



NOTICE OF DECISION

ADMINISTRATIVE SITE DEVELOPMENT PERMIT 141 Front Street Expansion

APPLICATION NO: ASDP16-00002

March 30, 2016

I. Application Information

Project name: 141 Front Street Expansion

Staff Contact: Amy Tarce, Senior Planner
Development Services Department, 425-837-3097
amyt@issaquahwa.gov

Property Owner: Zachary Smith
P.O. Box 782
Bellevue, WA 98009

Authorized Agent: Michael O'Brien
O'Brien and Associates Architects
605 E. Sunset Way, Suite 100
Issaquah, WA 98027

Request: Approval for Administrative Site Development Permit for remodel of an existing 570 s.f. commercial property and addition of 1,197 s.f. on the second story and in the back of the building. The total gross floor building area, when completed, is 1767 s.f., on a lot size of 3300 s.f.

Location: 141 Front Street North

Existing Land Use: The property is currently vacant but most recently used as a nail salon.

Adjacent Uses: All adjacent uses are retail and commercial (see Vicinity Map, Attachment 2)

Zoning: "CBD-Cultural and Business District" , Effective April 29, 2013

Comprehensive Plan (Ord. 2706, Amended effective February 18, 2014):
Subarea: Olde Town
Land Use Designation: "Retail and Office" (see Figure III-A in the Olde Town Subarea Plan)

Project Description: Remodel of existing 570 s.f. commercial use and addition of 1,197 s.f. on the second level and in the back of the building. Five parking spaces are provided in the rear of the property. New landscape area is provided at the rear of the building. Additional description provided in Project Narrative in Attachment 3, Project Narrative and Plans. An Administrative Adjustment of Standard for the length of the parking stall has been granted (See Attachment 3, Notice of Decision for Parking Standards AAS).

Attachments:

Attachment 1	Design Checklist and Staff Analysis, ASDP16-00002
Attachment 2	Vicinity Map and Zoning
Attachment 3	Project Narrative and Plans
Attachment 3	Notice of Decision for Administrative Adjustment of Parking Standards (AAS16-00003)

II. Public Notice

This is a Level 2 ASDP Major review. Public notice was provided as required. A Notice of Application was mailed out to Parties of Record and surrounding property owners on February 19, 2016. No comments have been received as of the date of this Notice of Decision.

III. Decision

The Development Services Department is the Decision Maker for the Administrative Site Development Permit application. Per IMC 18.04.220, Decision, the final decision shall be made using applicable approval criteria in accordance with the purpose and intent of this chapter. In the case of more than one (1) permit for a project, the decision of all permits shall be made by the decision-maker of the highest level of review. The decision shall be made after the development proposal has been reviewed through the appropriate review process and shall be approval, approval with conditions, or denial:

- A. Approval or Approval with Conditions: A decision of approval or approval with conditions shall be granted only if:
1. The development proposal is consistent with the Comprehensive Plan;
 2. The development proposal meets all applicable codes, rules, regulations and policies; and
 3. The development proposal satisfies the elements of the Design Criteria Checklist (see Chapter [18.07](#) IMC, Appendix 2).

Based upon the application, submitted plans (dated 1/20/2016), listed Attachments, supplemental materials and Findings of Fact contained in this Notice of Decision, the Development Services Department approved the Administrative Site Development Permit application, subject to the notes, terms and conditions of this Notice of Decision.

IV. Approval Criteria (IMC 18.04.390)

The purpose of the Administrative Site Development Permit (ASDP) is to obtain planning level approval with the confidence that the project meets the standards and guidelines contained in the Land Use Code (Issaquah Municipal Code Title 18) using criteria found in Chapter 18.07 including, if applicable, development regulations, the Design Criteria Checklist (Appendix 2), City of Issaquah Streets Standards (adopted on October 15, 2010), adopted engineering and utility standards, and other public safety standards, prior to the preparation of detailed infrastructure, building, and/or engineering or architectural drawings.

