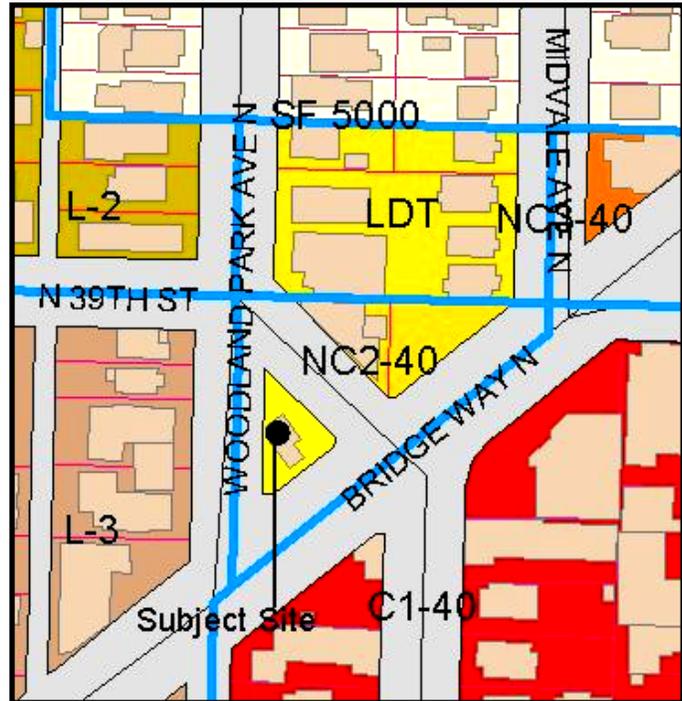


Site and Vicinity Description

The subject site, zoned Neighborhood Commercial 2 with a 40-foot height limit (NC2-40'), is a small triangular block bounded by Bridge Way North on the southeast, North 39th Street on the northeast, and Woodland Park Avenue North on the west. The approximately 3,760 sq. ft. site is currently developed with an approximately 600 sq. ft. wood frame structure, to be demolished. Surrounding zoning includes NC2-40' to the northeast, Lowrise Duplex Triplex (LDT) to the north, Lowrise Two multifamily residential (L2) to the northwest, Lowrise Three multifamily residential (L3) to the west, and Commercial 1 with a forty-foot height limit to the south and southeast, and Lowrise Three multifamily residential (L3) to the southwest.



Proposal

The proposal includes demolition of the existing building, and construction of four-story mixed-use building with approximately 2,500 sq. ft. of commercial space at ground level, two floors of office space (approximately 6,000 sq. ft. total) and one dwelling unit on the top floor. Parking for seven vehicles will be provided underground.

Public Comments

Four members of the public attended the Early Design Guidance meeting which was held on June 14, 2005. They offered the following comments:

- Concern was expressed that new landscaping (fences or shrubs) could create a pedestrian hazard by decreasing visibility near proposed access/egress points;
- Questions were asked regarding proposed parking – tenant use only? Answer: Yes.
- The successful integration (in the proposed design) of three building elements - stair tower, apartment and office space - was questioned. Suggestion: Separate these elements rather than integrate them, with a more horizontal rather than vertical approach. Form should reflect the separate functions of the structure.
- Public was referred to SDOT for more information about planned street improvements.

Three members of the public attended the Final Recommendation meeting held on October 2, 2006. The following comments were offered:

- Concerns were expressed regarding the height of the structure and the potential for blocking views from adjacent residences.
- The height relative to the small site was also a concern to one resident, who was concerned about a possible resulting disproportionality.

- Clarifying questions were asked about the location of the dumpster and exterior lighting. The dumpster will be located (and accessed) off of N. 39th St. Exterior lighting will be most prominent along the N. 39th St. and Bridge Way N. facades, and more subdued along Woodland Park Avenue N. There is no proposed loss of street lighting along Woodland Park Ave. N.
- A question was raised regarding the direction of traffic exiting the garage, and whether or not the garage exit would be a “right-turn only.” The applicant indicated this was not currently proposed but he would be willing to consider it if traffic issues arise.

