City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3004231

Applicant Name: John Perkins, Jr. for Embassy Development Washington, Inc.

Address of Proposal: 2301 Sixth Avenue (AKA 2300 5th Avenue)

SUMMARY OF PROPOSED ACTION

The proposal is to develop two, 33 story residential towers over an 8 story base structure. Project includes 643 residential units and 34,200 sq. ft. of retail space. Parking for 1036 vehicles to be provided in an above and below grade garage. Project also includes 76,000 cu. yds. of grading. Existing structure to be demolished. Addendum to existing Environmental Impact Statements to be provided (2300 5th Ave development & downtown height and density changes). [1]

The following approvals are required:

SEPA to approve, condition or deny - Chapter 25.05, Seattle Municipal Code (SMC)

Design Review, Chapter 23.41, Seattle Municipal Code (SMC) Development Standard Departures from the Land Use Code are requested as follows:

1. SMC 23.54.030F2a(3) Parking Space Standards, curbcuts
2. SMC 23.49.058, maximum residential gross floor area per story of a tower

SEPA DETERMINATION: [ ] Exempt [] DNS [ ] MDNS [X] EIS[2]

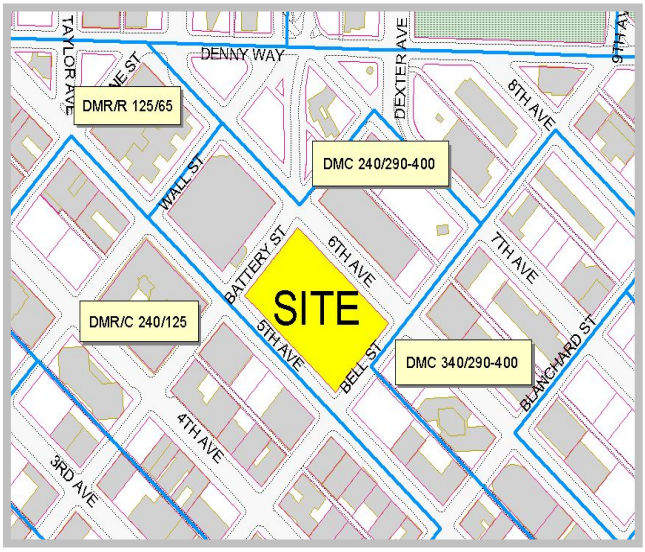
[ ] DNS with conditions

[ ] DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

[1] Project originally noticed: The proposal is to develop two, 32 story residential towers over an 8 story base structure. Project includes 640 residential units and 34,200 sq ft of retail space. Parking for 1,063 vehicles to be provided in an above and below grade garage. Project also includes 76,000 cu.yds. of grading. Existing structure to be demolished. Addendum to existing Environmental Impact Statements to be provided (2300 5th Ave development & downtown height and density changes).

[2] Notice of Adoption and Availability of Addendum was published in the City's Land Use Information Bulletin on May 10, 2007

BACKGROUND DATA



Site & Vicinity Description

The 83,725 square foot site is zoned Downtown Mixed Commercial with a height designation of 240 feet for non-residential, a base limit of 290 feet for residential and a maximum limit of 400 feet for residential (DMC-240/290-400). The full block site is bounded by 6th Avenue, 5th Avenue, Battery Street and Bell Street at the edge of the Belltown neighborhood. The existing development consists of a performing arts theatre (Teatro Zin Zanni) and surface parking area (Project #2107739).

Surrounding zoning consists of Downtown Mixed Residential/ Commercial with a 240 ft. /125 ft. height designation (DMR/C-240/125) across 5th Avenue and Downtown Mixed Commercial with a height designation of 340 feet for non-residential, a base limit of 290 feet for residential and a maximum limit of 400 feet for residential (DMC-340/290-400) across Bell Street. Surrounding development consists of the a 6-story office/retail building across 5th Avenue, a 3-story Office building (Group Health) across Battery Street, a 2 story school (Antioch University), a 3-story retail/commercial building, a 6-story parking garage, a 2-story retail/commercial building, the 7-story Fountain Court apartments and various surface parking lots.

Battery Street and 6th Avenue are principal arterials, Class II pedestrian streets. Bell Street is a green street. 5th Avenue is a minor arterial, Class I Pedestrian Street. The property contains a vacated alley right of way. The monorail line operates in the 5th Avenue right-of-way.

The site topography slopes slightly with a rise of 10 ft. over approximately 280 ft. from 6th Avenue/Bell Street property corner (118 ft.) to the 5th Avenue/Battery Street property corner (128-ft).

Project Description

The project consists of two 33-story residential towers with an 8-story base of residential use and retail at ground level completely screening the above grade parking. The project will contain 643 units, ground floor retail and restaurant space and 1, 036 parking spaces. Vehicular access will be from two curbcuts accessed from 6th Avenue. All residential units will be accessed via elevators from the building lobbies. The lobby serving the south tower portion of the site will be accessed from Bell St., mid-block between Fifth and Sixth Avenues. The lobby serving the north tower portion of the site will be accessed from Battery St., near Sixth Ave.

The project will be constructed in two phases – with work on the south one-half of the site beginning first followed immediately by work on the north-half of the site.

