

Dela Cruz, Jeff

From: Putnam, Sue
Sent: Friday, January 06, 2017 11:48 AM
To: SCI_Routing_Coordinator
Subject: Public Comment Letter
Attachments: 3020114.pdf

From: Esther Bartfeld [mailto:ebartfeld@comcast.net]
Sent: Wednesday, January 04, 2017 3:04 PM
To: Baker, Roberta <Roberta.Baker@seattle.gov>; Dorcy, Michael <Michael.Dorcy@seattle.gov>; Putnam, Sue <Sue.Putnam@seattle.gov>
Subject: Fwd: City of Seattle DCI Notice #3020114 - December 29, 2016 [notice and decision for 6726 Greenwood]

Michael, Roberta, and Ms. Putnam-

There appears to be a problem with the availability of the decision in this project that was announced in the Land Use Bulletin on December 29, 2016 (was it really necessary to issue a decision on such a controversial project in that holiday week?).

Below is the message that was sent to parties of record on December 30, the day AFTER the decision was allegedly issued.

The actual decision, however, is NOT AVAILABLE on the website for this project, including on the link stated in the notice.

I have a screenshot of the website as of the writing of this email, and only the Notice is included, but not the actual decision.

We had a community meeting last night and numerous people had tried in vain to find the decision. It appears that the only way for anyone to find the actual decision is to link to it through the Land Use Bulletin that was published on December 29, 2016.

This failure to make the decision available pursuant to the notice REQUIRES THIS PROJECT TO BE RE-NOTICED with a corresponding new time period for any appeal. The current notice does not comport with the notice requirements and deprives the public of an opportunity to review the actual decision.

Accordingly, please re-notice this decision, publish the actual Decision on the project website, and send a revised notice to all parties of record that accurately states how members of the public can find the actual decision.

Also, you should know that the Decision states inaccurately on page 3 that this project is 44 feet in height. It is not. It is 48 feet, which is readily apparent from the drawings and has been an issue in contention since the project was first proposed

In addition, the Parking analysis on p29 concludes that no parking is required because the project is “located within the University District Northwest Urban Village Center.” That is not correct. The project is located

within the Phinney Greenwood Urban Village, which is nowhere near the University District Northwest Urban Village Center.

Thank you in advance for your prompt attention to these issues and for providing accurate and complete notice to the public.

-Esther Bartfeld

Begin forwarded message:

From: "Gonzales Cunneutubby, Reta" <Reta.Gonzales@Seattle.Gov>
Subject: City of Seattle DCI Notice #3020114 - December 29, 2016
Date: December 30, 2016 at 11:12:19 AM PST
To: "Gonzales Cunneutubby, Reta" <Reta.Gonzales@Seattle.Gov>

Please see attached Notice published on **December 29, 2016**.

This notice is being sent as you are: an applicant; a board member; a SEPA agency; or a party of record (you attended and signed in at a meeting or emailed/mailed in comments) for this project.

Thanks,



City of Seattle [Department of Construction and Inspections](#)
Public Resource Center
700 Fifth Avenue, Suite 2000
PO Box 34019, Seattle, WA 98124-4019
PRC@seattle.gov

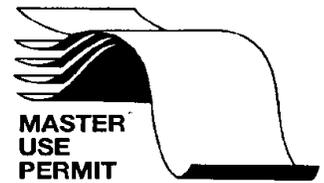


"As stewards and regulators of land and buildings, we preserve and enhance the equity, livability, safety and health in our communities."

Seattle Department of Construction and Inspections

Nathan Torgelson, Director

December 29, 2016



Notice of Decision

The Director of the Seattle Department of Construction and Inspections has reviewed the Master Use Permit application(s) below and issued the following decisions. Interested parties may appeal these decisions.

