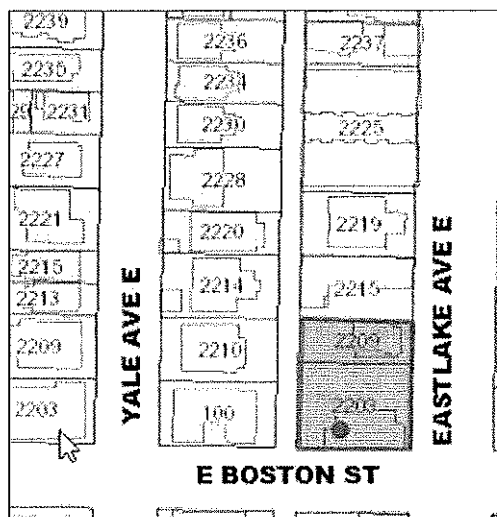
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Project Number: 3016024  
Address: 2203 Eastlake Avenue E  
Applicant: Maria Barrientos, Barrientos LLC  
Date of Meeting: Wednesday, May 14, 2014  
Board Members Present: Natalie Gualy (Chair)  
Michael Austin  
Curtis Bigelow  
Dan Foltz  
Christina Orr-Cahall  
Kevin Price  
Board Members Absent: None  
DPD Staff Present: Lindsay King

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**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.

## PROJECT DESCRIPTION

Early Design Guidance application for a 4-story structure containing 46 residential units above 4 live-work units and 1,652 sq. ft. of commercial space. Parking for 36 vehicles to be provided within a garage off the alley. The existing structures will be demolished.

The project includes a contract rezone to change the entire site to Neighborhood Commercial One with a Pedestrian Overlay and a forty foot height limit (NC1P-40).

### 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](http://www.seattle.gov/dpd/Planning/Design%20Review%20Program/Project%20Reviews/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 Public Resource Center**  
**Address:** 700 Fifth Ave., Suite 2000  
P.O. Box 34019  
Seattle, WA 98124-4019

**Email:** [PRC@seattle.gov](mailto: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 3<sup>rd</sup> 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.

## 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.
- a) The Board felt the roof should be developed as a 5<sup>th</sup> façade. The Board noted that the addition of the green roof would help add visual interest to the roof plane (CS2)
  - b) 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).

## 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.

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**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 on the requested departure(s) will be based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departure(s). The Board's recommendation will be reserved until the final Board meeting.

At the time of the Early Design Guidance meeting, the following departure was requested:

**1. Setbacks (SMC 23.47A.014 B1):** The code requires a setback at the intersection of a side and front lot line in a residential zone. The setback is a 15 foot triangular area. The applicant proposed a zero-foot setback in this area.

The Board was inclined to grant the setback departure request. The Board felt the ground level façade at street level should be located at the property line continuing to the north property line to maintain a strong street wall. The Board felt the strong street wall better met the intent of CS2 Urban Pattern and Form. The Board did feel that an upper level setback should be provided particularly at the northeast corner of the site to provide a relief from the multistory building on Eastlake Avenue E and the adjacent site to the north per Design Guideline CS2-D.

#### **BOARD DIRECTION**

At the conclusion of the EARLY DESIGN GUIDANCE meeting, the Board recommended moving forward to MUP application.

**SECOND EARLY DESIGN GUIDANCE OF THE  
EAST DESIGN REVIEW BOARD**

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Project Number: 3016024

Address: 2203 Eastlake Avenue E

Applicant: Maria Barrientos, Barrientos LLC

Date of Meeting: Wednesday, July 23, 2014

Board Members Present: Natalie Gualy (Chair)  
Michael Austin  
Curtis Bigelow  
Dan Foltz  
Christina Orr-Cahall  
Kevin Price