Residential amenity space (e.g., swimming pool, lounge, amenity deck, rooftop deck/amenity area) will be located on the seventh level of the base structure, between the two towers. Additional amenity space will be provided on the roof of each tower. Bell Street will be

improved as a green street and the ground floor of the building will be setback 15 feet from the property line to enhance the green street element.

An estimated 28,358 sq. ft. (net) of retail space will be located in the base structure at street level. Of this amount, approximately 12,582 sq. ft. (net) will be located in the South Tower and approximately 15,776 sq. ft. (net) will be located in the North Tower.

Public Comment

Public notice was provided for the Design Review meetings that were held by the Downtown Seattle Design Review Board (DRB) for Early Design Guidance (EDG) on May 9, 2006; and for a Design Review Board Recommendation meeting on September 26, 2006. Additional comment opportunities were provided at the time of Master Use Permit application.

EDG: Thirteen members of the public attended the EDG meeting. Comments made related to the design included the following; like parking screened from view, like the slender towers and spacing, want ground level open space, more human scale, wants the base broken down in scale, wants more landscaping and noted that the previous proposal included open space on about ¼ of the site, noted the importance of the green street and specifically the corner of Bell and 5th, wants to see the scale of Belltown expressed in a contemporary way; wants more of a sense of community at night.

Notice of Application: further notice and public comment opportunity was provided as required with the Master Use Permit application. One written comment was received during the Master Use Permit comment period that ended on July 26, 2006. The letter, from the President of Antioch University Seattle, addressed concerns about the height, bulk and scale of the proposal, shadow impacts on the campus and the curbcuts on 6th Avenue. The Antioch campus is located across 6th Avenue from the proposed project.

DRB Recommendation meeting: seven members of the public attended the recommendation meeting and two provided comments. The speakers liked that the above grade parking was screened from view and the retail uses at the base of the building. The speakers encouraged the Board to support a wider green street improvement but cautioned the architects about the viability of landscaping in Belltown in that it is difficult to keep it alive. They provided support for less vehicular access points on 6th Avenue and raised concerns about the massing of the project.

ANALYSIS - DESIGN REVIEW

Early Design Guidance (EDG)

PRIORITIES:

A Design Review Meeting was held on May 9, 2006 to provide early design guidance for this proposal. The Design Review Board members provided the siting and design guidance described below after visiting the site, considering the analysis of the site and context provided by the proponents and hearing public comment. The Design Guidelines of highest priority to this project are identified by letter and number below and are described in more detail in the City of

Seattle's *"Design Review Guidelines for Downtown Development, April, 1999""* and the "*Design Guidelines for the Belltown Urban Center Village, effective August 26, 2004*"

A
Site Planning & Massing
Responding to the Larger Context

A-1 Respond to the physical environment.
Develop an architectural concept and compose the building's massing in response to geographic conditions and patterns of urban form found beyond the immediate context of the building site.

A-2 Enhance the skyline.
Design the upper portion of the building to promote visual interest and variety in the downtown skyline.

The Board wants the design to address the surrounding topography and maximize view opportunities from surrounding properties towards the project. The Board suggested studying how the project will be viewed, for instance how far away does the topography drop down to Elliott Bay, and how does this impact views to the building. The Board wants to see more massing options explored while keeping the slender tower scheme.

The Board wants the project to provide more opportunities for sunlight to reach the street and suggested that the massing needs to be carved away to provide for more sunlight at ground level. The Board noted that open space on the south side of the building abutting the green street would be desirable.

The Board requests design studies for the building top and at the amenity deck level in that the project design should enhance the skyline.

B
Architectural Expression
Relating to the Neighborhood Context

B-1 Respond to the neighborhood context.
Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood.

B-2 Create a transition in bulk & scale.
Compose the massing of the building to create a transition to the height, bulk, and scale of development in neighboring or nearby less-intensive zones.

B-3 Reinforce the positive urban form & architectural attributes of the immediate area.

Consider the predominant attributes of the immediate neighborhood and reinforce desirable siting patters, massing arrangements and streetscape characteristics of nearby development.

B-4 Design a well-proportioned & unified building.

Compose the massing and organize the publicly accessible interior and exterior spaces to create a well-proportioned building that exhibits a coherent architectural concept. Design the architectural elements and finish details to create a unified building, so that all components appear integral to the whole.

The Board emphasized that this project will be the largest in Belltown because the site is so large, and it would be perceived as an example of how the new zoning code gets implemented. Because of its size, the design should be particularly sensitive to the neighborhood context. The Board wants the design to provide an appropriate transition to the east where the density of development closer to the waterfront is less intense.

C

The Streetscape:

Creating the Pedestrian Environment

C-1 Promote pedestrian interaction.

Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should be open to the general public and appear safe and welcoming.

C-2 Design Façade of many scales.

Design architectural features, fenestration patterns and materials compositions that refer to the scale of human activities contained within. Building facades should be composed of elements scaled to promote pedestrian comfort, safety and orientation.

C-4 Reinforce Building Entries.

To promote pedestrian comfort, safety, and orientation reinforce the building's entry.

The building entries should be emphasized by creating plaza or open spaces that allow residents to sit and congregate. Detailed façade studies will be required at the next meeting to demonstrate how the design promotes pedestrian interaction, provides a variety of façade scales and reinforces building entries.

