

**Attachment F – Development Agreement Decision Criteria
Analysis and Staff Recommendation**

SMC 20.30.355(C) Decision Criteria	Applicant’s explanation of how the Shoreline Place Development Agreement meets the City’s Decision Criteria for a Development Agreement
<p>1. The project is consistent with goals and policies of the Comprehensive Plan. If the project is located within a subarea plan, then the project shall be consistent with the goals and policies of the subarea plan.</p>	<p>As explained in response to Criterion 2, the new Shoreline Place, located in the Comprehensive Plan Mixed Use 1 (MU1) land use designation (CRA), is centered around vibrant community gathering spaces, incorporating multi-family housing, retail, and restaurants where only acres of parking exist. The Westminster Way plaza will activate the re-envisioned Westminster Way N. and draw pedestrians into the Project and its open space system.</p> <p>As the City’s Parks, Recreation and Open Space Plan (PROS Plan) explains, parks, open spaces, and recreational opportunities play a critical role in “who the city is becoming.” PROS Plan, Executive Summary, page 4. The Conceptual Guide Plan includes a publicly-accessible Open Space System which will create a series of spaces spread throughout the Project varying from green lawns for summer day picnics, outdoor movies and concerts in the park, to intimate plazas and paseos adjacent to lively restaurants and retail shops, well-appointed with comfortable seating areas and creative landscape and hardscape elements. It will provide pedestrian and bicycle access to and through Shoreline Place and be connected to the public and private improvements implementing the City’s reimagined Westminster Way N. and to the Interurban Trail. Figures 2.4 and 4.14 of the PROS Plan illustrate that there are no neighborhood parks within a 15-minute walkshed of Shoreline Place. (The City has established a level of service target for providing neighborhood parks within a 15-minute walk to all city residents.) The Open Space System will help close this gap. One of the many benefits of the open space system is that it will accommodate the Farmers’ Market.</p> <p>The Project implements Comprehensive Plan Goals and Policies:</p> <p><u>Land Use:</u></p> <ul style="list-style-type: none"> • Goal LU I (encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods). • Goal LU VI (encourage pedestrian-scale design). • Goal LU VII (plan for commercial areas that serve the community, are attractive, and have long-term economic vitality). • Goal LU VIII (encourage redevelopment of the Aurora corridor). • Goal LU XII (increase access to healthy food by encouraging... farmers markets) • Policy LU9 (the MU1 designation encourages the development of walkable places with architectural interest that integrate a wide variety of retail... and service uses, along with form-based maximum density residential uses).

Community Design:

- Goal CD I (promote community... redevelopment that is aesthetically pleasing, functional, and consistent with the City's vision).
- Goal CD II (design streets to create a cohesive image, including continuous pedestrian improvements that connect to the surrounding neighborhoods).
- Goal CD III (expand on the concept that people using places and facilities draw more people).
- Policy CD1 (encourage building design that creates distinctive places in the community).
- Policy CD3 (encourage commercial, mixed-use, and multi-family development to incorporate public amenities, such as public and pedestrian access, pedestrian-oriented building design, mid-block connections, public spaces, activities, and solar access).
- Policy CD5 (encourage architectural elements that provide protection from the weather).
- Policy CD18 (preserve, encourage, and enhance open space as a key element of the community's character).
- Policy CD20 (provide public spaces of various sizes and types throughout the community).
- Policy CD21 (design public spaces to provide amenities and facilities such as seating, lighting, landscaping, kiosks, and connections to surrounding uses and activities that contribute to a sense of security).
- CD24 (encourage building and site design to provide solar access, and as well as protection from weather).
- CD27 (where appropriate and feasible, provide lighting, seating, landscaping and other amenities for sidewalks, walkways, and trails).
- CD30 (provide pedestrian gathering spaces to unify corners of key intersections involving principal arterials).

Housing:

- Goal H I (provide sufficient development capacity to accommodate the 20-year growth forecast and promote other goals, such as creating demand for transit and local businesses through increased residential density along arterials; and improved infrastructure, like sidewalks and stormwater treatment, through redevelopment).
- Policy H3 (encourage infill development on vacant or underutilized sites).