Board Members Absent: None

DPD Staff Present: Lindsay King

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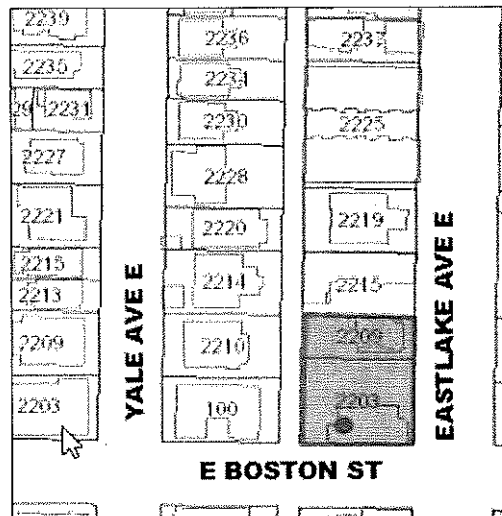
**SITE & VICINITY**

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

Early Design Guidance application for a 4-story structure containing 45 residential units above one live-work unit and 2,624 sq. ft. of commercial space. Parking for 40 vehicles to be provided within a garage off the alley. The existing structures will be demolished.

The project includes a contract rezone to change the entire site to Neighborhood Commercial One with a Pedestrian Overlay and a forty foot height limit (NC1P-40).

**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](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 Public Resource Center**  
**Address:** 700 Fifth Ave., Suite 2000  
P.O. Box 34019  
Seattle, WA 98124-4019

**Email:** [PRC@seattle.gov](mailto: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 3<sup>rd</sup> 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 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](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.

#### **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**

- 7. Massing.** The Board felt Massing Option 3 should move forward to MUP submittal with the following guidance:

  - c) 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).
  - d) 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).
  
- 8. Eastlake Avenue.** The preferred massing proposal includes commercial space at ground level with residential units above.

  - f) 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).
  - g) 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).
  - h) 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).
  - i) 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).
  - j) The Board felt the applicant should investigate use of the setback as a private amenity feature for residents (CS2-B).
  
- 9. Entry Courtyard.** The preferred massing option locates a common entry courtyard at the corner intersection.

  - c) 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).

- d) 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).

**10. Boston Street.** The preferred massing option locates live work units at the ground level with residential units above.

- c) 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).
- d) 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).

**11. Roof.** The Board noted the overall grade transition down to Lake Union will provide views onto the roof surface.

- c) The Board felt the roof should be developed as a 5<sup>th</sup> façade. The Board noted that the addition of the green roof would help add visual interest to the roof plane (CS2)
- d) 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).

**12. Material and Architectural Context.** The Board felt the architectural and material concept should be informed by existing building context.

- e) The Board felt the proposed building should incorporate material cues, such as brick, to reference the existing context (CS3-A4, DC4-A).
- f) 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).
- g) The Board would like to see the architectural concept evolve to include large windows (DC2).
- h) At the Recommendation Meeting, the Board requested street level vignettes demonstrating the material application on Eastlake Ave E and Boston Street facades (DC4).

<b>SECOND EARLY DESIGN GUIDANCE: July 23, 2014</b>
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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 2<sup>nd</sup> 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 2<sup>nd</sup> Early Design Guidance packet created a handsome building that should be maintained as the design progresses (DC4-A).

**DESIGN REVIEW GUIDELINES**

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<b>CONTEXT &amp; SITE</b>
---------------------------

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**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.

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**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 on the requested departure(s) will be based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departure(s). The Board's recommendation will be reserved until the final Board meeting.

At the time of the Second Early Design Guidance meeting, the following departures were requested:

**1. Street Level Uses (SMC 23.47A.005 C):** The code states residential uses may occupy no more than 20% of street-level, street-facing façade in a pedestrian zone, facing a designated principal pedestrian street. The applicant had requested a departure to locate a live work unit occupying more than 20% of the façade along E Boston Street.

It was determined at the Second Early Design Guidance Meeting that this departure request was not necessary because E Boston Street is not listed as a principal pedestrian street and this standard does not apply on to E Boston Street.