D

Public Amenities

Enhancing the Streetscape & Open Space

D-1 Provide Inviting and Usable Open Space.

Design public open spaces to promote a visually pleasing, safe and active environment for workers, residents, and visitors. Views and solar access from the principle area of the open space should be especially emphasized.

D-2 Enhance the Building with Landscaping.

Enhance the building and site with substantial landscaping, which includes special pavements, trellises, screen walls, planters, and site furniture, as well as living plant material.

D-3 Provide elements that define the place.

Provide special elements on the facades, within public open spaces, or on the sidewalk to create a distinct, attractive, and memorable "sense of place" associated with the building.

The Board strongly emphasized that a project site of this size must provide a public amenity, and the design presented showed little or no amenities. The Board wants the design to include genuine and usable open space at ground level, particularly along the green street (Bell).

The Board wants the design to include special elements that defines the place at the base and on the towers.

The Board wants the amenity deck to be designed to function well for the residents as well as enhance the building as viewed from the street. The Board indicated that a good example of a roof deck is located in a project at 5th Avenue and Wall Street.

E
Vehicular Access & Parking

Minimizing the Adverse Impacts

E-1 Minimize curb cut impacts.

Minimize adverse impacts of curb cuts on the safety and comfort of pedestrians.

E-3 Minimize the presence of service areas.

Locate service areas for trash dumpsters, loading docks, mechanical equipment, and the like away from the street front where possible. Screen from view those elements which for programmatic reasons cannot be located away from the street front.

The Board wants to see different access schemes in that all the curbcuts and service needs should not dominate 6th Avenue. The Board wants to be provided detailed information on how the project will be serviced with respect to moving trucks, deliveries and trash areas. The Board recognized that the service needs could be significant considering the size of the project.

Design Review Board Final Recommendations

The applicant applied for the MUP (Master Use Permit) on June 19, 2006. After initial DPD design and zoning review, the Design Review Board was reconvened on September 26, 2006 to review the project design and provide recommendations. The five Design Review Board members present considered the site and context, the previously identified design guideline priorities, and reviewed the drawings presented by the applicant. The Board focused deliberations on the green street improvements and the departure requests.

The Board was pleased that the design of the base along Bell Street is set back 15 feet from the property line. The linear park concept along Bell Street was well received, and the Board thought the space presented a great opportunity. The architect indicated that the green street improvements would be wider than what is depicted in their graphics in that the curb line would be moved to reduce the roadway and enlarge the pedestrian space pursuant to recent discussions with Planners at DPD. The Board liked the linear park element but indicated that the proposed lobby element interrupts the space and constrains the sidewalk. The Board recommended that the lobby be eroded to provide more pedestrian space where the lobby meets the street.

Regarding the departure relating to the height of the base and size of the tower, the Board recommended approval in that 1) the average gross floor area for each tower will be met even though the maximum is exceeded for floors 7 and 8; 2) the base is set back by 15 feet along Bell Street ; 3)a step back of floors 7 and 8 along portions of 6th Avenue and erosion of the corner at 6th and Battery; and 4)an 85 foot base is within context for Belltown. During the presentation the applicant noted that the quantity of square footage gained through departure was offset by the square footage lost by the 15 foot set back along Bell Street. In addition, it was presented that the existing Belltown context includes many buildings that are 85 feet in height and that future context in the immediate area could include buildings with base heights of 85 feet.

The Board recommended that the green street improvements be installed as part of the phase I development in that it's an important improvement that must be installed even if phase II is never developed.

With respect to the curbcut departure, the Board recognized that pedestrian activity moving to and from the waterfront and Belltown along Battery Street could be more intense than pedestrian volumes along 6th Avenue. Because of the pedestrian volume and the long length of 6th Avenue frontage, the Board recommended approval of the project with 2-two way curbcuts along 6th Avenue.

The Board raised concerns about how the tower integrates with the base elements. This was particularly noted at the corner of 5th and Bell where the red colored element abuts the tower. The Board wants the architect to work with DPD to better weave and integrate the base and the tower elements.

The Board recognized that the street level details are important in making a successful streetscape, and recommended that the architect work with DPD on the street level details such as canopy locations and fenestration patterns.

All five Board members recommended approval of the proposed project and approval of the requested design departures with recommended conditions to bring the project into greater compliance with the EDG.