V. Determination for Level 2 Review

Three sets of criteria were used to determine the level of review for this proposed expansion to an existing commercial/retail use in Olde Town. A Level 2 review has been determined to be the appropriate level of review for the 141 Front Street Expansion, as follows:

1. Permitted Uses and Level of Review
Another section of the Code, IMC 18.06.130, Table of Permitted Land Uses, indicate that the proposed use, Professional Office, with less than 4,000 s.f. of gross building area, is a Level 1 review (see Office/Professional/Financial: Neighborhood Scale). But additional conditions apply, noted at the bottom of the Table, when a property fronts one of the streets listed, including Front Street. It notes

that any Level 1 or Level 2 development is elevated to a Level 3 development when fronting these named streets.

2. Minor Exterior Construction in the Cultural and Business District (CBD)

The Land Use Code has specific guidelines for Minor Exterior Construction in the Cultural and Business District (CBD), found in IMC 18.04.360.C.2., as follows:

Any amendment to the approved building or site or minor exterior construction requiring a Building Permit or other City permit inside the CBD or the adjacent CF zone and which, in the sole determination of the Planning Director/Manager:

- a. *Does not remain substantially similar to the existing or proposed development including but not limited to changes to impervious surfaces, uses, densities, buffers or setbacks, height, size or location of buildings, or other improvements to the property; and/or*
- b. *Is not consistent with applicable design guidelines or subarea plans; and/or*
- c. *Will substantially impact parking, City services or infrastructure; and/or*
- d. *Is included in and/or consistent with the following examples of minor exterior construction or site modification requiring a Level 1 Review:*
 - (1) *Constructing a building addition; or*
 - (2) *Modifying the site layout (excluding Master Site Plans – See Level 2).*

Based on the criteria above, this proposal would qualify as a Level 1 review.

3. Change of Use - Levels of Review

The proposal involves a change of use from Retail/Service, General: Neighborhood Scale to Office/Professional/Financial: Neighborhood Scale. Per IMC 18.06.130, Table of Permitted Land Uses, both types of uses require Level 3 review, as discussed in (1) above. However, the IMC provides a review process for change of use that recognizes that there is typically a lesser impact in a Change of Use than in new construction. Table 18.04.100-3: Change of Use - Levels of Review provides that, for situations where the existing use and change of use both require Level 3 review, the appropriate level of review is a Level 2.

VI. SEPA

The threshold for SEPA review of development projects is 4000 s.f. of building gross floor area. The proposed building is only 1767 s.f.; thus, this project is exempt from SEPA review.

