

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

In the matter of the Petition:)	Clerk File 314513
Application of ANDREW KLUSS,)	FINDINGS, CONCLUSIONS,
CARON ARCHITECTURE for a)	AND DECISION
contract rezone of property at 1000)	
and 1020 NE Northgate Way from)	
Neighborhood Commercial 3 with a)	
55-foot height limit and M Mandatory)	
Housing Affordability suffix (NC3-55)	
(M)) to Neighborhood Commercial 3)	
with a 65-foot height limit and M1)	
Mandatory Housing Affordability)	
suffix (NC3-65 (M1)) (Project No.)	
3039050-LU; Type IV).)	

Introduction

This matter involves a petition by Andrew Kluss, Caron Architecture (“Applicant”) for a contract rezone property at 1000 and 1020 NE Northgate Way from Neighborhood Commercial 3 with a 55-foot height limit and M Mandatory Housing Affordability suffix (NC3-55 (M)) to Neighborhood Commercial 3 with a 65-foot height limit and M1 Mandatory Housing Affordability suffix (NC3-65 (M1)).

The proposal site is approximately 40,285 square feet in size and is located in the Northgate Urban Center. The application includes a Master Use Permit to redevelop the site with a mixed-use building with 184 affordable apartment units and approximately 6,770 square feet of ground floor retail space fronting on NE Northgate Way. The Applicant intends to satisfy MHA program requirements through on-site performance. Attachment A shows the area to be rezoned.

On July 6, 2023, the Seattle Department of Construction and Inspections (SDCI) issued a recommendation to approve the application with conditions. On August 14, 2023, the Deputy

Hearing Examiner held an open-record public hearing on the proposed rezone. On August 24, 2023, the Deputy Hearing Examiner recommended conditional approval. On October 20, 2023, the Land Use Committee of the Council reviewed the record and the recommendations by SDCI and the Hearing Examiner and recommended approval of the contract rezone to the City Council.

Findings of Fact

The Council hereby adopts the Hearing Examiner's Findings of Fact as stated in the Findings and Recommendation of the Hearing Examiner dated August 24, 2023.

Conclusions

The Council hereby adopts the Hearing Examiner's Conclusions as stated in the Findings and Recommendation of the Hearing Examiner dated August 24, 2023.

Decision

The Council hereby **GRANTS** a rezone of the property from NC3-55 (M) to NC3-65 (M1), as shown in Exhibit A. The rezone is subject to the execution of a Property Use and Development Agreement (PUDA) requiring the owners to comply with certain conditions for the life of the project. Those conditions are adopted by the Council as follows:

CONDITIONS

Prior to Issuance of a Master Use Permit

1. The rezone includes a Mandatory Housing Affordability designation of M1.
2. Development of the rezoned property shall be subject to the requirements of SMC 23.58B and/or 23.58C.

Prior to Issuance of a Building Permit

3. Plans shall be in substantial conformance with the approved plans for Master Use Permit number 3039050-LU.

Dated this _____ day of _____, 2023.

City Council President

ATTACHMENT A