Summary of Requested Departures from Development Standards

Requirement	***Proposed***	***Applicant's Rationale***	***Board Comments***
SMC 23.54.030F2a (3) Parking Space Standards, Curbcuts. A maximum of 2 curbcuts for one-way traffic at least 40 feet apart, or 1 curbcut for two-way traffic. No curbcut shall be located within 40 feet of an intersection.	(2) two–way curbcuts on 6th Avenue and curbside loading areas	The applicant indicated that the design showed all access from 6th Avenue based on recommendations from Seattle Department of Transportation. Additionally, it was indicated that the re-building of the Battery Street tunnel could adversely impact access from that street. The loading spaces are proposed to be internal and not on-street as originally proposed.	The Board recommended approval of this departure in that the street frontage is longer than typical downtown sites in that it is an entire block. The Board referenced antidotal evidence that there is more pedestrian activity on Battery Street which would be the only other choice for vehicular access. In light of that, the Board thought both curbcuts could be appropriately sited on 6th Avenue. (C-1 Promote pedestrian interaction.)
SMC 23.49.058D1 maximum residential gross floor area per story of a tower is 11,500 square feet. Tower is defined in SMC 23.49.058 and in this case begins at the 65 foot height. Total allowed gross floor area for floors 7 and 8 in both towers is 46,000 square feet.	Floors 7 and 8 comprise 73,199 gross floor areas so the maximum allowed is exceed by 27,199 square feet for the project.	The 85 foot base height limit is more appropriate to achieve the design intentions and leave the parking completely screened from view. The additional base height allows for more variation of height of the base and is a better architectural proportion when comparing the base and tower elements.	The Board recommended approval for the following reasons; 1) the average gross floor area for each tower will be met even though the maximum is exceeded for floors 7 and 8; 2) the 85 foot base is setback by 15 feet along Bell Street; 3) a step back of floors 7 and 8 along portions of 6th Avenue and erosion of the corner at 6th and Battery; and 4) an 85 foot base is within context for Belltown. (B-1 Responding to the Neighborhood Context, B-2 Create a transition in bulk & scale, B-3 Reinforce the positive urban form & architectural attributes of the immediate area, B-4 Design a well-proportioned & unified building, C-2 Design facades of many scales)

Board Recommended Conditions

1. The construction of the green street improvements should occur with phase I of the development (D-1 Provide inviting & usable open space, D-2 Enhance the building with landscaping, D-3 Provide elements that define the place.)
2. Bell Street residential lobby entry element should be eroded and/or setback so that it does not interrupt the linear green street (D-1 Provide inviting & usable open space)
3. Work with DPD regarding street level details (C-1 Promote pedestrian interaction, D-3 Provide elements that define the place, C-4 Reinforce building entries. C-5 Encourage overhead weather protection).
4. Better integrate the tower element with the base elements (B-4 Design a well-proportioned & unified building.)

Director's Analysis

The Director concurs with the Design Review Board's determination to approve the proposed design with the above conditions. The Design Review Board's recommendation does not conflict with applicable regulatory requirements and law, is within the authority of the Board and is consistent with the design review guidelines.

Subsequent to the Design Review Board recommendation, the applicant presented design solutions to DPD that addressed the above recommendations. They included;

- Eroding the Bell Street residential lobby entry element by providing a setback of 8 feet from the property line. The DRB viewed a lobby entry element that was flush with the property line. The revised design provides space between the sidewalk and access doors of the lobby so that the linear park concept is not interrupted.
- The base and tower elements are better integrated primarily by eliminating the red color on the façade element at the southwest corner and better expressing concrete bands (upstands) throughout the base. The towers include a strong horizontal band expressed by white painted concrete (PC-1 Painted Concrete- General Paint- Soft Mist) together with a curtain wall element. The concrete bands are proposed primarily on floors 6-8 between the tower and base, and in some places the band expression is brought down to sidewalk level. The bands or upstands, together with the fenestration pattern unify the base and tower elements.

The Master Use Permit plans shall be revised to show the residential lobby entry element setback from the property line as described above. In addition, the plans shall be revised to show the design that better integrates the tower and base as described above.

With respect to street level details, the project is compliant with code with respect to overhead weather protection in that the canopies proposed are at appropriate height and width. A preliminary lighting concept plan has been provided and will become part of the approved plans after approval from DPD; however, the project shall be conditioned to provide a refined lighting plan.

The applicant presented an Environmental Graphics Program to the DRB which provided guidelines for future signage. The guidelines proposed included a sundry of sign designs and

styles which would complement the project. Based on the recommendations from the applicant and to better meet guideline D-4 Provide Appropriate Signage, the project will be conditioned to provide a refined signage design plan that better meets design guidance. Signage shall be designed; to facilitate rapid orientation; to add interest to the street level environment; to reduce visual clutter; to unify the project as a whole; to enhance the appearance and safety of the downtown area; require signage to have a metallic finish such as aluminum, zinc galvanized steel; require all finishes be matte, non-glare; to prohibit internally illuminated box signs or letters (Remote illumination is acceptable by means of exposed 'industrial' style fixtures with full cutoffs).

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY APPROVED**.

CONDITIONS

Design Review conditions are listed at the end of this report.

ANALYSIS - State Environmental Policy Act (SEPA)

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

Pursuant to SMC 25.05.360 and SMC 25.05.444, the Director has determined that the referenced proposal is likely to have probable significant adverse environmental impacts under SEPA on the transportation elements of the environment. DPD has identified and adopts the City of Seattle's Final Environmental Impact Statement (FEIS) prepared for and in conjunction with amendments to the Land Use Code, Seattle Municipal Code section 23.49, concerning Downtown Seattle dated January 6, 2005; and the 2300 Fifth Avenue Development FEIS involving a development previously planned for the subject site dated November 1, 2001. DPD relies on SMC 25.05.600, allowing the use of existing environmental documents as part of its SEPA responsibilities with this project.