Transportation:

- Goal T III (provide a pedestrian system that is safe, and connects to destinations, accesses transit, and is accessible by all).
- Policy T22 (prioritize construction of sidewalks, walkways, and trails. Pedestrian facilities should connect to destinations, access transit, and be accessible by all).
- Policy T49 (expand the city's pedestrian network).

Economic Development:

- Goal ED I (maintain and improve the quality of life in the community by increasing employment opportunities; supporting businesses that provide goods and services to local and regional populations; ... complementing community character).
- Goal ED II (promote retail... activity to diversify sources of revenue and expand the employment base).

- Goal ED VII (encourage multi-story buildings for efficient land use).
- Goal ED VIII (promote and support vibrant activities and businesses that grow the local economy).
- Policy ED6 (reinvigorate economically blighted areas in Shoreline by establishing *Community Renewal Areas* with associated renewal plans).
- Policy ED7 (enhance existing neighborhood shopping and community nodes to support increased commercial activity, neighborhood identity, and walkability).
- Policy ED12 (revitalize commercial business districts and encourage high-density mixed-use in these areas).
- Policy ED 14 (encourage a mix of businesses that complement each other and provide variety to the community to create activity and economic momentum).
- Policy ED 32 (support farmers market).

Parks, Recreation & Open Space:

- Policy 1.2 (provide a variety of indoor and outdoor gathering places for recreational and cultural activities).
- Policy 1.3 (plan for, acquire and develop land for new facilities to meet the need of a growing population).
- Goal PR II (provide community-based recreation and cultural programs that are diverse and affordable).
- Goal PR III (meet the parks, recreation and cultural service needs of the community by equitably distributing resources).
- Policy 3.3 (equitably distribute facilities and program offerings based on identified need).
- Policy 3.4 (identify unserved and underserved populations with unmet recreation and cultural needs).
- Policy 4.2 (seek partners and planning, enhancement and maintenance of facilities and programs).
- Policy 4.4 (engage and partner with the business community to create public open space in private development).

In addition to re-channelizing N. 160th Street to provide bicycle lanes, as illustrated on **page 105 of the Conceptual Guide Plan**, bicycle circulation through the Project site will be accommodated for advanced/commuter riders along the northern property boundary and N. 157th Street in a sharrow lane. Other bicycle circulation through the site for residents, children and recreational bicyclists will be provided through a wide multipurpose raised sidewalk. These elements of the Project implement the following Comprehensive Plan Goals and Policies:

- Land Use Goal LU II (establish land use patterns that promote walking, biking and using transit to access goods, services, education, employment, recreation).
- Transportation Goal T II (develop a bicycle system that is connective, safe, and encourages bicycling as a viable alternative to driving).
- Transportation Goal T VI (encourage alternative modes of transportation to reduce the number of automobiles on the road, promote a healthy city, and reduce carbon omissions).

- Transportation Policy T6 (support and promote opportunities and programs so residents have options to travel ... using modes other than single-occupancy vehicles).
- Transportation Policy T 50 (prioritize projects that complete the city's bicycle networks).
- Economic Development Policy ED2 (promote non-motorized connections between commercial businesses, services, and residential neighborhoods).

The Developer will provide a mid-block crossing on N. 160th Street which implements Transportation Policy T 23 (design crossings that are appropriately located and provide safety and convenience for pedestrians).

The City has approved a deviation to allow the N. 160th Street ADA accessible pedestrian facility to be located on the Property, allowing the Developer to retain the trees adjacent to the N. 160th right-of-way. Retention of these trees is consistent with Policy CD 16 (where feasible, preserve significant trees and mature vegetation); and Policy NE 19 (minimize removal of healthy trees).

As discussed in response to Criterion 5, the proposed development utilizes a variety of strategies to respond to the residentially zoned areas across N. 160th Street. These strategies implement the following Housing Goals and Policies:

- Goal H V (integrate new development with consideration to design and scale that complements existing neighborhoods and provides effective transitions between different uses and intensities).
- Policy H 23 (assure that site, landscaping, building, and design regulations create effective transitions between different land uses and densities).

On-site stormwater management will implement:

- Land Use Policy LU69 (design, locate and construct surface water facilities to promote water quality).
- Natural Environment Goal NE VI (manage the stormwater system through the preservation of natural system and structural solutions in order to protect water quality).
- Natural Environment Goal NE VII (continue to require that natural and on-site solutions, such as infiltration and rain gardens be proven infeasible before considering engineered solutions, such as detention).