VII. FINDINGS OF FACT & CONCLUSIONS

A. Consistency with the Comprehensive Plan

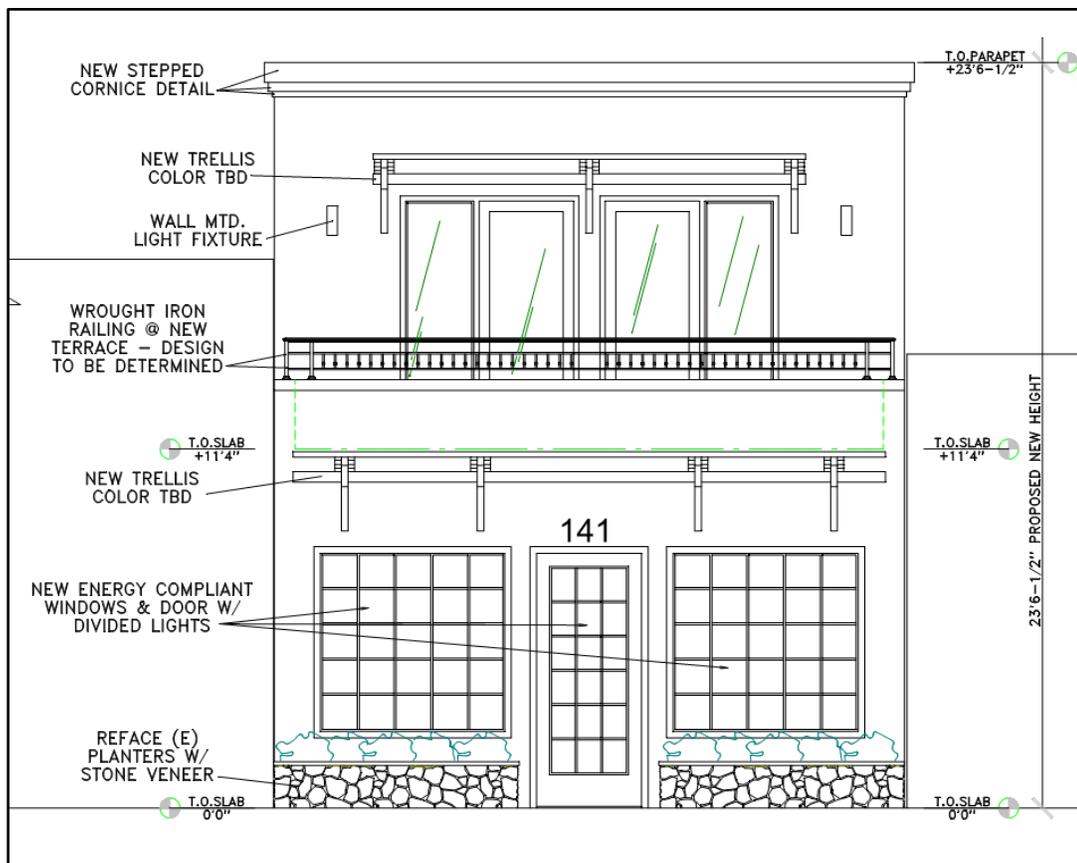
Findings of Fact: the City of Issaquah Comprehensive Plan (adopted in 1995, Amended in 2014). The CBD's primary purpose, according to the Comprehensive Plan, is "to combine business, cultural and civic activities into a cohesive downtown core that promotes pedestrian usage and enhances the historic design and traditional neighborhood scale" (p. L-11). Additional policies contained in the Olde Town Subarea Plan, which is part of the Comprehensive Plan, include one that is specific to the Front Street retail core, which states "Strengthen the Front Street retail core and Theater District", with two concepts that are applicable to the 141 Front Street remodel and re-use project (see Olde Town Subarea Plan, p. II-1):

1. CBD Streetscape: Improve streetscape elements, such as landscaping, lighting and street furniture, on Front Street and throughout the Cultural and Business District (CBD)
2. Historic Integrity: Maintain the historic character of downtown with regards to rehabilitation and redevelopment. This can be accomplished through the use of CBD design guidelines and design standards to support viable use of historic structures and a "historic walk" for visitors.
3. Small-scale office development: Acknowledge the need and opportunity for local office space. Continue to allow for offices on upper floors or on secondary streets in downtown, thereby

bringing more activity and people into the business district. Find incentives to encourage desirable development.

Staff Analysis: The proposed remodel of 141 Front Street involves minor changes to the site plan, and improvements to the façade along Front Street (see elevation drawings in Attachment 3). Front Street streetscape improvements include the replacement of the old storefront canopy with a vegetated trellis, to create a more welcoming and attractive entry. New storefront windows will be provided with divided lights, consistent with the more traditional architecture in Olde Town. The second floor addition is setback from the street and maintains the small-scale retail character of the original structure, as viewed from Front Street. The proposed changes to the Front Street façade improves the public realm and sidewalk experience of Front Street by

- replacing an old canopy with a trellis,
- reinforce the historic character of Olde Town by using decorative wrought iron railing on the roof terrace and divided lights on windows and doors,
- adding softer landscape elements (climbing vines) to the Front Street façade,
- maintaining the small-scale character of Olde Town while adding a second story, and
- providing more pervious areas to the parking lot.



Conclusion: The proposed remodel and reuse of 141 Front Street, from a one-story storefront to a two-story office is consistent with the purpose and intent for the CBD, Cultural Business District, as stated in the Comprehensive Plan, and additional policies in the Olde Town Subarea Plan.