DPD has determined that the proposal impacts for this Master Use Permit are identified and analyzed in the referenced FEIS; however additional analysis is warranted as permitted pursuant to SMC 25.05.625-630, through an addendum to the impact statements referenced. Accordingly, the Notice of Adoption and Availability of Addendum was published in the City's Land Use Information Bulletin on May 10, 2007. A copy of the addendum was sent to parties of record that commented on the Environmental Impact Statements. In addition, a copy of the notice was sent to parties of record for this project. The addendum prepared for this project included an analysis of the significant adverse environmental impacts as well as disclosure of other project impacts as follows;

- ***Land Use*** (land use patterns, project consistency with elements of the City's *Comprehensive Plan*, the *Downtown Urban Center Plan*, the *Belltown/Denny Regrade Neighborhood Plan*, and the recently adopted *Land Use Code* revisions);
- ***Views*** (evaluation of impacts to views from Volunteer and Plymouth Pillars Parks);

- ***Shadows*** (evaluation of impacts on Denny Park and Seattle Center for each of the four key days of the solar years – vernal equinox, summer solstice, autumnal equinox, and winter solstice);
- ***Wind*** (evaluation of impacts to pedestrians at street-level);
- ***Transportation***; and
- ***Construction***.

The addendum discussed the impacts on the above elements of the environment in Section II, Comparison of Environmental Impacts, pages 27 through 94.

The SEPA Overview Policy (SMC 23.05.665) discusses the relationship between the City's code/policies and environmental review. 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 limitation". The Overview Policy in SMC 23.05.665 D1-7, states that in limited circumstances it may be appropriate to deny or mitigate a project based on adverse environmental impacts.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the environment are subject to the Overview Policy (e.g., Traffic and Transportation, Plants and Animals and Shadows on Open Spaces). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate and follows.

Short-term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site.

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 regulates obstruction of the sidewalk. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures and life safety issues. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

Compliance with the above applicable codes and ordinances will reduce most adverse short-term impacts to the environment. A summary of the construction impacts discussed in the EIS addendum are provided below. The applicable EIS addendum page number is provided in the heading for each element of the environment.

Air Quality (page 92 - EIS Addendum)

Construction would generate air pollutants as a result of fugitive dust from demolition activities associated with the parking lot and the buildings, earthwork, and emissions from construction vehicles. PSCAA regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos (if any) during demolition. The owner and/or responsible party (ies) are required to comply with the PSCAA rules pertaining to demolition of projects with or without asbestos.

Gasoline or diesel-powered machinery used for demolition, excavation, and construction emit carbon monoxide and hydrocarbons. Such emissions, however, would be temporary in nature and localized to the immediate vicinity of the construction activity. Also, trucks transporting excavated earth and/or construction materials would emit carbon monoxide and hydrocarbons along truck routes used by construction vehicles. The air pollutants generated are not considered significant or adverse relative to the regional air quality goals set by The Puget Sound Clean Air Agency (PSCAA).

PSCAA regulations ensure proper handling and disposal of asbestos, as well as demolition of structures without asbestos. No further SEPA conditioning is necessary.

Noise (page 89- EIS addendum)

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning and in the late evening, The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends. The surrounding properties are developed with housing and sensitive noise receptors, and will be impacted by construction noise and vibration. The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to primarily limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM and on Saturday to between the hours of 9:00 AM and 5:00 PM. Additionally, some stages of construction may require extraordinary long periods of continuous work, like concrete pours or activity that generates low levels of noise, such as, foundation excavation. During these stages of construction and for these activities, DPD may consider allowing nighttime work or hours beyond the hours stipulated above on a case by case basis. Any construction noise proposed outside the limitations of the noise ordinance must be reviewed through the variance process described in the noise ordinance (SMC 23.08 Subchapter VII Variances).

Construction activity will be contingent on an approved noise mitigation program for the duration of construction. A mitigation program proposal must be submitted by the applicant or contractor and approved by DPD prior to commencement of any work. The plan will include general, as well as specific mitigation measures that shall be undertaken to minimize noise and vibration-related impacts during construction. No further SEPA conditioning is warranted.

Transportation (page 93- EIS Addendum)

Preliminary estimates indicate that a total of approximately 116,600 cubic yards (CY) of material would be removed. This amount of earthwork is estimated to generate approximately 5,830 outbound truck trips or 11,660 round trip truck trips over the roughly 28-week time frame for earthwork activity. Given the estimated construction schedule, the amount of traffic would equate to approximately 60 round trip truck trips per day depending upon the specific days of the week that excavation would occur. It has been assumed that all excavation for the site would occur at one time, whereas, because of the phasing that would occur, excavation will likely occur in phases – Phase 1 would involve approximately 4 weeks of excavation activity, Phase II would involve roughly 3 weeks. The actual number of truck trips per day would be less than the total development-related traffic volumes that are anticipated. While construction-related traffic may at times cause inconvenience to properties adjacent to the site, such impacts would be temporary.

During the construction phase, large trucks would make trips to the site to deliver cranes, machinery, and other construction equipment; construction materials (e.g. steel, wood for forms/framing, and concrete); and other materials including prefabricated building components, sheet rock, and building machinery (e.g., HVAC, plumbing, electrical equipment, etc.). Concrete deliveries would occur early in the overall construction schedule and decline in frequency as the construction process continues.