As explained in response to Criterion 3, the Project satisfies the City's concurrency standards and is consistent with Transportation Policy T 44 (adopted Level of Service D).

As explained in response to Criteria 3 and 4, there is sufficient capacity and infrastructure (roads, sidewalks, bike lanes) to meet the City's adopted level of service standards and sufficient capacity within public services (water, sewer and stormwater) to adequately serve the development proposal in all future phases. Consequently, the Project satisfies Capital Facilities Goal CF II (ensure the capital facilities

	<p>and public services necessary to support... new development is available, concurrent with locally adopted levels of service and in accordance with Washington State Law).</p> <p>As detailed in Section 11 of the Development Agreement, an existing City stormwater line is located on the Property adjacent to the Westminster Way N. right-of-way. The Developer will relocate the City stormwater line from the Property to the Westminster Way N. right-of-way in a coordination with the Alexan project. Relocation of the stormwater line is consistent with Utilities Policy U7 (encourage the co-location or joint use of trenches... so that utilities may encourage expansion, maintenance, undergrounding, and upgrading of facilities with the least amount of disruption to the community or of service delivery).</p>
<p><i>STAFF ANALYSIS AND RECOMMENDATION ON DEVELOPMENT AGREEMENT CRITERION No. 1</i></p>	<p>The proposed development is strongly supported by the City’s 2012 Comprehensive Plan. Vision 2029, developed in 2009, was the City’s long-range vision that is the basis of the Framework Goals and the goals and policies of the Land Use, Community Design, Housing, Economic Development, and Capital Facilities elements. In general, these goals and policies support quality development, functionality, walkability, high density, business-friendly environment, mixed development with more pedestrian/ public spaces and activities, new businesses and employers, and economic growth. More explicitly, two policies promote a vision, strategy for mixed uses in Aurora’s retail centers and a master planned, sustainable, life-style center at Aurora Square.</p> <p>Community Renewal Area Plan</p> <p>The Community Renewal Area Plan is not a subarea plan. However, we review it here because it functions like a subarea plan because it is an adopted plan and gives statements that provide vision, goals and policies that become a framework for implementation (Attachment C). The Community Renewal Area Plan contains a vision and a variety of development possibilities and activities for the area that were intended to incentivize rather than restrict or dictate future development uses. Some of these aspirational uses included entertainment/media sound stages and office space.</p> <p>The CRA was advanced through the Planned Action Ordinance which provided environmental analysis to further incentivize redevelopment and provide clarity and flexibility for a redevelopment process.</p> <p>While the proposed DA from MGP does not meet all the goals discussed within the CRA, the MGP property only accounts for one quarter of the CRA land area and other properties may still help meet some of the other goals in the CRA. The CRA suggests that the MGP proposal meets the following goals as underlined below:</p> <ul style="list-style-type: none"> ❖ <i>City-Led Renewal Projects - <u>Planned Action, traffic analysis, low-impact development, coordinated signage, developer agreements, a sound stage, and infrastructure improvements.</u></i> ❖ <i>Public-Private Renewal Projects - <u>incentives for investment and joint efforts.</u></i>

- ❖ *Transform Westminster Way - into an attractive, pedestrian friendly street that connects the triangle parcel (Alexan) and the shopping center.*
- ❖ *Create an Eco-District – for facilities and infrastructure to treat stormwater or wastewater, clean power and other environmental goals.*
- ❖ *Integrate into the Context – Connect with sidewalks. Signage, entrances to be connected to the large area, Aurora Avenue, Rapid Ride, and the Interurban Trail.*
- ❖ *Establish a Vibrant Center – Create place-making where there is interest, activities, restaurants, public art, etc.*
- ❖ *Reinvent the Sears Building – Consider using the building for adaptive reuse.*
- ❖ *Construct Internal Connections – Construction of multiple ways for multi-modal interaction to encourage shoppers to stay longer.*
- ❖ *Incorporate the College – Provide housing, improve N 160th for access, and a draw for students to use the CRA.*
- ❖ *Build New Homes – Create residential living units close to shopping, work, and other activities, transit, education, and leisure.*

Comprehensive Plan Framework Goals and Elements Goals and Policies (excerpts)

Staff agrees that the goals and policies identified by the applicant are being implemented and promoted by the projects proposed in the Shoreline Place Development Agreement. The development of Shoreline Place as defined in the proposed Development Agreement also is implementing a few more goals in addition to those highlighted by the applicant:

Framework Goals

FG 9: Promote quality building, functionality, and walkability through good design and development that is compatible with the surrounding area.

