



April 28, 2022

## 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](http://www.seattle.gov/examiner/efile.htm), 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/guide-toc.htm](http://www.seattle.gov/examiner/guide-toc.htm).**

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 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](http://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](http://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 \$3,940.00 minimum fee payable to the City of Seattle. (This fee covers the first ten hours of review. Additional hours will be billed at \$394.00.) **Requests must be submitted to the Department of Construction & Inspections, Code Interpretation and Implementation Group, 700 Fifth Ave., Suite 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 [www.seattle.gov/project/comment](http://www.seattle.gov/project/comment). (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 SDCI decision is received by the State Department of Ecology (DOE). The SDCI 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 [www.seattle.gov/project/comment](http://www.seattle.gov/project/comment), 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 SDCI's TIP 232 (<https://bit.ly/SDCI-Tip-232>). 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: [www.seattle.gov/project/comment](http://www.seattle.gov/project/comment) or mailed to Department of Construction & Inspections, Code Interpretation and Implementation Group, 700 Fifth Ave., Suite 2000, PO Box 34019, Seattle, WA 98124-4019. All correspondence is posted to our electronic library.

### Information

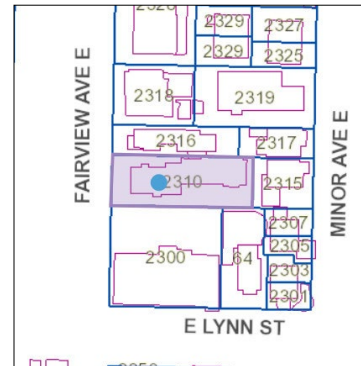
The project file, including the decision, application plans, environmental documentation and other additional information related to the project, is available in our electronic library at [Seattle Services Portal](#).

To learn if a decision has been appealed check the website at [Seattle Services Portal](#) 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 [www.seattle.gov/project/comment](http://www.seattle.gov/project/comment) or call our message line at 206-684-8467.

### Decision

**Area:** Downtown/Central  
**Address:** 2310 FAIRVIEW AVE E  
**Project:** 3033301-LU  
**Zone:** LR2 RC (M), LR2 (M)

**Applicant Contact:** HUGH SCHAEFFER – (206) 329-1802  
**SDCI Planner:** Ben Perkowski - (206) 684-0347



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.

Shoreline Substantial Development to allow 2, 3-story townhouse buildings (7 units total). Parking for 7 vehicles proposed. Existing buildings to be demolished. Streamlined Design Review done under 3032848-EG.

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

**Approved - Shoreline Substantial Development** to allow townhouse development in an UC (Urban Commercial) shoreline environment.

**Approved - Determination of Non-Significance** (no environmental impact statement required). Environmental review completed and no conditions imposed. This DNS is issued using the optional DNS process in WAC 197.11.355 and SMC 25.05.355.

The decision is appealable to the Washington State Shoreline Hearings Board until at least 05/19/2022