B. Compliance with Zoning and Design Standards

The site is zoned CBD, Cultural and Business District (see Attachment 2, Vicinity Map and Zoning), and is subject to development standards in IMC 18.07 and the Olde Town Design Standards for the Central Business District. The applicable development standards are as follows:

IMC 18.07 General Standards	Required	Proposed	Complies?
Min. Lot Size	No minimum	3300 s.f. (not changing from existing)	Yes
Density	Limited by impervious surface ratio, height, setbacks		Yes
Front, Side and Rear (building) Setback	0	Front: 2 feet; rear: 114 feet	Yes
Pervious Surface, minimum (Max. Impervious Surface Ratio)	15% (85% max. impervious surface ratio)	10.48% (346 s.f. out of 3300 gross s.f. of lot area)	No (see discussion under "Nonconforming Situations")
Base Building Height	45 feet	22'-4"	Yes
Min. Lot Width	Not applicable	20 feet	Yes

Staff Analysis: The proposal was reviewed for compliance with applicable standards in the Design Standards, Appendix 2 of IMC 18, and the Olde Town Design Standards. A Design Review Checklist (Attachment 1) provides the detailed Findings of Fact, Analysis and determination of compliance with the said standards. Given the limited scope of the proposal, many of the general standards do not apply. The attached checklist only includes applicable standards from Appendix 2 and the Olde Town Design Standards. Conditions of approval are provided where the proposal did not meet the design standards.

Conclusion: The proposed expansion of 141 Front Street and re-use as an office building is consistent with the permitted uses for the CBD Zoning District. The project complies with the Development Standards in IMC 18.07 and the Olde Town Design Standards, with approval conditions found in Attachment 1, Design Checklist.

C. Nonconforming Situations (IMC 18.08)

Findings of Fact: The existing site exceeds the maximum impervious area for the CBD; thus, it is a legal nonconforming lot. IMC18.08.40.A states, "Development may be permitted on a legal, nonconforming lot in any district provided all pertinent local and state rules and regulations are met, including setbacks, impervious surface ratio, ...landscape requirements, and parking." Additional clarification is provided in IMC18.08.050.C, Change of a Legal Nonconforming Situation (including Remodel or Alteration of Structure or Site), which states: "A nonconforming situation may be changed, including the remodel or alteration of a structure or site; provided, that the change shall decrease the degree of nonconformity by conforming to the fullest extent practical and feasible with the applicable provisions of this title for the structure and/or site elements subject to change." Staff used the criteria cited above: 1) decrease in degree of nonconformity and 2) conform to the fullest extent practical and feasible in reviewing the proposal for compliance with the Land Use Code, City's Street Standards, King County stormwater regulations, and other state regulations.

Staff Analysis: The proposed remodel and expansion of 141 Front Street involves retaining the existing one-story structure, adding additional building area to the rear and a new second level, adding new landscape area in the parking lot and incorporating a green roof. The Front Street storefront façade will be provided with new windows, and a decorative trellis with living plants (Wisteria, as proposed), will provide a more welcoming and attractive façade along Front Street. The existing impervious area is 3169 s.f. or 96% of the total lot area. The existing pervious area is 131 s.f., (see sheet A1 of Attachment 3). The pervious area will increase by 232 s.f., in the form of a new landscape area at the rear of the building, serving as a buffer between the building and the parking lot. This additional landscape area reduces the impervious area ratio to 89.5%, compared to the maximum impervious area ratio of 85%.

Conclusion: Given the unusually small lot for a commercial use in the CBD, the project site is precluded from fully complying with the Land Use Code. However, the proposed remodel and expansion decreases the nonconforming impervious area ratio, from 96% to 89.5%. In addition, the Applicant has volunteered to install a green roof to offset the stormwater from the roof and reduce the amount of stormwater that returns to the public sewer system.