FG 14: Designate specific areas for high density development, especially along major transportation corridors.

FG 15: Create a business- friendly environment that supports small and local businesses, attracts large businesses to serve the community and expand our jobs and tax base, and encourages innovation and creative partnerships.

Goal ED III: Facilitate private sector economic development through partnerships and coordinating funding opportunities.

Goal ED VI: Support employers and new businesses that create more and better jobs.

ED1: Improve economic vitality by:

- Promoting existing businesses;
- Recruiting new businesses;
- Encouraging increased housing density around commercial districts, especially those served by high capacity rapid transit, to expand customer base; and
- Developing design guidelines to enhance commercial areas with pedestrian amenities, and “protect and connect” adjacent residential areas.

	<p>ED2: Promote non-motorized connections between commercial businesses, services, and residential neighborhoods. ED4: Use incentives and development flexibility to encourage quality development. ED23: Encourage the redevelopment of key and/or underused parcels through incentives and public/private partnerships. ED27: Develop a vision and strategies for creating dense mixed-use nodes anchored by Aurora’s retail centers, including how to complement, support, and connect them with mid-rise residential, office, and destination retail buildings. ED29: Reinvent Aurora Square to help catalyze a master-planned, sustainable lifestyle destination.</p> <p>STAFF RECOMMENDATION: Staff recommends that the Planning Commission find the proposed Shoreline Place Development Agreement consistent with goals and policies of the Comprehensive Plan and the Aurora Square CRA Plan.</p>
<p>2. The proposed development uses innovative, aesthetic, energy-efficient and environmentally sustainable architecture and site design.</p>	<p>Developed in the middle of the last Century, the Aurora Square super-block was conceived of an auto-centric retail development that is largely disconnected from the broader neighborhood context. The new Shoreline Place is centered around vibrant community gathering space, incorporating multi-family housing, retail, and restaurants where only acres of parking exist. A new network of inter-connected open spaces will include a pedestrian street or woonerf, public plazas, and park space that prioritize the pedestrian realm and connections to transit. The new stormwater system will incorporate low impact development strategies that integrate with the landscape design to improve storm water quality. Replacing the existing large parking fields with dispersed parking and mixed-use development will mitigate the urban heat island while promoting walkability. New buildings will be at least 60 percent more energy efficient than those originally developed on-site.</p>
<p><i>STAFF ANALYSIS AND RECOMMENDATION ON DEVELOPMENT AGREEMENT CRITERION No. 2</i></p>	<p>The proposed development will develop a mixed use commercial center with parks, plazas, internal walkways, and public spaces for day and evening activity. Though the development does not propose the highest possible sustainable building practices, the replacement of the Sears buildings and hardscape with the current International Building Code (IBC) energy and Department of Ecology (DOE) surface water codes will be a large step in that direction.</p> <p>Environmental Sustainability through Stormwater Management Over the past several years, the City has conducted several studies in Boeing Creek, which is located near the CRA. These include the Boeing Creek Master Plan, the Boeing Creek Regional Stormwater Facility Feasibility Study and a drainage study of the area that drains to the stormwater system in Westminster Way. Needs of the basin were also reviewed as part of the Surface Water Master Plan.</p> <p>In general, Boeing Creek has been heavily impacted by development within the upper basin which includes the areas along Aurora Ave N corridor (including the Shoreline Place properties). The high level of impervious surfaces leads to higher peak flows which lead to erosion in channels such as channel down-cutting and slope failures. To provide some more specific context, the MGP property at 17.3 acres of the 1,740 acre Boeing Creek Basin accounts for less than 1% of the overall basin.</p>

The general recommendation of the Basin Plan is to reduce the erosion impacts of the stream through re-development where current standards are very restrictive. The Basin Plan does not recommend any large City capital projects to create new detention facilities but rather focuses on smaller LID-oriented projects and working with private development for stormwater management improvements. The re-development of Shoreline Place by MGP is in alignment with this recommendation/strategy of the Basin Plan.