**2. Setbacks (SMC 23.47A.014 B1):** The code requires a setback at the intersection of a side and front lot line in a residential zone. The setback is a 15 foot triangular area. The applicant proposed a zero-foot setback in this area.

At the Second EDG, the Board was inclined to grant the setback departure request. The Board felt the ground level façade at street level should be located at the property line continuing to the north property line to maintain a strong street wall. The Board felt the strong street wall better met the intent of CS2 Urban Pattern and Form. The Board did feel that an upper level setback should be provided particularly at the northeast corner of the site to provide a relief from the multistory building on Eastlake Avenue E and the adjacent site to the north per Design Guideline CS2-D.

**3. 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 proposes windows and opening within 5 feet of a residentially zoned lot.

At the Second EDG , the Board was inclined to grant the setback departure request. The Board felt the transparency provided on the Eastlake façade was complementary to the strong street wall. The Board felt the strong street wall better met the intent of CS2 Urban Pattern and Form. The Board also noted the windows are not facing the residential zone but are facing Eastlake Ave E so privacy and noise impacts are greatly reduced.

**4. 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.

At the Second EDG, the Board was inclined to grant the setback departure request. The Board felt the ground level façade at street level should be located at the property line continuing to the north property line to maintain a strong street wall. The Board felt the strong street wall and the eliminated north setback better met the intent of CS2 Urban Pattern and Form. The Board agreed the corner courtyard and additional setbacks at ground level on E Boston Street and the alley provided a better public amenity consistent with PL1-A Network of Open Spaces and Adding to Public Life.

#### **BOARD DIRECTION**

At the conclusion of the EARLY DESIGN GUIDANCE meeting, the Board recommended moving forward to MUP application.

**NEIGHBORHOOD LETTERS OF SUPPORT**

*Jules James & Alex*

2616 Franklin Ave. E  
Seattle, WA 98102

(206) 329-1885

September 12<sup>th</sup> 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



September 8, 2014

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

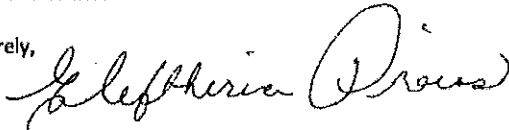
Re: Rezone Support Letter for Project 3016024 – 2203 and 2209 Eastlake Avenue East.

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,

  
14 Carrot Cafe  
2305 Eastlake Ave E.

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





## ENVIRONMENTAL (SEPA) CHECKLIST

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(Revised 2/2/2008)

### Purpose of Checklist

The State Environmental Policy Act (SEPA), Chapter 43.21 RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from your proposal, if it can be done) and to help the agency decide whether an EIS is required.

### Instructions for Applicants

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

### Use of Checklist for Nonproject Proposals

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply". IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D). For nonproject actions, the references in the checklist to the words "project", "applicant", and "property or site" should be read as "proposal", "proposer", and "affected geographic area", respectively.

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**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**

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questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The proposed mixed-use project will consist of commercial spaces and residential apartments over a structured parking garage. There is ~2990sf commercial space ~45 apartments; ~39 parking spaces.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

**Address:**

Assemblage of 2203 & 2209 Eastlake Ave East Seattle, WA 98102. The site is located in Seattle's Eastlake neighborhood.

**Legal Description:**

2203 Eastlake Ave E (290220-0490): GREENES ADD 1 & S 20 FT OF 2 LESS ST.

2209 Eastlake Ave E (290220-0496): GREENES ADD N 40 FT LESS ST

**B. ENVIRONMENTAL ELEMENTS**

**1. Earth**

- a. General description of the site (circle one):

Flat, rolling, hilly, steep slopes, mountainous, other:

Flat at street-grade along Eastlake Ave East – the easternmost boundary, then sloping west down E Boston St. to an alley – the western boundary.

- b. What is the steepest slope on the site (approximate percent slope)?

