

**Lincoln Asset Management**  
**City of Lincoln City – Request for Additional Information**  
**Dev Rev 2022-11, Lincoln Sands**

No.	Request for Additional Information (9.19.22)	Applicant’s Response (11.23.22)
1	<p>Clear-Vision Triangles</p> <ul style="list-style-type: none"> <li>• Sheet A0.02 and Sheet A0.06 – add the clear-vision triangle to each side of the curb cut and label it</li> <li>• Sheet A0.02 and Sheet A0.06 – add the following note: “Clear-vision triangles shall be free of obstructions (including but not limited to plantings, fencing, or other temporary or permanent obstruction) from two-and-one-half feet to eight feet above the grade of the street.”</li> <li>• Revise all sheets as applicable to show no plantings (rosemary, shore pine, etc.) or any other obstructions in the clear-vision triangles</li> </ul>	<p>RAI 1 references LCMC 17.52.060.</p> <p>Clear-Vision Triangles have been added to the Proposed Site Plan on Sheet A0.02 and the Landscape Plan on Sheet A0.06.</p> <p>As we discussed on September 22, 2022, the existing tree in the landscape strip along 5<sup>th</sup> Court shall remain.</p>
2	<p>Underground Utilities</p> <ul style="list-style-type: none"> <li>• Add the following note to Sheet A0.09: “All electrical, telephone, and cable television utility service installations or connections made as part of new construction of the building shall be placed underground in accordance with city standards.”</li> </ul>	<p>RAI 2 references LCMC 17.52.120 (B).</p> <p>Underground Utilities note has been added to Sheet A0.09, Sheet Notes, Number 3.</p>
3	<p>Exterior Lighting Photometric Analysis</p> <ul style="list-style-type: none"> <li>• Analysis needs to be revised to have 0 luminance at all property lines or no more than 5 feet over property lines</li> <li>• Analysis needs to be revised to have maximum of four foot-candles in all the parking spaces and the driveway</li> <li>• Analysis needs to be revised to show pedestrian ways and building entrances with between one and two foot-candles</li> </ul>	<p>RAI 3 references LCMC 17.52.150 (C).</p> <p>Updated Photometrics have been added to Sheets A0.11, A0.12, A0.13.</p>
4	<p>Trash Enclosure</p> <ul style="list-style-type: none"> <li>• Application states trash enclosure is “at the east building” but there is no east building. East is NW Inlet Ave</li> <li>• Add a note to Sheet A0.02 that states the location of the existing trash enclosure, the height of the existing trash enclosure, and the types of materials of the existing enclosure and that the existing enclosure will be utilized for the trash needs of this project.</li> </ul>	<p>RAI 4 references LCMC 17.52.170.</p> <p>A Wood Slat Screened Trash Bin Storage Area has been added outside at the Northeast corner of the proposed building. Refer to Sheet A1.01</p>

	If the trash enclosure is new, then show as proposed.	
5	<p>Rooftop Mechanical Units</p> <ul style="list-style-type: none"> <li>• Application states that 4 rooftop mechanical units are proposed</li> <li>• No indication on height or location of units</li> <li>• <b><u>Rooftop mechanical units cannot exceed the 45' maximum building height.</u></b></li> <li>• Provide clarification on the height of the units such they are not taller than 45' with a note on Sheet A0.02 stating that no rooftop mechanical units shall exceed the 45' maximum building height</li> </ul>	<p>RAI 5 references LCMC 17.52.180 (C).</p> <p>Mechanical units will be at Grade and Screened with a Wood Slat Fence. Refer to Sheet A1.01</p> <p>There are no Rooftop Mechanical Units now.</p>
6	<p>Mechanical Equipment</p> <ul style="list-style-type: none"> <li>• Add a note to Sheet A0.02 that all standpipes, meters, vaults, and similar equipment shall be placed on the sides or rear of the building.</li> <li>• Add a note to Sheet A0.02 that all ground-mounted mechanical equipment shall be limited to the sides or rear of the building and shall be screened from view from the adjacent properties and public right-of-way.</li> <li>• There is a transformer shown on Sheet A0.02 without any details, descriptions, labels, etc. of the screening to screen it from view from NW 5<sup>th</sup> Ct and NW Inlet Ave.</li> </ul> <p>This needs to be addressed with identification of the method of screening, height, and types of materials for the screening all shown on Sheet A0.02.</p>	<p>RAI 6 references LCMC 17.52.180 (C, and D).</p> <p>Mechanical Equipment notes have been added to Sheet A0.02, Sheet Notes, Numbers 8, 9. All ground-mounted mechanical equipment are limited to the side or rear of the proposed building.</p> <p>The Existing Transformer will be Screened with a 6' Tall Wood Slat Fence, Screening is Noted on Sheets A0.02, and A0.04</p>