Looking specifically at the MGP property, currently there is little to no flow control or detention, meaning storm drainage off the 17.3 acres is not detained on site and drains fairly quickly to the stream thus contributing to the peak flows and erosive conditions in the creek. Under the current stormwater standards, post-redevelopment runoff is required to match **pre-developed forested** conditions. This essentially results in nearly negligible stormwater leaving the site for all but the largest of storms. Meeting the current (and future) standards is a significant improvement over the current condition at the project/property level; however, this is a small incremental improvement that by itself does not make a major difference in the current peak flow into Boeing creek from the project. However, as other properties in the basin redevelop, the small improvement each provides will add up to a significant improvement.

From a water quality perspective, as MGP has shown, they will be significantly reducing not only the total impervious surface but also the pollution generating impervious surfaces by replacing parking lots with buildings and open spaces. In addition to the reduction of pollution generating parking lots, they will be required to provide enhanced water quality treatment for all the pollution generating surfaces that remain. This will be a significant improvement over the current conditions.

In summary, the existing stormwater regulations will essentially eliminate stormwater discharge in all but significantly large events. The property is a very small component of the Boeing Creek Basin therefore has very small impact on the overall performance. The basin plan recognized the impact of current development on the Creek and identified the strategy of small incremental improvements through re-development such as this project. Staff has not identified nor recommends any additional requirements that would have a significant benefit than the current standards.

Environmental Sustainability through site design

The applicant has also agreed to incorporate several LEED ND (Neighborhood Development) credit categories into the project design.

The following LEED ND credits are to be included:

- ❖ Smart location;
- ❖ Access to quality transit and bicycle facilities;
- ❖ Housing and jobs proximity;
- ❖ Walkable streets;

- ❖ Compact Development;
- ❖ Mixed Use Neighborhoods;
- ❖ Reduced Parking footprint;
- ❖ Connected and open Community;
- ❖ Connected parks and outdoor space;
- ❖ Access to Civic and Public Space;
- ❖ Community Outreach and Involvement;
- ❖ Tree-lined and shaded streetscapes;
- ❖ Rainwater Management;
- ❖ Heat Island Reduction;
- ❖ Recycled and Reused Infrastructure; and
- ❖ Light Pollution Reduction.

Innovative Design

The proposed approach to development is innovative for Shoreline where most development is one building without any physical, visual, or design connection to the adjacent properties. A mixed use, town center with retail, groceries, residences, office (WSDOT), and a nearby college that has connected walkways and public places will physically hold or draw these activities and land uses together. This development will allow people to find a variety of activities and have less of a need to drive around town to connect them. In addition, this site will be served by high-capacity transit along Aurora Avenue and bicyclists and pedestrians by way of the Interurban Trail. The proposed development is about 1/3 of the entire CRA and located in the center of Shoreline Place. Its precedence, physical template, and the activity of this development will likely initiate positive changes on the adjoining properties when those redevelop.

Aesthetic Design

The Shoreline Place Development Agreement goes beyond the City’s required design elements especially the regulations pertaining to public open space and onsite multi modal circulation and connectivity. The Shoreline Place Development Agreement includes an open space system totaling between 2.75 - 3.47 acres depending upon certain easement adjustments with adjacent property owners. The Development Code only requires .56 acres for Public Places for the proposed development. The Development Code includes very little direction on how to develop on site circulation. The Shoreline Place Development Agreement includes a very detailed plan for onsite multi modal circulation.