The SEPA comment period for this proposal ended on March 8, 2006. Three comment letters were received. One letter was signed by ten neighbors. The letters focused on concerns about the height of the proposed structure, and the potential loss of views from neighboring residences. It was suggested that the city should buy the property and convert it to park use. Another letter writer was against any waiver of parking requirements. [Staff note: No parking waiver has been requested].

ANALYSIS - DESIGN REVIEW

Early Design Guidance Meeting - June 14, 2005

The Architect began his presentation with background information about the site and vicinity, including information regarding Seattle Department of Transportation (SDOT) planned improvements to Bridge Way Ave. N. (which have since been implemented) including the addition of median planting areas and turning lanes and the addition of new stop lights. The SDOT improvements are intended to better control traffic along this busy arterial. Information was also presented about surrounding zoning and uses.

Site constraints; include the small size and triangular shape, which present challenges particularly with respect to parking and depth of commercial space at ground level. However, the open and isolated aspect of the site provides a very high degree of visibility for the project.

Three alternatives were presented. A major difference between the alternatives was the location of parking. The first alternative would involve off-site covenant parking for two spaces, with parking for five vehicles provided on-site. This would allow for the maximum depth (30 feet) of the ground floor commercial space. The second alternative would provide parking for seven vehicles on-site, but would require a waiver for a reduction in the size of the ground floor commercial. A lower ceiling height (less than 13 feet) on the ground floor would result in an overall reduction in the building height of four feet. Alternative Three would place parking underground, but would add considerable cost to the project. According to the Architect, the cost may be offset by the addition of rentable commercial space at ground level.

All three alternatives share a concept for the sidewalk that would eliminate the planting strip at curbside and consolidate it with the planting area near the building, resulting in a wider planting area and facilitated vehicle exiting. The three schemes also share the orientation of the structure with the stair/elevator access in a round column on the eastern corner of the structure. Various points of access/egress were shown for the differing parking alternatives.

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the siting and design guidance and identified by letter and number those siting and design guidelines found in City of Seattle's "*Design Review: Guidelines for Multifamily and Commercial Buildings*" of highest priority to this project.

The complete EDG report is available in the MUP file. The priority guidelines identified by the Board and their guidance follows:

A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

The triangular site is visually predominant. The design should respond to all three sides of the triangle. The widths of adjacent rights-of-way add to the prominence of site. The Board was supportive of replacing the existing, very large street tree on Bridge Way with two smaller trees, since sidewalk is in need of repair and "starting over with more trees" would improve the streetscape (see below).

A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

The Board was very supportive of the applicant's suggestion to remove the planting strip at the curb and combine that area with a larger planting area surrounding the proposed building. This would allow larger planting areas, remove trees from under utility lines, and provide better access to parked cars at the curb. Enhanced landscaping at the building edge would improve the streetscape, decrease appearance of any blank walls and provide a better buffer for adjacent residential uses.

A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.

Board comment: "And it's all street!"

A-4 Human Activity. New development should be sited and designed to encourage human activity along the street.

The site is surrounded by three rights-of-way, including Bridge Way N. which is a very busy arterial with little pedestrian activity. The applicant was urged not to abandon the edges, especially Bridge Way, to the vehicles. Instead, the project should add activity to Bridge Way and soften that hard edge.

- A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.**

The Board noted that there are residential uses north and west of the project site. Some views (potentially including views of Mt. Rainier) may be affected by the proposed development. The architect responded that he considered this in his choice of a preferred massing alternative.

- A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.**

This was seen as a *critical* Guideline by the Board. Vehicular access should be off of Woodland Park Avenue North and/or North 39th Street, NOT Bridge Way North. The Board was unanimous in this recommendation. Board would like to see fewer, smaller curb cuts.

- A-10 Corner Lots. Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.**

Board comment: "It's all corners!"