7	<p>Tree Protection and Removal</p> <ul style="list-style-type: none"> <li>• Please add notes to Sheet A0.06 regarding the existing trees on the site itself – will they be removed, will they remain, will some be removed, and some remain? Must be identified.</li> <li>• Also, any existing trees to remain need to be identified as remaining</li> </ul> <p>Detail of tree protection during construction needs to be added showing how existing trees will be protected during construction.</p>	<p>RAI 7 references LCMC 17.52.220.</p> <p>Existing Trees are shown on the Existing Plan on Sheet A0.01, and the Trees to remain are noted on the Landscape Plan on Sheet A0.06.</p> <p>Tree Protection During Construction detail is added to Sheet A0.06.</p>

8	<p>Landscaping Requirements</p> <ul style="list-style-type: none"> <li>• Are any existing plants and trees being preserved and used to count towards the landscaping requirements? This needs to be stated one way or the other as a note on Sheet A0.06.</li> <li>• Note needs to be added to Sheet A0.06: "All planting selections must be healthy and disease-free at the time of planting."</li> <li>• Add this note to Sheet A0.06: <i>"Ground cover used as mulch between plantings shall be placed at a minimum two- to three-inch-thick layer to ensure effective erosion control and to avoid leaching of excessive nutrients."</i></li> <li>• Add this note to Sheet A0.06: <i>"Acceptable mulch materials are straw, well-aged compost and leaves, wood mulch or bark dust, or wood nuggets that are a minimum diameter of one inch. Mulching with manure that has not been composted or aged is prohibited."</i></li> <li>• Add this note to Sheet A0.06: <i>"Nonliving ground cover materials such as noncompacted pea gravel, river rock, pumice, stones, boulders, bark dust, cedar chips, or similar, are acceptable nonliving ground cover."</i></li> <li>• Add this note to Sheet A0.06: <i>"Standards for living ground cover are those set out in LCMC 17.55.050."</i></li> </ul> <p>Add this note to Sheet A0.06: "Noxious vegetation as defined in LCMC 8.12.010 or by the Oregon Department of Agriculture is prohibited. Noxious weeds as defined in LCMC 8.10.020 are prohibited."</p>	<p>RAI 8 references LCMC 17.55.040 (C)(2)(3)(4), LCMC 17.55.050 (3), (4)(C), LCMC 17.55.060 (B)</p> <p>The existing trees are being used towards the landscape requirements; the existing trees used in the calculations are noted in the Planting Schedule on Sheet A0.06</p> <p>Landscaping Notes have been added to Sheet A0.06, Sheet Notes, Numbers 4, 5, 6, 7, 8, 9.</p>
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9	<p>Plant Materials Height</p> <ul style="list-style-type: none"> <li>• Remove all plantings from the plans that will have a mature height of MORE THAN 5 FEET and replace with plantings 5 feet or less at maturity <ul style="list-style-type: none"> <li>○ This needs to be done for any area that will block the view of the ocean from any of the existing houses to the east</li> </ul> </li> </ul> <p>Shore pine trees are taller than 5 feet. It appears that the placement of many of them will block the view of the ocean from the houses to the east.</p>	<p>RAI 9 references LCMC 17.55.050 (A)(4)(e).</p> <p>Landscape Plan on Sheet A0.06 has been updated to remove all Shore Pines that would block the view of the ocean, only Greensphere Manzanita are shown in those areas now. All new Shore Pines are shown on the west side of the building.</p>
10	<p>Plant Materials Selections</p> <ul style="list-style-type: none"> <li>• Make sure all the trees and shrubs have been selected from the Guide to Landscape Selections or are native. Shore pine trees and manzanita plants are native and rosemary is listed in the guide.</li> <li>• Dwarf wax myrtle is not native or listed in the guide and needs to be replaced with Pacific Wax Myrtle, which is listed in the guide.</li> </ul> <p><a href="#">Guide to Landscaping Selections Volume 2: Shrubbery (lincolncity.org)</a></p> <p><a href="#">Guide to Landscape Selections Volume 3: Trees (lincolncity.org)</a></p>	<p>RAI 10 references LCMC 17.55.050 (A)(4)(f).</p> <p>Plant selections have been updated to only include Shore Pines and Manzanita plants. Refer to A0.06</p>