Approximately 10%; steep slope is ~40%

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

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Various geotechnical test boring encountered very dense silty sand with gravel and cobbles, which extended to the maximum depths of exploration ~25-30ft. See attached Geotech report, dated September 27, 2013 by Geotech Consultants, Inc.

- d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

No

- e. **Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**

No fill or grading is proposed.

- f. **Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**

There may be some erosion that could occur during the excavation of the site for the future parking garage during construction. There will be a TESC plan to mitigate the potential for erosion.

- g. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

99% of the site will be covered with impervious surfaces after project construction. There is approximately 1900 sf of green roof proposed on the project at the roof deck and surrounding the level one and two unit terraces.

- h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

The General Contractor will follow the provisions of the Temporary Erosion and Sedimentation Control Plan (TESC) to be prepared by the Civil Engineer, Springline Design. Erosion Control Measures during construction will include perimeter protection and sediment trapping. Permanent erosion control measures include seeding, installing plantings or hard surfacing, and preserving natural vegetation.

**2. Air**

- a. **What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke, greenhouse gases) during construction and when the project is**

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completed? If any, generally describe and give approximate quantities if known.

General emissions from construction vehicles.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None

**3. Water**

a. Surface:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

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- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

**b. Ground:**

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals ...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None

**c. Water Runoff (including storm water):**

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Rain water will be collected by roof drains and directed to a detention vault below the parking garage, and directed to an existing combined sanitary/storm line running north/south in Eastlake Ave E.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

No

**d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:**

None

**4. Plants**

- a. Check or circle types of vegetation found on the site:  
 deciduous tree: alder, maple, aspen, other  
 evergreen tree: fir, cedar, pine, other

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- shrubs
- grass
- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

**b. What kind and amount of vegetation will be removed or altered?**

Most of the existing vegetation will be removed and replaced per the new landscape design plan. There is an existing Norway maple tree along Eastlake Ave close to the intersection of Eastlake and Boston Street that will be preserved.

**c. List threatened or endangered species known to be on or near the site.**

None

**d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:**

The right of way will have extensive landscaping, additionally, there are a variety of proposed landscaped terraces on the South, North and West sides of the building. A majority of the plants at street and alley level, onsite and offsite, will be drought tolerant or adapted natives and in addition will enhance the site and street ornamentally.

**5. Animals**

**a. Circle any birds and animals that have been observed on or near the site or are known to be on or near the site: None**

birds: hawk, heron, eagle, songbirds,  
other: \_\_\_\_\_

mammals: deer, bear, elk, beaver,  
other: \_\_\_\_\_

fish: bass, salmon, trout, herring, shellfish,  
other: \_\_\_\_\_

**b. List any threatened or endangered species known to be on or near the site.**

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None

- c. Is the site part of a migration route? If so, explain.

None

- d. Proposed measures to preserve or enhance wildlife, if any:

None

**6. Energy and Natural Resources**

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Hot water will be provided by means of a gas-fired, recirculating boiler system. A gas heater rooftop unit will heat the building corridors. The apartment units will have gas ranges in the kitchens, electrical powered exhaust fans in the kitchens and baths. Electrical heaters will be used to heat the apartment units. Split system heat pumps will heat and cool the commercial spaces and lower level common areas.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

The mechanical and electrical systems will strive for the highest efficiency possible within the project budget. The building envelope will meet or exceed the Washington State Energy Code requirements.

**7. Environmental Health**

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

No

- 1) Describe special emergency services that might be required.

None



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- 2) Proposed measures to reduce or control environmental health hazards, if any:

None

**b. Noise**

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment operation, other)?

Traffic noise from Eastlake Avenue East and Boston Streets. Occasional noise from neighboring commercial businesses can be heard from the project site.

The proposed project will be designed and constructed in accordance with the City of Seattle Noise Ordinance.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from site.

General construction noise during the construction phase, generally from 7:00 AM until 5:00 PM.