Height, Bulk, and Scale

- B-1 Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to nearby, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between the anticipated development potential on the adjacent zones.**

The Board expressed concern for the design of the Woodland Park façade, in particular. The western façade faces existing residential uses, whose privacy and exposure needs to be carefully considered in the design.

Architectural Elements

- C-2 Architectural Concept and Consistency.**

Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.

The triangular shape of the site, surrounded on three sides by street, is so strong that this should drive the design concept. The Board expressed the character of the site as ‘jewel-like’ in its prominence and visibility. The site itself has such a strong character that the building should be very ‘clean’ and needn’t be ‘fussy,’ and should make a strong but simple statement. Consider a scheme that has a simple and consistent form for the base and all three corner expressions, while creating a penthouse and rooftop centered in the triangle and uniformly recessed from the lower façade edge. The streets have differing characters, with Bridge Way being the ‘front’ and Woodland Park and 39th the ‘sides.’ Bridge Way is busy and auto-oriented, while the other streets are quieter and more residential in nature. The Board suggested that the eastside emphasis of the proposed massing may ‘misread’ the site. The Architect explained that the massing was a deliberate attempt to lessen view impacts on neighboring residential properties (north and west).

- **Buildings should exhibit form and features identifying the functions within the building.**

The Board supported the public comment that the different functions of the building (retail, office and residential) should be more clearly expressed in the building forms. The penthouse could be more clearly articulated as residential, with a different treatment for the ground floor, especially Bridge Way.

- **In general, the roofline or top of the structure should be clearly distinguished from its façade walls.**

Vince suggested that the next design phase should include alternative roof studies.

- C-3 **Human Scale. The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.**

Materials will be an important factor in providing human scale.

- C-4 **Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.**

The Architect stated that he will be using brick on all the facades, glazing, and metal roofs. These materials reflect the neighborhood context. The Board supports use of these materials.

- C-5 **Structured Parking Entrances. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.**

The Board strongly agreed that the vehicular access to the site should be visually minimized and cause as little disruption to pedestrian circulation around the site and surrounding residential uses as possible. The Board unanimously agreed that there should be no vehicular access/egress from Bridge Way. However, any access on Woodland Park N. will need to be very sensitive to the neighboring residential uses to the west.

Pedestrian Environment

- D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.**

Given the triangular shape surrounded by three streets, the site has a high 'sidewalk to building ratio.' This gives the sidewalks particular importance. The Board was enthusiastic and unanimous in their support of the Architect's concept of pushing the concrete to the curb and combining the area of the parking strip with the landscaping at the building perimeter. This enlarges the size of planting areas, allowing for larger-scale plants and better screening of the facades. It also decreases the possible conflict between trees and utility lines and eases access to vehicles from the sidewalk (as noted above).

- D-2 Blank Walls. Building should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.**

Several of the alternative schemes for ground floor parking create a 'high danger' of blank facades. In addition to the sidewalk/landscape concept described above, the Architect proposes to articulate the façade at ground level with 'notches' in the walls, allowing even greater landscaping opportunities. Recessed building entries are also proposed. The Board asked to see additional drawings illustrating these details.

- D-5 Visual Impacts of Parking Structures. The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.**

As previously discussed, the site presents challenges for parking and related access issues. The Board has stated that access/egress should be kept away from Bridge Way N. Access on Woodland Park N. needs to be treated with care to screen residential uses to west.

- D-6 Screening of Dumpsters, Utilities, and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks, and mechanical equipment away from the street where possible. When elements such as dumpsters, utility meters, mechanical units, and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.**

These functions should be internal to the building.

- D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.**

This is a major reason why access should not be from Bridge Way N.

Landscaping

- E-1 Landscaping to reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.**

Again, the Board gave strong unanimous support for the Architect's sidewalk/landscape concept.

- E-2 Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.**

The applicant applied for their MUP on January 11, 2006. It was subsequently revised in June and again in August 2006.