11	<p>Plant Materials Consistency</p> <ul style="list-style-type: none"> <li>• Sheet A0.02 shows dwarf wax myrtle, rosemary, and shore pine.</li> <li>• Sheet A0.06 shows greensphere manzanita and shore pine</li> <li>• Make both sheets consistent with the same types and number of plantings making sure that all are either native or selected from the guide</li> </ul> <p>FYI – the code changed to only require one tree per 100 feet of lot perimeter and one shrub per 30 feet of lot perimeter.</p>	<p>RAI 11 references LCMC 17.55.030 (B)(1).</p> <p>Sheet A0.02 has been updated to remove the dwarf wax myrtle, and rosemary, and add the greensphere manzanita.</p> <p>The code change numbers have been noted on Sheet A0.06 Landscape Plan Notes</p>
12	<p>Change Note 2 on Sheet A0.02 to read as follows:</p> <p><i>Irrigation system in the form of soaker hoses shall be provided for all planted areas for a period of at least two years, or until it is demonstrated that new plants have become naturalized.</i></p>	<p>RAI 12 references LCMC 17.55.060 (A).</p> <p>Note 2 on Sheet A0.02 has been updated</p>
13	<p>Living Landscaping as Screening</p> <p><i>It doesn't appear that any living landscaping is being used as screening. Add a note to Sheet A0.02 stating: "No living landscaping is being used as screening."</i></p>	<p>RAI 13 references LCMC 17.55.080.</p> <p>Living Landscaping as Screening note has been added to Sheet A0.02, Sheet Notes, Number 10.</p>
14	<p>NO Parking Spaces in Setbacks</p> <p><i>There are parking spaces in the north (rear) 20-foot setback. Parking spaces are not allowed in building setback areas. Revise all the sheets showing parking spaces within 20 feet of the north edge of the building to remove those spaces and replace with landscaping.</i></p>	<p>RAI 14 references LCMC 17.56.080 (A)(4).</p> <p>Per our discussion on September 22, 2022, the existing parking spaces at the north edge will remain.</p>
15	<p>Wheel Stops on Sheet A0.02</p> <p><i>The exterior parking spaces need to have wheel stops shown on Sheet A0.02 with dimensions of at least 4" high and 6' long.</i></p>	<p>RAI 15 references LCMC 17.56.080 (F)(1). Parking spaces shall be contained by a curb or wheel stop so placed to prevent a vehicle from extending into an adjacent property, public right-of-way, private street, sidewalk, or landscaping area.</p> <p>There is an existing curb at the exterior parking spaces, curb is noted on the Off-Street Parking, Loading, and Circulation Plan on A0.05</p>
16	<p>Wheel Stops on Sheet A0.02</p> <ul style="list-style-type: none"> <li>• Dimensions of the wheel stops on Sheet A1.01 need to be added</li> </ul>	<p>RAI 16 references LCMC 17.56.080 (F)(3).</p>

		The dimensions of the wheel stops for the parking spaces within the garage have been added to the Level 01 Plan on Sheet A1.01
17	<p>Parking space sizes</p> <ul style="list-style-type: none"> <li>• 50% of the parking spaces must be 9 feet wide by 20 feet long.</li> <li>• The other 50% can be reduced to 8 feet wide 16 feet long.</li> </ul> <p>Please show the dimensions of the parking spaces on Sheet A0.02 to meet the required dimensions.</p>	<p>RAI 17 references LCMC 17.56.080 (L)(2), LCMC 17.56.030.</p> <p>No more than 50 percent of the required number of parking spaces may be designed as compact sized spaces with a minimum space width of eight feet and length of 16 feet.</p> <p>There are no off-street parking requirements for commercial buildings in the DeLake Pearl.</p> <p>There are 6 full size parking spaces and 6 compact spaces on site</p> <p>Parking Space dimensions for the new spaces are shown on the Off-Street Parking, Loading, and Circulation Plan on A0.05</p>
18	<p>Add a note to Sheet A0.02 stating: "All off-street parking and loading spaces shall be permanently and clearly marked, and such marking shall be replaced regularly, so as to remain clearly visible at all times."</p>	<p>RAI 18 references LCMC 17.56.080 (G).</p> <p>Parking note has been added to Sheet A0.02, Sheet Notes, Number 11.</p>