The presence of a temporary work force on-site would increase the demand for construction-worker parking. It is anticipated that existing off-site surface parking lots would accommodate a portion of this increased demand.

The project will be conditioned to submit a Transportation Construction Management Plan that addresses impacts caused by construction vehicle traffic and parking. A construction transportation plan for workers and truck deliveries/routes shall be prepared to minimize disruption to traffic flow on adjacent streets and roadways. The plan shall consider the need for special signage, flaggers, route definitions, street cleaning; construction-worker parking; coordination with Metro transit relative to construction activity that could affect transit service proximate to the project site; vehicle and pedestrian circulation and safety. No further SEPA conditioning is warranted.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including; increased pedestrian and vehicular traffic; increased parking demand; increased airborne emissions from additional traffic; increased ambient noise due to increased human activity; increased bulk and scale on the site, increased demand for public services and utilities, increased energy consumption, and increased light and glare.

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 detention of stormwater with provisions for controlled tightline 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; the Seattle Building Code which provides prescriptive construction techniques and standards; 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 long term impacts, although some impacts warrant further discussion and possible mitigation.

Impacts to land use, public views, shadows on public places and wind are discussed in the addendum, and DPD finds that impacts to these elements of the environment are not adverse, and do not require mitigation. Considerable emphasis was placed on height, bulk and scale impacts within the Downtown Height and Density Changes FEIS and this project is consistent with the development anticipated under the Land Use Code changes that allowed greater height. Additionally, the project is consistent with the Comprehensive Plan, the adopted Belltown Neighborhood Plan and other applicable land use policies. Public views, shadows on public places, wind and transportation impacts warrant further discussion.

Public Views (page 40 EIS addendum)

The City's public view protection policies are intended to "*protect public views of significant natural and human-made features: Mount Rainier, the Olympic and Cascade Mountains, the downtown skyline, and major bodies of water including Lake Washington, Lake Union and the Ship Canal, from public places consisting of specified viewpoints, parks, scenic routes, and view corridors identified in Attachment"* to the City's SEPA Code (SMC 25.05.675P2ai). Additionally, policy indicates that, *"…downtown projects may be conditioned or denied only when public views from outside of downtown would be blocked as a result of a change in the street grid pattern"*.

There are presently 89 designated public parks, viewpoints, playgrounds and view corridors that are identified in Attachment 1. Of the City's officially-designated public viewpoints, only two could potentially be affected by the project – Volunteer Park and Plymouth Pillars Park (formerly Four Columns Park/Boren-Pine-Pike Park). A view-shed impact analysis was conducted for the project's EIS Addendum. The proposed building towers will be obscured by other buildings or minimally visible from both locations and no mitigation for view blockage is warranted.

Another view protection policy is intended to *"… to protect public views of historic landmarks designated by the Landmarks Preservation Board which, because of their prominence of location or contrasts of siting, age, or scale, are easily identifiable visual features of their neighborhood or the City and contribute to the distinctive quality or identity of their neighborhood or the City. This subsection does not apply to the Space Needle, which is governed by subsection P2c of this section "*(SMC 25.05.675P2aii).

There are five designated City Landmarks within the general vicinity of the project site. They include the following:

- Seattle Monorail (Ordinance 121240) – located adjacent to the project site along Fifth Ave.;
- Windham Apartments – located at 420 Blanchard St. one block southwest of the site;
- Seattle First National Bank – located at 566 Denny Way roughly two blocks north of the project site;

- Fire Station No. 2 (Ordinance. 113089); located one block west of the project site (2318 Fourth Ave.); and the
- Statue "Seattle, Chief of Suquamish" (Ordinance. 112273) – located three blocks north of the project site (intersection of Fifth Ave., Denny Way and Cedar St.).

The project would not affect views of the fire station, the apartments, the bank building, or the statue and public views of the Seattle Monorail would still be possible from Fifth Ave., Bell St. and Battery St. No SEPA mitigation is warranted.

Shadows on Open Spaces (page 45 EIS addendum)

Seattle's SEPA shadow policy aims to "*minimize or prevent light blockage and the creation of shadows on open spaces most used by the public."* SMC 25.05.675.Q. The SEPA policies define specific public places that are to be protected under this policy. In this case, Tilikum Place (located about three blocks northwest of the project site), Denny Park (located roughly three blocks east of the project site) and Seattle Center/Memorial Stadium (located about six blocks north of the project site) have the potential to be affected by the proposed project. Factors that influence the extent of shading include: weather (e.g., cloud cover); time of day and year; building height, width and facade orientation; and the proximity of other intervening structures or significant landscaping.

The EIS addendum contains 9 shadow diagrams that depict shading from the project for vernal and autumnal equinoxes, summer solstice and winter solstice. No discernable shadow impacts from the project would be present during the vernal and autumnal equinoxes or the summer solstice. Shadow impacts during the winter solstice (December 21) could impact Tilikum Place and Seattle Center in the early morning hours and at Denny Park after 4 PM. The shadow diagrams show that the southeast portion of Denny Park could be impacted.