Hearing Examiner Appeals

To appeal to the City's Hearing Examiner, the appeal MUST be in writing. Appeals may be filed online at www.seattle.gov/examiner/efile.htm, delivered in person to the Hearing Examiner's office on the 40th floor of Seattle Municipal Tower at 700 Fifth Ave. or mailed to the City of Seattle Hearing Examiner, P.O. Box 94729, Seattle, WA 98124-4729. (Delivery of appeals filed by any form of USPS mail service may be delayed by several days. Allow extra time if mailing an appeal.) An appeal form is available at www.seattle.gov/examiner/LANDUSEAPLFORM.pdf.

Appeals must be received prior to 5:00 P.M. of the appeal deadline indicated below and be accompanied by an \$85.00 filing fee. The fee may be paid by check payable to the City of Seattle or a credit/debit card (Visa and MasterCard only) payment made in person or by telephone at 206-684-0521. (The Hearing Examiner may waive the appeal fee if the person filing the appeal demonstrates that payment would cause financial hardship).

The appeal must identify all the specific Master Use Permit component(s) being appealed, specify exceptions or objections to the decision, and the relief sought. Appeals to the Hearing Examiner must conform in content and form to the Hearing Examiner's rules governing appeals. The Hearing Examiner Rules and "Public Guide to Appeals and Hearings Before the Hearing Examiner are available at www.seattle.gov/examiner/guide-toc.htm. To be assured of a right to have your views heard, you must be party to an appeal. Do not assume that you will have an opportunity to be heard if someone else has filed an appeal from the decision. For information regarding appeals, visit the Hearing Examiner's website at www.seattle.gov/examiner or call them at (206) 684-0521.

Interpretations

The subject matter of an appeal of a discretionary decision is limited to the code criteria for that decision, and generally may not include other arguments about how the development regulations of the Land Use Code or related codes were applied. However, in conjunction with an appeal, a Land Use Code interpretation may be requested to address the proper application of certain development regulations in the Land Use Code (Title 23) or regulations for Environmentally Critical Areas (Chapter 25.09) that could not otherwise be considered in the appeal. For standards regarding requests for interpretations in conjunction with an appeal, see Section 23.88.020.C.3.c of the Land Use Code.

Interpretations may be requested by any interested person. Requests for interpretations must be filed in writing prior to 5:00 P.M. on the appeal deadline indicated below and be accompanied by a \$2,500.00 minimum fee payable to the City of Seattle. (This fee covers the first ten hours of review. Additional hours will be billed at \$250.00.) **Requests must be submitted to the Seattle Department of Construction and Inspections, Code Interpretation and Implementation Section, 700 5th Av Ste 2000, PO Box 34019, Seattle WA 98124-4019.** A copy of the interpretation request must be submitted to the Seattle Hearing Examiner together with the related project appeal. Questions regarding how to apply for a formal interpretation may be sent to PRC@seattle.gov. (Please include "Interpretation Information" in the subject line.) You may also call the message line at (206) 684-8467.

Shoreline Decisions

An appeal from a shoreline decision is made to the State Shorelines Hearing Board. It is NOT made to the City Hearing Examiner. The appeal must be in writing and filed within 21 days of the date the Seattle DCI decision is received by the State Department of Ecology (DOE). The Seattle DCI decision will be sent to DOE by the close of business on the Friday of this week. If the Shoreline decision involves a shoreline variance or shoreline conditional use, the appeal must be filed within 21 days after DOE has made their decision. The information necessary for DOE to make their decision will be sent to them by the close of business on the Friday of this week. The beginning of the appeal period may also be provided to you by contacting the PRC at PRC@seattle.gov, or by calling the message line at (206) 684-8467. The minimum requirements for the content of a shoreline appeal and all the parties who must be served within the appeal period cannot be summarized here but written instructions are available in Seattle DCI's TIP 232

(web6.seattle.gov/dpd/cams/CamList.aspx). Copies of TIP 232 are also available at the Seattle DCI Applicant Services Center, 700 5th Av Ste 2000, PO Box 34019, Seattle, WA 98124-4019. You may also contact the Shorelines Hearing Board at (360) 459-6327. Failure to properly file an appeal within the required time period will result in dismissal of the appeal. In cases where a shoreline and environmental decision are the only components, the appeal for both shall be filed with the State Shorelines Hearing Board. When a decision has been made on a shoreline application with environmental review and other appealable land use components, the appeal of the environmental review must be filed with both the State Shorelines Hearing Board and the City of Seattle Hearing Examiner.