19	<p>Sheet A0.02 needs to list the square footage of all the exterior parking area used for the building, along with the % of that area that is landscaped</p> <p><i>10% of the exterior parking area (the driveway is included in the square footage of the parking area calculation) must be landscaped.</i></p>	<p>RAI 19 references LCMC 17.56.080 (H)(1).</p> <p>Square footages have been added to Sheet A0.02 under the Graphic Legend</p>
20	<p>Sheet A0.02 needs to have added to it the dimensions of the landscape strip along the east boundary – length, width, square footage</p> <p><i>Must be at least 4 feet wide between the property line and the edge of the driveway.</i></p>	<p>RAI 20 references LCMC 17.56.080 (H)(2).</p> <p>A 4-foot-wide dimension for the landscape strip has been added to the Proposed Site Plan on Sheet A0.02</p>
21	<p>Which sheet shows the location and height of proposed light poles? They can't exceed 20 feet in height.</p>	<p>RAI 21 references LCMC 17.56.080 (J)(1).</p> <p>The Light poles are existing and approximately 10' tall See the Existing Plan on Sheet A0.01</p>

22	<p>Pedestrian Circulation Route</p> <p><i>Clearly identify and label the pedestrian circulation route from parking stalls to the primary building entrance</i></p>	<p>RAI 22 references LCMC 17.56.080 (L)(3).</p> <p>Pedestrian Circulation Route is shown and noted on the Proposed Site Plan on Sheet A0.02</p>
23	<p>Bicycle Parking</p> <ul style="list-style-type: none"> <li>• Sheet A1.01 needs to show the following, very clearly and labeled, for the bicycle parking spaces: <ul style="list-style-type: none"> <li>○ Dimensions of the bicycle parking spaces of at least 2 feet by 6 feet</li> <li>○ Unobstructed walkway of at least 5 feet wide to the primary entrance</li> </ul> </li> </ul> <p>Signage being provided to alert people that this is the bicycle parking area</p>	<p>RAI 23 references LCMC 17.56.090.</p> <p>On the Level 01 Plan on Sheet A1.01, the bicycle parking spaces, dimensions, and signage are noted. As shown, the bicycle parking spaces meet the code's dimensional requirements.</p>
24	<p>Loading Space</p> <ul style="list-style-type: none"> <li>• narrative states the loading space is at the end of NW 5<sup>th</sup> Ct.</li> <li>• include an inset on Sheet A0.02 showing its location and dimensions.</li> <li>• I'm assuming existing now. If so, label it as existing.</li> <li>• Show dimensions at least 10 feet wide and 25 feet long, uncovered, or if covered clearance of 14 feet in height</li> </ul> <p>Also show the distance between the loading space and the site. It can't be more than 1,000 feet.</p>	<p>RAI 24 references LCMC 17.56.030, LCMC 17.56.040</p> <p>There are no off-street parking requirements for commercial buildings in the DeLake Pearl.</p> <p>The 10'-0" wide by 31'-8 1/2" long Uncovered Resort Loading Area is shown on the Proposed Site Plan on Sheet A0.02 at the West end of 5th Court. The distance from the site is 18'-5"</p>
25	<p>Provide in a memo an explanation of how this is being met:  <i>Site Design. Site designs should maximize the preservation of existing mature vegetation and should provide for on-site storm water quality treatment and management such as through providing bioswales or other natural water treatment features.</i></p>	<p>RAI 25 references LCMC 17.74.060(B)(3).</p> <p>The existing mature vegetation onsite is low given the extent of the existing paved parking areas. Therefore, there is little opportunity to maximize the preservation of existing mature vegetation onsite. To address the desire for mature landscaping, Applicant proposes a landscape plan that includes native dune grasses (1 plant/3 SF), shore pines (to be at least 6 feet tall), and greensphere mazanitas (3 gal pot minimums), as shown on Sheet A0.06 (Landscape Plan). Applicant proposes on-site infiltration swales with native beach grasses for on-site stormwater quality treatment and management. See</p>

		<p>the Stormwater Report. For these reasons, the City may find that Applicant meets LCMC 17.74.060(B)(3).</p>