A factor that will reduce project shadow impacts on Denny Park is that the average fall months have few cloud-free days. Additionally, use of the park after 4 PM is expected to be minimal. Tilikum Place and Seattle Center could be impacted by shadows in the early morning hours during winter; however cloud cover and the potential for intervening development will reduce the project shadow impact. In light of these factors, no SEPA mitigation is warranted.

Wind (page 53 EIS addendum)

The EIS addendum included a Pedestrian Wind Design Assessment prepared by Rowan Williams Davies & Irwin, Inc. dated September 19, 2006. Large buildings tend to intercept stronger winds at higher elevations and redirect them down to the street-level. Such downwashing flow is the main cause for pedestrian-level wind acceleration. There is generally increased wind acceleration at the corners of tall buildings as the downwashed wind flows around the edge of the building. The proposed project is expected to increase wind speed in the vicinity, both immediately around the building as well as on the sidewalks opposite to the building, due to the mass and height of the proposed development. However, the assessment concluded the proposed development would have minimal impact on the wind climate in the broader area.

The assessment found that the wind impacts from the proposed development are not expected to pose a safety hazard or even be uncomfortable. Certain areas of the sidewalk, primarily on the southern portion of the site could experience a moderate breeze which would make sitting uncomfortable because wind could lift leaves, move litter, hair and loose clothing. The modulation of the building and overhead weather protection at the building entrances and along the facades mitigate most of the wind impact at ground level; however, the wind assessment recommends several mitigation measures to make the spaces around the building more comfortable;

- *Near the northeast corner of the project, 6th and Bell* - installation of vertical wind screens and/or dense landscaping in this area would further disrupt the horizontal wind flows.
- *Near the southeast corner of the project 5th and Bell* – to create a more comfortable sitting environment for the anticipated use as outdoor restaurant seating, install vertical wind screens and/or additional landscaping along the south and east facades of the seating area.
- *Amenity Deck* - If lower wind speeds are desired, additional landscaping and/or vertical wind screens could be installed throughout these areas.
- *Roof Terraces* - If lower wind speeds are desired, installation of wind control measures such as wind screens, high parapets or tall shrubs around the perimeter of each terrace would disrupt the wind flows. Alternatively, access to these areas could be limited during periods of high wind speeds.

The proposed structure is not anticipated to generate wind impacts that pose a danger to the pedestrian; therefore, no mitigation under SEPA is warranted.

Transportation (page 60 EIS addendum)

The EIS addendum included a detailed analysis of the transportation impacts based on a Traffic Impact Analysis (TIA) prepared by The Transpo Group dated February 2007. The analysis examined existing traffic conditions and estimated conditions with and without the project (2009) including levels of service (LOS) at study intersections, traffic safety, transit service, parking, and non-motorized facilities within the study area. Applying a 0.5% annual growth rate to 2006 traffic volumes coupled with applying traffic from projects in the development pipeline was used to determine the 2009 traffic volumes. The TIA examined 25 off-site intersections and analyzed them for both the AM and PM peak hours. Project trip generation was determined based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 7th Edition. The ITE land uses include High-Rise Apartment (LU 232) and Specialty Retail (LU 814). The ITE retail rates were adjusted for the urban setting in that ITE data is typically obtained in suburban locations. The table below provides the estimated vehicle trips generated from the project;

Land Use	Size	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
Proposed Residential[1]	643 units	2,700	48	145	193	137	88	225
Proposed Retail[2]	28,360 sf	390	4	5	9	11	12	23
Pass-by	34%	130	2	2	4	4	4	8
Net-New Retail		260	4	3	5	7	8	15
Net New Trips		**2,960**	**50**	**149**	**199**	**144**	**96**	**240**

Source: The Transpo Group, 2006
[1] ITE *Trip Generation* (2003) 7th Edition- Land Use #222 (High-Rise Apartment)
[2] ITE *Trip Generation* (2003) 7th Edition- Land Use #814 (Specialty Retail)

The TIA assigned and distributed the vehicle trips to the study intersections to determine the 2009 level of service at each intersection. The tables below provide the with-project LOS results at study intersections in the AM and PM peak hour.