The Design Review Board reviewed the final project design on October 2, 2006. Board members present included Jamie Fisher (chair), Brodie Bain, Susan Eastman-Jensen, Shawna Sherman and Craig Parsons. The design has evolved since the first meeting. Additional landscaping and floor plans, as well as elevation sketches and renderings, were presented for the members' consideration. All of the parking is to be provided under the structure. The applicant approached SDOT with the concept for consolidating the planting area near the structure rather than the curb, but this idea wasn't well received. Instead, the applicant focused on extending a curb bulb at the corner of N. 39th St. and Bridge Way N. and relocating a utility pole to put more distance between the utility wires and the proposed structure. The upper level residential setback was increased and the diameter of the stair tower was reduced to open up neighboring views and reduce the visual impact of the structure height. The reduction in scale of the residential unit also serves to visually differentiate between the uses in the building, in response to Board guidance. Terraces with landscaping on two sides (Bridge way and 39th St.) of the residential unit will further reduce apparent bulk and add visual interest. New sidewalks and street trees will be provided. The commercial entrance will be located along Bridge Way N., and the driveway and dumpster access will be located along N. 39th St., so that the Woodland Park Ave.

N façade will be the least active out of consideration for the nearby residences to the west across Woodland Park Ave. N. Materials were presented, including glass block, brick, and formed stone.

The Board unanimously agreed that this is an exceptional project that has responded appropriately to the guidance offered at the earlier meeting and developed a design that is reflective of the surrounding context and neighborhood character. The architect was lauded for a “tremendous improvement” from the earlier design. They Board stated they believed the building will be a “landmark” for the neighborhood. They were particularly supportive of the “modest, gentle” west façade as an “appropriate, neighborly gesture” rather than presenting a blank façade. The five Board members were unanimous in their support of granting the single departure requested, particularly in light of the very challenging, small, triangular site and the architect’s response to the guidance. The Board voted to unanimously approve the design as represented with the materials shown, and with the recommended condition that any signage should be understated to complement the design.

One departure from the development standards was requested and recommended for approval: To reduce one of three street-level facades below 80 percent in non-residential use (SMC 23.47.008B) for the N. 39th St. façade. The Board cited many priority guidelines met by the design, including C2, C3, C5, A8 and B1.

Summary of Board’s Recommendations

The recommendations summarized below are based on the plans submitted at the Final Design Review meeting. Design, siting or architectural details specifically identified or altered in these recommendations are expected to remain as presented in the presentation made at the October 2, 2006 public meeting and the subsequent updated plans submitted to DPD. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members recommended **CONDITIONAL APPROVAL** of the proposed design including the requested departure subject to the following conditions:

- 1) The final design must be as represented with the materials shown. (Guidelines A1, A2, A3, A8, B1, C2, C3, C4, C5, D2, D5, D6, and D7).
- 2) Any signage should be understated to complement the design. (Guidelines: C2, C3, and C4).

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director’s decision reads in part as follows:

The Director’s decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. *Reflects inconsistent application of the design review guidelines; or*
- b. *Exceeds the authority of the Design Review Board; or*
- c. *Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- d. *Conflicts with the requirements of state or federal law.*

Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

ANALYSIS & DECISION – DESIGN REVIEW

Director’s Analysis

Five members of the Northeast Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project’s overall success. The Director must provide additional analysis of the Board’s recommendations and then accept, deny or revise the Board’s recommendations (SMC 23.41.014.F3). The Director agrees with the well-considered street level details, building materials, and architectural design that support a high-quality, functional design responsive to the neighborhood’s unique conditions. Moreover, the Director accepts the conditions recommended by the Board that further augment Guidelines A1, A2, A3, A8, B1, C2, C3, C4, C5, D2, D5, D6, and D7 and support the case in favor of granting departures to reduce one of three street-level facades below the required 80 percent in non-residential use.

The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the five members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board’s conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

Director’s Decision

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board’s recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departures with the conditions enumerated above and summarized at the end of this Decision.

ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated January 11, 2006. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: minor decreased air quality due to suspended particulate from building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise, and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Street Use Ordinance requires debris to be removed from the street right-of-way, and includes regulations for maintaining circulation in the public right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. Most of these impacts are minor in scope and are not expected to have significant adverse impacts (SMC 25.05. 794). However, due to the proximity of residential uses, further analysis of construction impacts is warranted. The following is an analysis of the short-term impacts to the environment as well as mitigation.

Noise

Excavation will be required to prepare the building site and foundation for the new building. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding residential uses. Due to the proximity of neighboring residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA

Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted. The hours of construction activity not conducted entirely within an enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) shall be limited to non-holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m., Saturdays from 9:00 A.M. to 6:00 P.M. This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low-noise exterior work (e.g., installation of landscaping) after approval from DPD (3 days advance notice required).

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos (if any) during demolition. Compliance with these requirements will sufficiently mitigate impacts to air quality. A condition will be included pursuant to SEPA authority under SMC 25.05.675 A to require that a PSCAA Notice of Intent be filed prior to commencing any demolition activities.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased bulk and scale on the site; increased traffic in the area; increased demand for parking; and increased demand for public services and utilities. Regarding views, DPD has no code authority to protect private views.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

Height, Bulk, and Scale

The proposed four-story project will rise to approximately 45.08 feet to the top of the plate, with an additional five feet for the pitched roof, at the highest point (along Bridge Way N.). The allowed height is calculated by applying both the sloped lot bonus for an additional 1'-1.5" and the four additional feet permitted for mixed-use buildings per SMC 23.47.008.C. This is consistent with the site's zoning; Neighborhood Commercial with a 40' height limit (NC2-40'). Neighborhood Commercial zoning with a 40' height limit also occurs northeast of the site across N. 39th St. Southeast of the site, the zoning changes to Commercial 2 with a 40' height limit. Across Woodland Park Ave. N., to the west, the zoning changes to Lowrise Three Multifamily residential (L3), which has a structure height limit of 30 feet with an additional five feet allowed for pitched roofs.

This site is 3,485 sq. ft., and is surrounded by three streets: N. 39th St., Woodland Park Ave. N., and Bridge Way N. The proposed project is being developed to NC2-40' standards, as allowed by the Land Use Code, and is thereby in keeping with the scale of the potential of the zone as well as that of several existing structures in the vicinity.

The SEPA Height, Bulk and Scale Policy (Sec. 25.05.675.G, SMC) states that “the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the adopted Land Use Policies ... for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.”

In addition, the SEPA Height, Bulk and Scale Policy states that “(a) project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated.” Since the discussion in the previous paragraph indicates that there are no significant height, bulk and scale impacts as contemplated within this SEPA policy, and since the Design Review Board approved this project with conditions, no mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

Summary

The Department of Planning and Development has reviewed the environmental checklist submitted by the project applicant; and reviewed the project plans and any additional information in the file. As indicated in the checklist, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.

- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

CONDITIONS – SEPA

During Construction

The owner applicant/responsible party shall:

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

1. The hours of construction activity not conducted entirely within an enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) shall be limited to non-holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m., Saturdays from 9:00 A.M. to 6:00 P.M. This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low-noise exterior work (e.g., installation of landscaping) after approval from DPD (3 days advance notice required).
2. A PSCAA Notice of Intent shall be filed with DPD prior to commencing demolition activities.

CONDITIONS – DESIGN REVIEW

Prior to Building Permit Issuance

3. The final design must be as represented with the materials shown. (Guidelines A1, A2, A3, A8, B1, C2, C3, C4, C5, D2, D5, D6, and D7).
4. Any signage should be understated to complement the design. (Guidelines: C2, C3, and C4).

NON-APPEALABLE CONDITIONS – DESIGN REVIEW

Prior to MUP issuance

5. Embed all of the conditions listed at the end of this decision in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.
6. Embed the 11 x 17 colored elevation drawings from the DR Recommendation meeting and as updated, into the MUP plans prior to issuance, and also embed these colored elevation drawings into the Building Permit Plan set in order to facilitate subsequent review of compliance with Design Review.