	<p>The Conceptual Guide Plan, Attachment E, Exhibit D and the Open Space System in Exhibit E illustrate the level of aesthetic detail planned for the project. Attachment E, Exhibit F- Supplemental Site Design Guidelines are intended to provide the City with a level of assurance that the key components of the Conceptual Guide Plan shall be incorporated into the development.</p> <p>STAFF RECOMMENDATION: Staff recommends the Planning Commission find the Shoreline Place Development Agreement meets Criterion 2 by including innovative, aesthetic, energy-efficient and environmentally sustainable architecture and site design.</p>
<p>3. There is either sufficient capacity and infrastructure (e.g., roads, sidewalks, bike lanes) that meet the City’s adopted level of service standards (as confirmed by the performance of a transportation impact analysis) in the transportation system (motorized and nonmotorized) to safely support the development proposed in all future phases or there will be adequate capacity and infrastructure by the time each phase of development is completed. If capacity or infrastructure must be increased to support the proposed development agreement, then the applicant must identify a plan for funding their</p>	<p>The Developer has provided and the City has reviewed and approved a Transportation Consistency Analysis which provides a trip generation analysis of the Project; documents that, with buildout of the Project, the Alexan apartments, and addition of 200 employees to the WSDOT Headquarters building, new PM peak hour trips will total 264 trips, well below the 808 trips analyzed in the Aurora Square CRA Environmental Impact Statement (EIS) as addended in March, 2019; and proposes mitigation.</p> <p>Transportation improvements, identified in Section 7 of the Development Agreement, include: Westminster Way N. frontage improvements; a proportionate share contribution to the Westminster Way N./155th Street N. intersection; channelization improvements to N. 160th Street to provide bike lanes; a mid-block pedestrian crossing on N. 160th Street; proportionate share contributions to the Greenwood Avenue N./NW Innis Arden Way and Greenwood Avenue N./N 160th Street intersections; and a proportionate share contribution to the Carlyle Hall Road/Dayton Avenue N./N.165th Street intersection.</p> <p>As explained in Section 20 of the Development Agreement, the City has determined that development of up to 1,358 residential units and 75,610 square feet of commercial space through the year 2039 passes the concurrency test.</p>

<p>proportionate share of the improvements.</p>	
<p><i>STAFF ANALYSIS AND RECOMMENDATION ON DEVELOPMENT AGREEMENT CRITERION No. 3</i></p>	<p>The development proposal includes a thorough transportation consistency analysis which demonstrates compliance with Shoreline Municipal Code 20.60.140 Adequate Streets and consistency with environmental analysis performed as part of the City-led Community Renewal Area Plan. The development demonstrated compliance in the following ways:</p> <ul style="list-style-type: none"> • The total maximum net new proposed peak hour trips generated by the project at build out will be 99. Prior to full demolition of the Sears building, new peak hour trips may on an interim basis reach 160. Section 21 of the Development Agreement provides that net new PM Peak hour trips shall not be allowed to exceed 160 at any point in time. Project trips, in addition to pipeline trips for active projects within the CRA such as the Alexan, remain well under the EIS studied threshold of 808 trips. • The proposal build-out year extends to 2039. Current City analysis only extends to 2030. As such, additional analysis was performed to determine the net difference in trips that would be added to the various CRA study intersections in the 2039 build-out year in comparison to what was studied by the City. The results showed very little difference in comparison to what was studied under Shoreline’s environmental analysis; as such no change to the traffic Level of Service outcomes would be anticipated. (Attachment F Exhibit A) • The project will contribute proportional share mitigation funding to 2 locations (See Attachment F Exhibit A) shown to be failing the City’s level of Service standards in future years, as previously identified by Shoreline Community College analysis. • The project will pay Transportation Impact Fees for other citywide impacts, in accordance with the code applicable at the time of permit. This accounts for permits both now, and in build-out years past 2030. • The project will include a public bike connection through the site for advanced/commuter riders along the northern property boundary controlled by Shoreline Place diagonally through the project in a “sharrow” lane, while other bicycle circulation through the site for residents including children, and recreational bicyclists would be provided through a wide multipurpose raised sidewalk. This bicycle facility will serve as an important connection between the Shoreline Community College and neighborhoods to the west, and the Interurban Trail. • The development proposal improves transportation facilities consistent with the CRA plan and slated planned improvement projects in Attachment F Exhibit A.