<p>26</p>	<p>Provide in a memo an adjustment request for 17.74.060(B)(11)(a). <i>Building Orientation. A building or structure must extend along at least 50 percent of the lot's street frontage(s). If the lot has more than one street frontage, this requirement shall apply to all of the lot's street frontages. This required 50-percent building frontage must be at the back of a public sidewalk, public right-of-way, or adjacent to an area dedicated to the public.</i></p> <ul style="list-style-type: none"> <li>• This requirement applies to both NW 5<sup>th</sup> Ct and NW Inlet Ave</li> <li>• Neither frontage has 50% of the building at the back of the public sidewalk, public right-of-way, or area dedicated to the public.</li> <li>• NW 5<sup>th</sup> Ct frontage is all along the right-of-way while still meeting the setback requirement.</li> <li>• However, along NW Inlet Ave, the building isn't close to meeting this requirement.</li> <li>• Plans need to be revised to have at least 50% of the building at the back of public sidewalk or public right-of-way along NW Inlet or an adjustment needs to be requested for 17.74.060(B)(11)(a).</li> </ul>	<p>The proposed building has frontage along NW 5<sup>th</sup> Court and NW Inlet Avenue. The portion of the building along NW 5<sup>th</sup> Court is 53.5% (72'-6" / 135'-6") of the lot's street frontage and is located at the back of the public sidewalk. See Sheet A0.02. Therefore, the building orientation requirement for NW 5<sup>th</sup> Court is satisfied. The portion of the building along NW Inlet Ave is 60% (90'-0" / 139'-9 1/2") of the lot's street frontage but is 40'-0" from the back of the public sidewalk or public right of way. The 50-percent building frontage for NW Inlet Avenue is at the back of the existing Fire Truck Access Road and therefore cannot meet the second prong of the LCMC 17.74.060(B)(11)(a) standard. The existing Fire Truck Access Road was previously required by the City. The proposed building will be located along the back of a sidewalk along NW Inlet, but the sidewalk will be private. See Sheet A0.02 (Proposed Site Plan).</p> <p>Applicant requests an adjustment to LCMC 17.74.060(B)(11)(a) for the portion of the building along the NW Inlet frontage under LCMC 17.74.040(C).</p> <p>The intent of the subject standard is found under LCMC 17.74.060(2): <i>Create a sense of enclosure and human scale by orienting buildings to streets or, where buildings must be setback from the street, by orienting them to pedestrian activity, and design intervening area with pedestrian spaces and landscaping.</i> LCMC 17.74.040(1) states that intent statements are utilized when considering approval of adjustments – Applicant needs to show how the requested adjustment and proposed alternative conform to the intent statement. Applicant demonstrates how the proposed development is consistent with the intent statement in LCMC 17.74.060(2) and meets the adjustment standard in LCMC 17.74.040(C).</p> <p>An Existing Fire Truck Access runs along the frontage of NW Inlet, providing fire access to the interior of the site and existing buildings. This fire access was required as part of an earlier City approval. Consequently, Applicant is unable to orient the portion of the building along NW Inlet along the back of the public sidewalk or right of way. Nonetheless to achieve the intent of the applicable building orientation design standard, Applicant designed the building to be at the</p>



		back of a new private sidewalk (running along the entire length of the building) along the Existing Fire Truck Access and NW Inlet. Landscaping is also proposed as is pedestrian space to access the courtyard as well as NW 5 <sup>th</sup> Court. See Sheet A0.02 (Proposed Site Plan) and Sheet A0.06 (Landscape Plan). For these reasons, the City may conclude that the proposed design meets the intent of the building orientation standard and an adjustment is warranted under LCMC 17.74.040(C).
27	Please provide in the memo an explanation for compliance with this requirement, or request an adjustment and justification: <i>Corner Building. A primary entrance is required at the corner within 10 feet of right-of-way. Where a corner entrance is not practicable, a primary building entrance must be within 40 feet of the corner.</i>	RAI 27 references LCMC 17.74.060(B)(11)(b)(i).  The primary entrance is at the SE corner of the site, located adjacent to the fire access road and off the 5 <sup>th</sup> Court Sidewalk. There is an Existing Fire Truck Access Road at this corner of the site, which makes it impracticable to have the corner entrance within 10 feet of the public right of way. The primary entrance is 38'-3 1/2", within 40 feet of the corner. See Sheet A0.02. Applicant satisfies LCM 17.74.60(B)(11)(b)(i).