Comments

When specified below written comments will be accepted. Comments should be sent to: PRC@seattle.gov or mailed to Seattle Department of Construction and Inspections, 700 5th Av Ste 2000, PO Box 34019, Seattle, WA 98124-4019. All correspondence is posted to our electronic library.

Information

The project file, including the decision, application plans, environmental documentation and other additional information related to the project, is available in our electronic library at web6.seattle.gov/dpd/edms/. Public computers, to view these files, are available at the Seattle DCI Public Resource Center, 700 Fifth Avenue, Suite 2000. The Public Resource Center is open 8:00 a.m. to 4:00 p.m. on Monday, Wednesday, Friday and 10:30 a.m. to 4:00 p.m. on Tuesday and Thursday.

To learn if a decision has been appealed check the website at web6.seattle.gov/DPD/PermitStatus/ and click on the Land Use tab in the lower half of the screen for any Hearing date and time. You may also contact the PRC at prc@seattle.gov, 700 Fifth Avenue, Suite 2000, 20th Floor or call our message line at (206) 684-8467. (The Public Resource Center is open 8:00 a.m. to 4:00 p.m. on Monday, Wednesday, Friday and 10:30 a.m. to 4:00 p.m. on Tuesday and Thursday.)

Decision

Area: NORTH/NORTHWEST **Address:** 6726 GREENWOOD AVE N
Project: 3020114 **Zone:** ARTERIAL WITHIN 100 FT., URBAN VILLAGE OVERLAY, NEIGHBORHOOD COMMERCIAL 2-40'

Decision Date: 12/29/2016

Contact: JAY JANETTE - (206) 453-3645
Planner: MICHAEL DORCY - (206) 615-1393

Land Use Application to allow a four story structure containing 55 apartment units, two live-work units and 3,298 sq. ft. of restaurant space. No parking is proposed. Existing structure is to be demolished.

The following appealable decisions have been made based on submitted plans:

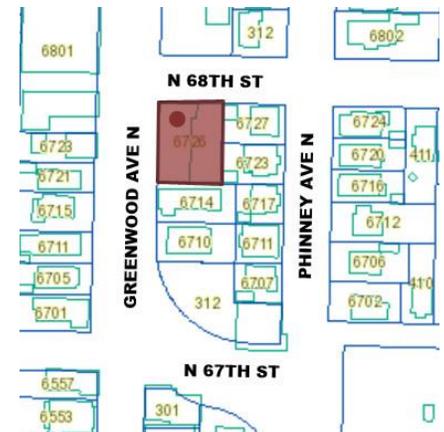
Conditionally Grant - Design Review

Conditions: Conditions have been placed on this project. You may view the decision through our web-based Land Use Information Bulletin, or contact either the assigned planner whose name and phone number appears above, or contact the Public Resource Center (206-684-8467, prc@seattle.gov).

Determination of Non-Significance with conditions (no environmental impact statement required). Environmental review completed and project conditioned as applicable. This DNS is issued using the optional DNS process in WAC 197.11.355 and SMC 25.05.355. The comment period was originally published on **March 3, 2016** and there is no further comment period on this DNS.

Conditions: Conditions have been placed on this project. You may view the decision through our web-based Land Use Information Bulletin, or contact either the assigned planner whose name and phone number appears above, or contact the Public Resource Center (206-684-8467, prc@seattle.gov).

Appeals of this decision must be received by the Hearing Examiner no later than **1/12/2017**.



The top of this image is north. This map is for illustrative purposes only. In the event of omissions, errors or differences, the documents in Seattle DCI's files will control.