D. Parking (IMC 18.09)

Findings of Fact: The proposed parking configuration consists of 4 parallel stalls aligned along the northern half of the property and one ADA parking stall near the rear building entry (see Site Plan, sheet A2 of Attachment 3)

The purpose of the parking standards, according to IMC18.09.010.A, is to assure adequate off-street parking, reduce on-street parking, increase traffic safety, maintain smooth traffic flows, and reduce the visual impact of parking lots. Two specific sections of the Parking Chapter in the IMC that are applicable to this proposal are as follows:

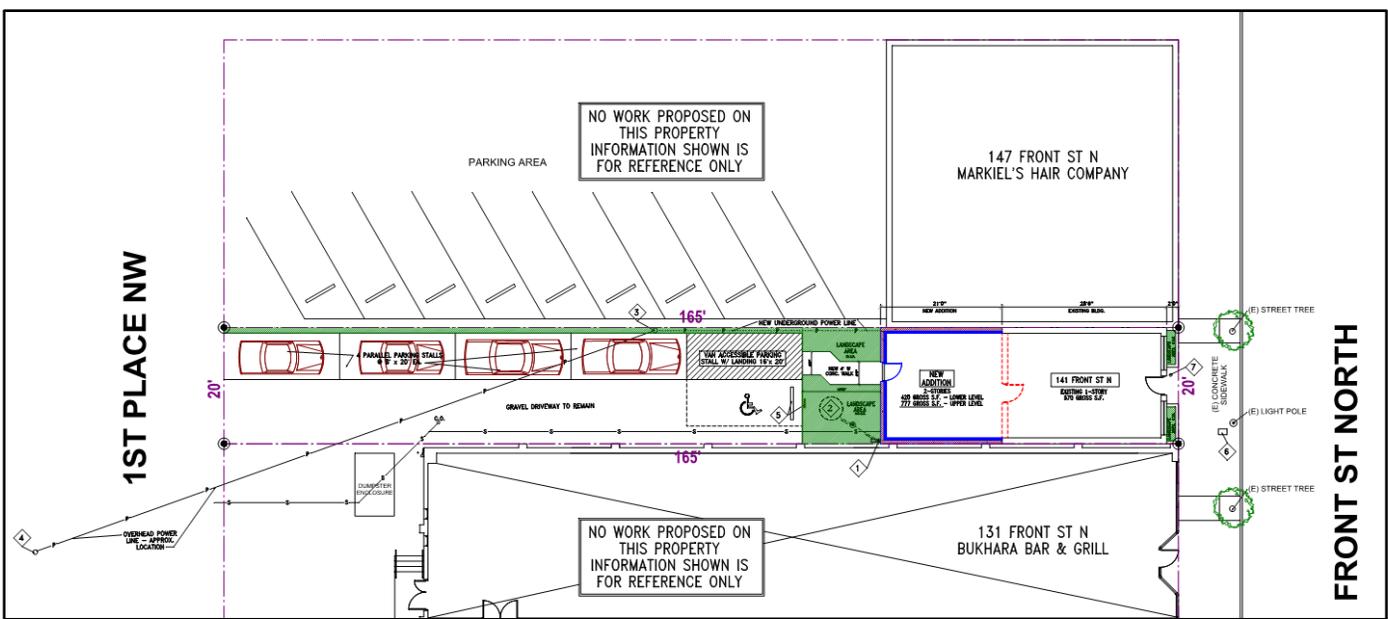
IMC 18.09.040 Off-street parking standards

The required minimum parking spaces for an office use such as proposed for this site, is 1 space for every 300 s.f. of office space.

IMC18.09.090 Parking area standards. This section specified the parking space dimensions as well as paving material, driveway location, location of barrier-free spaces and landscape screening for parking areas. Parallel stall dimensions is 8' by 23'.

IMC 18.09.330, Downtown Parking provisions. Additional CBD parking standards allow for reduction in the number of off-street parking required by 15%.

Staff Analysis: With a gross building area of 1767 s.f. , the project is required to provide 5.89 parking spaces. With the allowed reduction of 15% in the CBD, the total required is 5 off-street parking spaces. The project proposes 5 parking spaces, one of which is to meet the ADA handicap parking space requirement. Fig. __ shows the off-street parking lay-out on site. The parking in the rear of the lot is consistent with the Olde Town Design Standards requirements for parking and driveway location. The parallel parking configuration is the only option available for this site due to the narrow width of the lot. The proposed vehicular access to the lot, using 1st Ave. NW, is consistent with the adjacent properties.