	<ul style="list-style-type: none"> • Off-site Transportation Improvements are detailed in Attachment E, Section 7. <p>STAFF RECOMMENDATION: Staff recommends the Planning Commission find that the Shoreline Place Development Agreement meets Criterion 3 based on the transportation analysis performed and the off-site mitigation detailed in Section 7 of the Development Agreement. The Development Agreement also includes a plan for how and when by phase their proportionate share of the improvements will be funded.</p>
<p>4. There is either sufficient capacity within public services such as water, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed. If capacity must be increased to support the proposed development agreement, then the applicant must identify a plan for funding their proportionate share of the improvements.</p>	<p><u>Utilities Generally:</u> Section 10 of the Development Agreement requires that the Developer construct the requisite water, sanitary sewer, and stormwater facilities (the “Utilities”) onsite and pay any connection fees and impact fees due for utility facilities located offsite as part of the build-out of the Project. No off-site utility improvements within the City's control are required. Developer is responsible for the costs associated with alteration or extension of on-site utility infrastructure necessary to connect to the City’s infrastructure.</p> <p><u>Water:</u> As explained in the CRA EIS, the City of Seattle was provided with a description of the growth planned for the CRA and indicated that the water system has capacity for this growth. Section 23 of the Development Agreement requires that the Developer provide the City with a Water Availability Certificate with all building permit applications requiring the provision of potable water or fire flow.</p> <p><u>Sewer:</u> As explained in Section 24 of the Development Agreement, the Ronald Wastewater District has analyzed its existing and future sanitary sewer capacity and infrastructure. Based on its review for the next 25 years, the District has acknowledged that there is sufficient local sanitary sewer capacity and infrastructure in place or planned to serve the Project and that Developer may construct on-site capacity and connect to the City’s sanitary sewer system to serve the Project subject to review and approval of a Developer Extension Agreement. The Developer has applied to Ronald Wastewater District for a Developer Extension Agreement.</p> <p><u>Stormwater:</u> It is anticipated that stormwater will be managed on-site and that no off-site improvements are necessary. <i>See also, Section 22 of the Development Agreement</i> which requires that all stormwater facilities meet current city, state, and federal regulations in effect at the time of application for the permit triggering the need for stormwater facilities. Such stormwater facilities will provide a substantial improvement over existing conditions. The City has acknowledged that it is not aware of capacity constraints in the natural conveyance system in the event that Developer’s stormwater will discharge off-site to the natural environment in addition to the use of onsite detention/vaults in accordance with applicable local and state requirements.</p>
<p><i>STAFF ANALYSIS AND RECOMMENDATION ON</i></p>	<p>The proposed Development Agreement adequately addresses the capacity for services for water, sewer and stormwater based on the Conceptual Guide Plan. The following is a summary of each utility:</p>

<p><i>DEVELOPMENT AGREEMENT CRITERION No. 4</i></p>	<ul style="list-style-type: none"> • Water: MGP has had preliminary discussions with Seattle Public Utilities who have indicated there is or can be adequate water supply. In addition, Section 23 of the Development Agreement requires that the Developer provide the City with a water availability certificate with all building permit applications requiring potable water and/or fire flow. • Sewer: Ronald Wastewater District is reviewing their capacity analysis. RWD has indicated there are no significant issues that cannot be addressed through the development process. • Storm: The City is in discussion with MGP regarding the relocation of an existing stormwater pipe (does not serve the Sears site) from their property into the Right of Way of Westminster Way because it will limit the placement of proposed buildings on that part of the site and therefore have ramifications on the remainder of the site and urban design. The relocation of this stormwater line will be a City project and will be included in the City’s Westminster Way and 155th Street Intersection project. MGP will be responsible to manage stormwater on their project site in accordance with the stormwater regulations in place at the time of each phase of development. • In general, MGP will be responsible to coordinate directly with the utility providers to ensure capacity is available at each phase of the development. <p>STAFF RECOMMENDATION: Staff recommends the Planning Commission find that the Shoreline Place Development Agreement meets Criterion 4 based on the applicant’s demonstration that there is either sufficient capacity within public services such as water, sewer and stormwater to adequately serve the development proposal in all future phases, or there will be adequate capacity available by the time each phase of development is completed; and the applicant has identify a plan for funding their proportionate share of the improvements through the building permitting process.</p>
<p>5. The development agreement proposal contains architectural design (including but not limited to building setbacks, insets, facade breaks, roofline variations) and site design standards, landscaping, provisions for open space and/or recreation areas, retention of significant trees,</p>	<p>The proposed development utilizes a variety of strategies to respond to the residentially zoned areas across N. 160th Street. Commercial uses and active open spaces are oriented towards the eastern portion of the site, transitioning to solely residential uses closer to the existing residential zone. Significant building setbacks are provided along N.160th Street to retain the existing densely vegetated frontage and provide for an internal pedestrian pathway adjacent to the street. In addition to code required building modulation, the upper floor façades adjacent to residential zones will use material changes or setbacks to reduce the perceived height and scale.</p>