- 3) Proposed measures to reduce or control noise impacts, if any:

No special measures other than following the hours of construction operations as determined by DPD.

**8. Land and Shoreline Use**

- a. What is the current use of the site and adjacent properties?

Uses on the project site include residential and commercial use with surface parking. The commercial use is a dry-cleaning drop-off site.

Other uses on the block include other mixed use multi-family housing, commercial office space, restaurants, and a motel.

- b. Has the site been used for agriculture? If so, describe.

No

- c. Describe any structures on the site.

There are two existing buildings on the site. Building 1 (southern building) is a two-story commercial building with 2 ground-level

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retail spaces and one residential apartment in a second level above the commercial. Building 2 (northern building) is a vacant two-story commercial, building.

**d. Will any structures be demolished? If so, what?**

Yes. The two buildings described in 8c above will be demolished along with the surface parking.

**e. What is the current zoning classification of the site?**

Current zoning: LR2-RC (2209 Eastlake Ave) and NC1P-30 (2203 Eastlake Ave)

Proposed by Contract Rezone: NC2P-40

**f. What is the current comprehensive plan designation of the site?**

Eastlake Residential Urban Village

**g. If applicable, what is the current shoreline master program designation of the site?**

Not applicable

**h. Has any part of the site been classified as an "environmentally critical" area? If so, specify.**

No

**i. Approximately how many people would reside or work in the completed project?**

Approximately 50-60 residents

**j. Approximately how many people would the completed project displace?**

There is currently one occupied apartment with one tenant in the southern structure (2203 Eastlake Ave) above the drop-off dry-cleaner (corner of Eastlake and Boston St).

**k. Proposed measures to avoid or reduce displacement impacts, if any:**

Issued the 90-day notice in accordance with the Seattle of Seattle's Tenant Relocation Assistance Ordinance on July 1, 2014.

**l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**

The proposed project adds density in a Residential Urban Village, consistent with the Comprehensive Plan. The project

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will comply with the citywide and Eastlake Design Review Guidelines for residential buildings. It is a multi-family residential project that is an appropriate scale for the neighborhood.

**9. Housing**

- a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

~45 residential units will be provided at market rate.

- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

One residential unit will be eliminated – middle to high income housing.

- c. **Proposed measures to reduce or control housing impacts, if any:**

The units will be varied in size in order to accommodate a range of income levels.

**10. Aesthetics**

- a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

The tallest height of the proposed structure is the top of the elevator shaft which is ~ 58' above Eastlake Ave E and ~67' above the alley to the West of the building.

The principal exterior building materials proposed are brick at the commercial spaces at street level, and exterior wall panels of cement board or other panel type at the residential floors.

- b. **What views in the immediate vicinity would be altered or obstructed?**

Views from the adjacent multi-family residential units in the buildings immediately east of the project will be obstructed. The residents in these units currently look out upon the existing dry-cleaner, surface parking lot, and two-story commercial building.

- c. **Proposed measures to reduce or control aesthetic impacts, if any:**

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The project is seeking departures through the Design Review process to improve the pedestrian quality along Eastlake Ave E to eliminate the sight triangle set-back so that the building has a continuous façade and to eliminate the set-back from neighboring residential zoned site to the North at the residential floors to foster a unified urban corridor which will contribute to the pedestrian quality of Eastlake Ave E. In an effort to preserve some views, the project will also be setback on the upper residential floors on the East, West and South elevations.

**11. Light and Glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Lighting of the site will be typical for residential uses with below-grade parking. Low level lighting to feature landscape elements and some exterior lighting for safety that will be directed downward. Per the Seattle Municipal Code Light and Glare Standards, the proposed exterior lighting will be shielded and directed away from adjacent uses. Proposed exterior lighting will be included in the required City of Seattle Design Recommendation packet.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No

- c. What existing off-site sources of light or glare may affect your proposal?