The Applicant has applied for an Administrative Adjustment of Standards (AAS) for the parking space dimension, to use the Central Issaquah Development Standards dimension for a parallel stall, at 8' by 20', instead of the IMC standard of 8' by 23'. The AAS has been approved and staff determination for approval is contained in the Notice of Decision (see Attachment 3).

Conclusion: The project complies with the Parking standards in IMC 18.09 and the Olde Town Design Standards, subject to approval conditions found in Attachment 1, Design Checklist.

E. Landscaping (IMC 18.12)

Findings of Fact: Landscape requirements for each land use district is found in Table 18.12.0060(A). This Table, refers to the Olde Town Design Standards for Landscape Types in the CBD. Additional landscape requirements for parking areas with less than 25 spaces are shown in the next table, Table 18.12.060(B), which indicates that a Type 2 landscape is required for the Street Frontage and the perimeter of parking lots. A Type 2 landscape functions as a visual screen, and described more fully in Table 18.12.070(B)(3). The purpose of a Type 2 landscape is to separate uses and land use districts, typically found between commercial and industrial zones, multifamily and single family zones, or commercial and residential zones.

The landscape area provided is along the rear of the building, and the conceptual drawings show shrubs to be provided along the building base, and one tree to be planted at the south end. Wisteria and flowering plants are to be planted along the public face of the building at Front Street. Additionally, potted trees are proposed at the balcony level (see Street View from East on sheet A3 of Attachment 3). A green roof is proposed (see Aerial View of Sheet A3). Existing street trees on Front Street are to remain (see Bird's Eye View from SE on sheet A3).

Staff Analysis: See Landscape standards in the Design Standards Checklist (Attachment 1) for staff analysis and approval conditions. The project should be given credit for proposing to install a green roof. The Olde Town and CBD development standards do not provide or encourage the use of sustainable site techniques such as rainwater harvesting or use of green roofs to capture stormwater; however, the newer Central Issaquah development standards, and the City's Sustainability goals support private development efforts to incorporate sustainable building and site improvements. In reviewing the nonconforming conditions on site, which includes the impervious area, Staff took into consideration the alternatives provided through the proposed green roof and the replanting of the planters along the Front Street side of the building.

INTERPRETATION for Application of Type 2 Landscape

Although the IMC requires smaller parking lots to provide a Type 2 landscape along the street frontage and the perimeter of the lot, the intent of the Type 2 landscape is to provide a transition between two abutting land uses, zoning districts or site conditions that differ in character. The implied purpose of the Type 2 landscape is to mitigate the adverse visual impact of the proposed parking lot to adjacent properties. Given that the properties in this block where the project site is located has a consistent site plan showing parking along 1st Place NW, the proposed parking for 141 Front Street is consistent with the character of the block. Furthermore, the parking lot abuts another existing parking lot immediately north; therefore, the Type 2 landscape is not necessary.

Conclusion: The project complies with the Landscaping standards in IMC 18.12 and the Olde Town Design Standards, subject to approval conditions found in Attachment 1, Design Checklist.

F. Outdoor Lighting (IMC18.07.107)

Findings of Fact: The purpose of the Outdoor Lighting standards is to protect adjacent uses, natural area, pedestrians, and/or vehicular traffic from excessive spillover light and glare generated by exterior building and or site lighting. Outdoor lighting levels are prescribed in Table 18.07.107.E1, Outdoor Lighting Standards. For commercial or retail uses in the CBD, the maximum exterior lighting level is 5 footcandles. Light spillover limits is 0.8 footcandles. Additional lighting standards applicable to this project can be found in the Design Standards Checklist (Attachment 1).

There is an existing light post at the Front Street sidewalk serving the building (see Bird's Eye views from NE and SE, on sheet A3 of Attachment 3) The proposed exterior lighting is limited to a security and entry light at the rear entry door. The wall-mounted light fixture in the rear of the building is provided with a full cut-off shield to prevent light spill into the night sky. Lighting for the walkway that also serves as the ADA accessible path, is required to be lit, per the Building Code. No lighting plan and photometrics are provided at this time.