<p>parking/traffic management, multimodal transportation improvements, and other features that minimize conflicts and create transitions between the proposal site and adjacent property zoned R-4, R-6, R-8 or MUR-35'.</p>	
<p><i>STAFF ANALYSIS AND RECOMMENDATION ON DEVELOPMENT AGREEMENT CRITERION No. 5</i></p>	<p>The portion of this criterion related to minimizing conflicts and creating transitions between the project and R-4, R-6, R-8 or MUR-35', only applies to the R-6 zoned neighborhood directly across from the proposal on the north side of N 160th Street. That R-6 area fronts approximately 270 feet directly across from the Sears site and includes three single-family residences. The proposed Development Agreement shows proposed buildings on the south side of N. 160th Street directly across from these R-6 residences.</p> <p>The proposed buildings will meet most of the City's Commercial Design Standards (see Criterion 2 above). In addition, the City has Transition Area Standards that require the proposed buildings to be setback and the upper stories stepped-back to minimize the apparent building size toward the R-6 homes. The proposed buildings will meet this standard by increasing the setback at the building base from 10 feet to 60 feet. This increased setback allows the proposed building height to be 80 feet in height and to meet the intent of the Transition Area standards.</p> <p>STAFF RECOMMENDATION: Staff recommends the Planning Commission find that the Shoreline Place Development Agreement meets Criterion 5. The Shoreline Place Development Agreement contains architectural design (including but not limited to building setbacks, insets, facade breaks, roofline variations) and site design standards, landscaping, provisions for open space and/or recreation areas, retention of significant trees, parking/traffic management, multimodal transportation improvements, and other features that minimize conflicts and create transitions between the proposal site and adjacent property zoned R-4, R-6, R-8 or MUR-35' as is evidenced in the Attachment E, Exhibit D – Conceptual Guide Plan, Exhibit E – Open Space System, Exhibit G- Westminster Way Improvements and Exhibit H- Street Sections and Design Plans. Attachment E, Exhibit F- Supplemental Site Design Guidelines further commits the applicant to develop the site consistently with the Conceptual Guide Plan.</p>
<p>6. The project is consistent with the standards of the critical areas regulations, Chapter</p>	<p><u>Critical areas:</u> The Project is located south of Boeing Creek, which is piped within N. 160th Street near the northeast property line. SMC Table 20.80.280(1) requires a 10' buffer for a piped stream. Work will occur within the buffer for driveway and right-of-way improvements as permitted by SMC 20.80.274.C.4.</p>

<p>20.80 SMC, Critical Areas, or Shoreline Master Program, SMC Title 20, Division II, and applicable permits/approvals are obtained.</p>	<p><u>Shoreline Master Program</u>: The SMP is not applicable. The Property is not within the shoreline jurisdiction.</p>
<p><i>STAFF ANALYSIS AND RECOMMENDATION ON DEVELOPMENT AGREEMENT CRITERION No. 6</i></p>	<p>There are no Wetland, Floodplain, Fish and Wildlife Habitat (stream corridors), Flood Hazard Areas, or Aquifer Recharge critical areas on site. “Piped Streams” are included in the Critical Area Code; however, they only exist along the proposed N 160th Street improvements. The proposed relocation of the stormwater pipe in Westminster is not designated as a “Piped Stream”. There are some isolated, man-made, moderate to high landslide hazard areas indicated on the Sears site. These slopes were originally created to level parking and building pad areas. The conceptual development plans are not specific enough to discern whether this is a conflict. However, the proposed Development Agreement is not requesting a departure from the critical area regulations. The Sears site is not within the Shoreline Master Program area.</p> <p>STAFF RECOMMENDATION: Staff recommends the Planning Commission find that the Shoreline Place Development Agreement proposal is consistent with the standards of the critical area regulations, Chapter 20.80 SMC, Critical Areas, or Shoreline Master Program, SMC Title 20, Division II, and that applicable permits/approvals will be obtained; and therefore, meets Criterion 6.</p>