None

- d. Proposed measures to reduce or control light and glare impacts, if any:

None needed

**12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Several mini-parks (close to the project site) are located along Fairview Ave E (2 blocks west from the project site) which allows public non-motorized boat access to Lake Union. The mini-parks include the Roanoke Street, Lynn Street, and Terry

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Pettus mini-parks. The Rogers Playground Park is 2 blocks north of the project site and includes a playground, tennis courts and a ball field. The I-5 Colonnade Park is 2 blocks south of the project site and includes mountain bike trails. Also, the iconic Howe Street Stairs begin a few blocks south of the project and terminate in north Capitol Hill.

- b. **Would the proposed project displace any existing recreational uses? If so, describe.**

No

- c. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

The project will include a variety of both shared and private open spaces throughout the site, which will provide opportunities for interaction among the residents. An at grade courtyard on the corner of Eastlake Ave and Boston St. will provide communal space, all units will have either decks or designated patio-space, and the site will have a rooftop deck with amenities for tenants.

**13. Historic and Cultural Preservation**

- a. **Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.**

No

- b. **Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**

None

- c. **Proposed measures to reduce or control impacts, if any:**

None

**14. Transportation**

- a. **Identify public streets and highways serving the site, and describe the proposed access to the existing street system. Show on site plans, if any.**

See Site Plan, sheet number A002 dated 9/15/2014.

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Arterials with public transportation include Eastlake Ave E (directly east). Interstate 5 (2 blocks east), is accessed within close proximity of the project site.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**

Yes, nearest transit stop is approximately ½ block away – on the corner of Eastlake Ave E and Lynn St, stop #9200. Services bus routes 66 and 70.

- c. How many parking spaces would the completed project have? How many would the project eliminate?**

Completed project will have approximately 39 parking spaces. The removal of the existing surface parking lot will result in the elimination of 10 parking spaces on 2203 Eastlake Ave and 4 parking spaces on 2209 Eastlake Ave. A net gain of 25 parking stalls.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).**

No

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

No

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**

Unknown. The Seattle DPD has confirmed no traffic study is necessary.

- g. Proposed measures to reduce or control transportation impacts, if any.**

Residents are able to walk, bike and take public transit to surrounding services due to the project's close proximity to the Eastlake commercial area, downtown Seattle and the University District commercial area. The site scores 68 out of 100 on walkscore.com - walkable, a walkability index that reflects proximity to neighborhood services.

The project will provide ample secure bicycle storage for residents and visitors. There will be 39 parking spaces provided for the residents and the commercial tenants of the building.

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**15. Public Services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

None

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None

**16. Utilities**

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, cable, other.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in immediate vicinity which might be needed.

New utilities are not anticipated. Re-routing, revisions and/or resizing of existing utilities may be required.

Electricity: Seattle City Light

Natural Gas: Puget Sound Energy

Water: Seattle Public Utilities

Trash/Recycling: Seattle Public Utilities

Telephone: Century Link

Sanitary & Storm Sewer: Seattle Public Utilities

**ATTACHMENTS:**

Exhibit 1 – Phase I Environmental.

Prepared by Sound Earth Strategies on September 5, 2013

Exhibit 2 – Geotech Report.

Prepared by Geotech Consultants on September 27, 2013

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**C. SIGNATURE**

The above answers are true and complete to the best of my knowledge.  
I understand the lead agency is relying on them to make its decision.

Signature: Marie Benito

Date submitted:  
9.16.14

This checklist was reviewed by:  
\_\_\_\_\_

Land Use Planner, Department of Planning and Development

Any comments or changes made by the Department are entered in the body of the checklist and contain the initials of the reviewer.

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**D. SUPPLEMENTAL SHEET FOR NONPROJECT  
ACTIONS**

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

None

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

None

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

None

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally critical areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

None

Proposed measures to protect such resources or to avoid or reduce impacts are:

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5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

None

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

None

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

None