28	There is not 25 feet of space between the north wall of the new building and the south wall of the existing building. The code states <i>"there shall be a minimum distance of 25 feet between buildings on one site when siting multiple structures on the same site."</i> The code defines site as <i>"the site is an ownership except as follows:</i>  <i>1. If a proposed development includes multiple ownerships, then the site is the combined area of all contiguous ownerships.</i>  <i>2. If a proposed development includes only a portion of an ownership, and the balance of the ownership is vacant, then the applicant may choose to define the site as the portion of the ownership that is proposed for development.</i>  <i>3. If a proposed development includes only a portion of an ownership, and there is other development on the ownership, then the applicant may choose to define the site as the portion of the ownership that is currently developed plus the portion proposed for development."</i>	RAI 28 references LCMC 17.74.070(C) (view protection standard) and LCMC 17.08.010 (for the definition of "site").  The intent of the view protection standard is to <i>"acknowledged the key natural and scenic resources of the Pacific Ocean * * * and leverage context sensitive design to minimize impacts to these views. Design solutions include changing height, build, setbacks, or orientation to frame or retain partial views."</i> LCMC 17.74.070(1). The view protection standard applies to lots with frontage along streets with views of the Pacific Ocean. LCMC 17.74.070(B). The standard requires that <i>"buildings shall be no more than 200 feet in width when constructed along streets with views of the Pacific Ocean * * *. There shall be a minimum distance of 25 feet between buildings on one site, lot, or parcel when siting multiple structures on the same site, lot, or parcel. See Figure 17.74.070-1."</i> LCMC 17.74.070(C).  The LCMC defines "site" as follows:

	<p>Tax records show all the tax lots under the same ownership, so it is all one site.</p> <p>[Figure 17.74.070-1 View protection diagram]</p>	<p><i>“Site” means, for land divisions and property line adjustments, the lots, lots of record, parcels, or tracts proposed to be divided or reconfigured. For all other purposes, the site is an ownership except as follows:</i></p> <ol style="list-style-type: none"> <li><i>1. If a proposed development includes multiple ownerships, then the site is the combined area of all contiguous ownerships.</i></li> <li><i>2. If a proposed development includes only a portion of an ownership, and the balance of the ownership is vacant, then the <u>applicant may choose to define the site as the portion of the ownership that is proposed for development.</u></i></li> <li><i>3. If a proposed development includes only a portion of an ownership, and there is other development on the ownership, then the applicant <u>may choose to define the site as the portion of the ownership that is currently developed plus the portion proposed for development.</u></i></li> </ol> <p>This development review involves construction on four tax lots - Tax Lots 07-11-15-AB-8800, 10200, 10300, and 10400. No construction is proposed on Tax Lot 8700 or Tax Lot 8400 at this time. There is an existing dwelling on Tax Lot 8700 and an existing hotel building on Tax Lot 8400. While the underlying property owner, Lincoln Sands Hotel Partners LLC, owns all six tax lots listed above, for purposes of this application, “site” is defined as the portion of ownership that includes the proposed development only. Applicant has not chosen to define the “site” to also include the portion of ownership that is currently developed (Tax Lots 8700 and 8400).</p> <p>The plain language in LCMC 17.08.010 gives Applicant the <u>choice</u> of how to define “site” when there is only a single owner. This choice is available to a single owner under both subparts (2) and (3) of the “site” definition. In contrast, when there is multiple ownerships involved in a development, the code language is <u>mandatory</u>, requiring that “site” be defined as the “combined area of all contiguous ownership.” Under subpart (1) of the “site” definition, an applicant has no choice how to define “site.” The use of prescriptive language in one part of the definition (for multiple ownerships) and permissive language in the other two parts of the definition (for single ownership) provides contextual support for a</p>
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		<p>plain language reading of code. No further analysis is required to support a conclusion that the “site” for purposes of this development review, includes only the portion of ownership proposed for developed (Tax Lots 8800, 10200, 10300, and 10400).</p> <p>Applicant proposes to locate only one building on the site. LCMC 17.74.070(C) requires that no building exceed 200 feet in width along streets with ocean views and that if there are multiple buildings on the site, there must be 25 feet between buildings. This project does not involve multiple buildings therefore the 25-foot buffer does not apply. The proposed building, at 90’ in width, meets the maximum 200-foot width requirement. Accordingly, Applicant complies with LCMC 17.74.070(C).