Staff Analysis: This is a very small project. Exterior lighting required will primarily be for the parking area in the rear of the property, to ensure safety. The wall-mounted light fixture in the rear of the building is provided with a shield to prevent light spill into the night sky, consistent with the Site Lighting requirement for Olde Town. The proposed exterior lighting meets the full cut-off requirements; however, the lighting levels cannot be reviewed at this time, since this has not been provided.

Conclusion: The project is required to meet all applicable exterior lighting standards. The details of the lighting fixture and exterior light levels will be reviewed for compliance with IMC 18.07.107 and the Olde Town Design Standards at the construction permit.

G. Other Standards and Requirements

a. Signs

Signs will require a separate permit and will be required to meet IMC 18.11.

b. Engineering and Site Utility Requirements

Vehicular site access off of 1st Place NW is acceptable.

Stormwater:

The City has adopted the 2009 King County Surface Water Drainage Manual together with the City of Issaquah 2011 Addendum, both of which together identify the requirements for the storm water conveyance, detention, and treatment systems. Preliminary plans and reports indicate that the project will comply with the above standards and requirements.

On-site stormwater management has been reviewed at a preliminary level and will be reviewed at construction permit for full compliance. Due to the small lot and scope of this project, a separate site work permit review will not be required. Site and landscape details will be reviewed with the building permit. See construction conditions in Section VIII.

C. Impact Fees

Park, Fire, School and Transportation Impact Fees shall be paid by the Applicant prior to issuance of the Building Permit. The actual fee amounts will be based on the adopted fee schedule at the time of building permit issuance.

ASDP16-00002 – CONDITIONS OF APPROVAL

Pursuant to the Issaquah Municipal Code Article 18, including Appendix 2, Design Standards and the Olde Town Design Standards, the following Conditions shall apply to the project.

ASDP Conditions

1. Rooftop mechanical equipment shall be fully screened from view at Front Street. Screening material shall be compatible with the architecture style and shall be painted to visually blend with the sky or the color of the roof.
2. Plant materials and planting locations must be shown in conjunction with locations of utility lines as part of the Landscape Plans to be submitted with construction drawings in the Landscape Permit. Landscape Plans must show how proposed plant materials and planting locations comply with Sec.5b of Appendix 2, Design Criteria, of the Issaquah Municipal Code.
3. Plant materials shall be a mixture of drought tolerant deciduous and evergreen varieties, consistent with the Olde Town Design Standards. A minimum of 20% of plant varieties shall provide year round color, texture and/or other special interest.
4. Provide weather protection for the entries, especially the Front Street façade. The weather protection design and material shall complement or be integrated with the ground floor architectural details and respect the historic character of Olde Town.
5. The ground floor window sills shall be at a height no greater than 30 inches from the sidewalk.
6. Provide projecting window sills and window frame moldings, such as the example provided in the Design Checklist, Attachment 1, of the Notice of Decision. As an alternative, the Applicant may choose to incorporate one of the following: decorative sconce lighting, medallions, or artistic signs.
7. A revised set of colored elevations, showing the proposed colors for the building, and the Materials and Color Board, mounted on a 15" x 20" foam core board, shall be submitted with the Building Permit Application.

Construction Conditions

- C1. Handicapped parking is required per Table 1106.1 2012 IBC. One of every 6 accessible spaces or fraction thereof must be van accessible, per Section 1106.5 2012 IBC and requires an 8' stall with an 8' access aisle. The slope of both the stall and the aisle may not exceed 2% and must be paved to provide a hard, stable surface. A van accessible parking sign is required and must be mounted at 60" minimum to the bottom of the sign.
- C2. Power must be undergrounded as part of the redevelopment of the parcel.
- C3. The first 20 feet of the gravel parking lot and driveway abutting 1st Place NW shall be paved according to the specifications in the City of Issaquah Street Standards.
- C4. On a grading plan in the Building Permit application, show existing and proposed grades, and demonstrate that on-site surface water will flow to the 1st Place NW storm system.
- C5. All storm facilities must be designed and drainage details provided on the construction plan set.