</p> <p>To the extent the City interprets subpart (3) of the definition “site” contrary to the plain language and mandates that Applicant consider the site comprised of both its current and proposed development, Applicant can nonetheless meet the view protection standard. LCMC 17.75.070(C) states that there “shall be a minimum distance of 25 feet between buildings” and then references Figure 17.74.070-1 for an illustration. This figure provides a diagram of one building scenario, when buildings are horizontally adjacent to one another in a straight line. This is not the only design scenario when the standard could apply. Therefore it is important to look to the plain language of the code when interpreting the standard. The language of the code does not specify how the 25-foot distance is supposed to be measured nor does it impose any further defining language like “setback” or “buffer” or “corridor.” Further, the view protection is from the streets, not adjacent or neighboring buildings. Therefore, we have to look at the angle of the view from the specific location on the street in relation to the proposed and existing buildings.</p> <p>The existing building is a front-row building, located along the ocean frontage located on a separate tax lot from the proposed building. The proposed building is a second-row building, located along the public right-of-way of the ocean view road (NW Inlet). As shown on Sheet A0.02, the proposed building is located a</p>
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		<p>minimum of 25 feet from the existing building at the closet points. The plain language of the code requires a “minimum distance between buildings on one site.” Applicant meets the plain language of the code. Even considering the intent of the standard, Applicant meets the intent because the building is designed and oriented to frame a partial view from NW Inlet Road. NW Inlet is not a straight road – at the site it begins to curve east as it heads south up the hill to meet NW 6<sup>th</sup> Street. Applicant identified the location on NW Inlet where a partial view would be preserved and ensured a 25 foot minimum distance between buildings. In addition, Applicant has decreased the size of the buildings footprint long at Northern side of the building to allow for more ocean view. For these reasons, to the extent the 25-foot minimum distance requirement in LCMC 17.74.070(C) applies, Applicant satisfies it.</p>
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29	<p>Show and label the edge treatment on the south edge of the pedestrian space and identify what type of edge treatment is being used.</p>	<p>RAI 29 references LCMC 17.74.080(B)(8).</p> <p>A bench has been added at the south side of the pedestrian space off the 5<sup>th</sup> Court sidewalk, to provide additional seating. See Sheet A0.04</p>
30	<p>Provide a statement in the memo explaining compliance with the following:</p> <p><i>Site Features in the Pedestrian Space. Features such as trash/recycling receptacles, benches, planter boxes, and other similar items in the pedestrian space must be coordinated in color and design with each other, the site, and the buildings and structures on the site.</i></p>	<p>RAI 30 references LCMC 17.74.080(B)(6).</p> <p>Applicant's proposed pedestrian space features include trash receptacles, built-in benches, a firepit, game area, and turf area, along with walkways and landscaping. The hardscape features will be constructed with the same material as the building – wood and concrete. The trash/recycling receptacles will match throughout the resort. The pedestrian space surface will be concrete pavers and turf with concrete walkways. For these reasons, Applicant satisfies LCMC 17.74.080(B)(6). See Sheet A0.04</p>
31	<p>Provide in the memo the following information:</p> <p><i>List of pedestrian amenities within the pedestrian space in an amount equal to or greater than ½ of 1% of the estimated project cost construction cost. Prepared by a licensed architect, landscape architect, or other qualified design professional, so it needs to be stamped</i></p>	<p>RAI 31 references LCMC 17.74.080(B)(7).</p> <p>List of pedestrian amenities with cost is provided.</p>
32	<p>Provide a detailed explanation in the memo detailing compliance with the following:</p> <p><i>Building design must break up larger facades and repetitious design features to create an appearance of smaller-scale buildings to emphasize a human scale while prioritizing architectural detail along any street-facing façade of buildings or where portions of a façade are visible from public right-of-way. The explanation needs to reference specific features in the elevations and specific sheet numbers.</i></p>	<p>RAI 32 references LCMC 17.74.100(B)(3)</p> <p>The development has frontage along NW 5<sup>th</sup> Court and NE Inlet so Applicant addresses LCMC 17.74.100(B)(3) for both. The façade along NW inlet is the larger of the two frontage facades. Along the NW Inlet public right-of-way, Applicant proposes stair towers that project off the building; open, recessed balconies; and color/texture variations from building materials. These features are shown on Sheet A3.02 (Exterior Elevations). The façade along NW 5<sup>th</sup> Court has ground floor glazing with glass windows, covered walkways, and color/texture variations from building materials. The building uses trim details, canopies, recesses, and bump-outs to break up the building into smaller areas, add elements at human scale, and relate to other adjacent buildings. All of the proposed building entrances are covered with direct connections to sidewalks. The upper story</p>

		<p>windows on 5<sup>th</sup> Court align vertically with a window on the first floor. Along 5<sup>th</sup> Court a landscape strip separates the building from the street.</p> <p>For these reasons, Applicant complies with the DeLake design elements in LCMC 17.74.100(B)(3).</p>
33	<p>Provide a detailed sheet(s) with a corresponding table of every elevation that shows and labels the following:</p> <ul style="list-style-type: none"> <li>• Each individual wall plane in that elevation</li> <li>• The length and square footage of each wall plane (maximum square footage is 800) (maximum length of each wall plane is 12 feet)</li> <li>• The recess or projection in each wall plane that is at least 6 feet – identify, label, describe the recess or projection</li> <li>• If these cannot be met, an adjustment must be requested with the justification</li> <li>• Square footage of transparency in the south elevation and square footage of the entire elevation</li> <li>• Square footage of transparency in the east elevation and square footage of the entire elevation</li> </ul>	<p>RAI 33 references LCMC 17.74.100(C)(2, and 4).</p> <p>See Sheets A3.01, A3.02, A3.03, A3.04, A3.05, for wall plane areas and lengths, and for the transparency percentages.</p>
34	<p>Provide a pedestrian shelter along 75% of the NW Inlet Ave building frontage or an adjustment request.</p>	<p>RAI 34 references LCMC 17.74.100(C)(5)(a).</p> <p>Canopies have been added to the NW Inlet Ave Building Frontage, totaling 81% of the Frontage Area, See Sheet A3.02</p>

35	<p>Provide a detailed explanation, referencing the applicable sheet numbers and the roof plan and foundation footing plan, that shows how Building Modulation is being met or request an adjustment with justification:</p> <p><i>Building Modulation. Vertical and horizontal building modulation must be used to add variety and to make large buildings appear to be an aggregation of smaller buildings. A roof plan and foundation footing plan are required at submittal to show compliance with this standard.</i></p>	<p>RAI 35 references LCMC 17.74.100(D)(5).</p> <p>Sheet A1.01 is the Foundation Plan for the building and the Roof Plan has been added, see Sheet A1.07</p>
36	<p>Provide a detailed explanation (or request an adjustment) for the following:</p> <p><i>Relation to Shorter Buildings. Where a wall of a proposed building is 10 feet taller or more than the adjacent building, the taller building must follow the horizontal lines of the shorter building along the ground floor, and reference elements or detailing of the shorter building(s) on its upper stories.</i></p>	<p>RAI 36 addresses LCMC 17.74.100(D)(6).</p> <p>The proposed building is adjacent to an existing hotel building at 30 feet. The proposed building is also adjacent to an existing dwelling that is being renovated into a food and beverage use that is 20 feet tall. The first-story of the proposed building uses a different material than the rest to follow the horizontal lines of shorter buildings and then uses a band trim on the third-story to relate to eave height of the surrounding three-story buildings. See Sheets A3.01, A3.02, A3.03, A3.04, A3.05. Accordingly, Applicant meets LCMC 17.74.100(D)(6).</p>
37	Specifically identify the roof as pitched or flat as a note on Sheet A0.02	Flat roofs have been noted on Sheet A0.02
38	<p>Pitched roofs must be gabled or hipped with a minimum pitch of 3:12</p> <ul style="list-style-type: none"> <li>• If the roof is pitched as identified in #32, also identify if it is gabled, if it is hipped, and the minimum pitch.</li> <li>• If it is a pitched roof, and it is not gabled or hipped, request an adjustment.</li> <li>• If it is pitched and the minimum pitch is less than 3:12, request an adjustment.</li> </ul>	<p>RAI 36 addresses LCMC 17.74.100(E).</p> <p>The proposed building is not required to have a pitched roof since it is more than 50 feet wide.</p>
39	<p>If a flat roof, please provide an explanation of how the following is being met:</p> <p><i>Flat Roofs. Buildings with flat roofs must have projecting cornices to create a prominent edge against the sky. Cornices must be made of a</i></p>	<p>RAI 29 references LCMC 17.74.100(E)(3).</p> <p>The proposed building has a flat roof with extensive over hangs and built-up cornice. The cornice is colored darker than the buildings facades.</p>

	<i>different material and color than the predominate siding of the building, except that brick siding may include matching brick cornices.</i>	
40	<p>Please provide a detailed explanation of how the building meets the following:</p> <p><i>DeLake. Building design must break up larger facades and repetitious design features to create an appearance of smaller-scale buildings to emphasize a human scale while prioritizing architectural detail along any street-facing façade of buildings or where portions of a façade are visible from public right-of-way.</i></p>	See Applicant's response to RAI 31 above.
41	On Sheet A3.01, label/identify the square footage of the windows and doors on the ground floor for the east, west, and south elevations so that it's clear the transparency standard is met for each of these elevations.	See Applicant's response to RAI 33 above.