	AM PEAK HOUR	2009 Baseline			2009 With Project		
	Intersection	LOS[1]	Delay[2]	V/C[3] or WM[4]	LOS	Delay	V/C or WM
1	5th Ave/Denny Way	C	31.9	0.61	C	32.8	0.62
2	6th Ave/Denny Way	B	18.7	0.65	C	20.1	0.67
3	Aurora Ave/Denny Way	E	68.5	1.04	E	72.0	1.06
4	Dexter Ave/Denny Way	C	24.0	0.78	C	24.2	0.78
5	9th Ave/Bell St/Denny Way	B	13.1	0.63	B	13.2	0.63
6	Boren Ave/Lenora St/Denny Way	C	23.9	WBL[5]	D	25.2	WBL[5]
7	Fairview Ave/Denny Way	E	62.9	0.96	E	65.9	0.96
8	Stewart St/Denny Way	F	>120.0	1.27	F	>120.0	1.27
9	Stewart St/Yale Ave	A	7.0	N/A[6]	A	7.0	N/A[6]
10	Howell St/Yale Ave	F	82.8	1.14	F	87.5	1.16
11	6th Ave/Battery St	A	9.6	0.20	B	10.1	0.23
12	5th Ave/Battery St	B	17.8	0.37	B	17.9	0.38
13	6th Ave/Bell St	A	8.7	0.22	A	8.9	0.23
14	5th Ave/Bell St	B	10.2	0.36	B	10.4	0.36
15	6th Ave/Blanchard St	B	15.3	0.26	B	15.6	0.26
16	5th Ave/Blanchard St	A	7.6	0.40	A	7.8	0.41
17	7th Ave/Westlake Ave	B	16.0	0.39	B	16.5	0.40
18	7th Ave/Virginia St	A	7.6	0.52	A	7.4	0.53
19	Westlake Ave/Virginia St	B	18.4	0.48	B	18.1	0.48
20	4th Ave/Blanchard St	B	10.2	0.23	B	10.2	0.23
21	6th Ave/Westlake Ave	B	15.5	0.33	B	15.8	0.34
22	6th Ave/Stewart St	B	17.5	0.60	B	17.6	0.61
23	Westlake Ave/Stewart St	A	7.4	0.28	A	7.8	0.29
24	7th Ave/Olive Way	B	14.3	0.36	B	14.4	0.36
25	5th Ave/Olive Way/Westlake Ave	C	32.2	0.74	C	32.7	0.76

Source: The Transpo Group, 2006
[1] Level of Service
[2] Average delay in seconds per vehicle.
[3] Volume-to-capacity ratio reported for signalized intersections.
[4] Worst movement reported for unsignalized intersections

[5] Westbound left-turn
[6] Intersection runs on controller at Stewart/Denny; resulting v/c ratio not applicable to this intersection

	PM PEAK HOUR	2009 Baseline			2009 With Project		
	Intersection	LOS[1]	Delay[2]	V/C[3] or WM[4]	LOS	Delay	V/C or WM
1	5th Ave/Denny Way	C	26.1	0.77	C	26.7	0.77
2	6th Ave/Denny Way	C	21.9	0.75	C	21.9	0.75
3	Aurora Ave/Denny Way	F	82.5	1.14	F	87.2	1.16
4	Dexter Ave/Denny Way	D	40.9	0.90	D	41.8	0.91
5	9th Ave/Bell St/Denny Way	A	9.8	0.67	B	10.1	0.69
6	Boren Ave/Lenora St/Denny Way	B	13.9	NBR[5]	B	14.0	NBR[5]
7	Fairview Ave/Denny Way	E	64.8	0.97	E	66.3	0.98
8	Stewart St/Denny Way	F	99.2	1.15	F	101.0	1.15
9	Stewart St/Yale Ave	C	24.3	N/A[6]	C	24.2	N/A[6]
10	Howell St/Yale Ave	F	>120.0	1.60	F	>120.0	1.61
11	6th Ave/Battery St	B	18.4	0.47	B	18.9	0.49
12	5th Ave/Battery St	B	19.7	0.49	B	19.8	0.50
13	6th Ave/Bell St	B	10.6	0.44	B	11.2	0.49
14	5th Ave/Bell St	B	12.1	0.41	B	12.1	0.41
15	6th Ave/Blanchard St	B	18.9	0.46	B	19.6	0.49
16	5th Ave/Blanchard St	A	8.6	0.41	A	8.8	0.43
17	7th Ave/Westlake Ave	B	15.5	0.32	B	15.7	0.33
18	7th Ave/Virginia St	A	9.7	0.44	B	10.3	0.45
19	Westlake Ave/Virginia St	C	20.3	0.47	C	20.4	0.47
20	4th Ave/Blanchard St	B	13.2	0.48	B	13.3	0.48
21	6th Ave/Westlake Ave	B	16.2	0.47	B	16.9	0.49
22	6th Ave/Stewart St	B	15.9	0.50	B	16.1	0.52
23	Westlake Ave/Stewart St	B	10.9	0.29	B	11.1	0.30
24	7th Ave/Olive Way	B	15.2	0.47	B	15.3	0.48
25	5th Ave/Olive Way/Westlake Ave	C	31.2	0.63	C	31.7	0.63

[1] Level of Service
[2] Average delay in seconds per vehicle.
[3] Volume-to-capacity ratio reported for signalized intersections.
[4] Worst movement reported for unsignalized intersections
[5] Northbound right-turn
[6] Intersection runs on controller at Stewart/Denny; resulting v/c ratio not applicable to this intersection

It was determined that no study intersection would degrade to LOS F as a result of the project although project traffic would affect intersections that already operate at LOS F (Stewart Street/Denny Way; Howell Street/Yale Avenue; Aurora Ave/Denny Way). Physical improvements at the studied intersections or improvements to the surrounding street system could mitigate impacts of this project; however, no reasonable physical improvements were identified that would be appropriate mitigation attributable solely to this project's impact. The tables above reflect that project impacts would change level of service at other intersections but these intersections are estimated to operate at LOS D or better.

In July 2004, the Seattle Department of Transportation completed the South Lake Union Transportation Study. The study recommended a comprehensive package of transportation improvements including a two-way Mercer Street, a narrower Valley Street, a streetcar, and a number of transit, pedestrian and bicycle measures. These improvements are intended to

reconnect the South Lake Union area to the city, untangle streets that create barriers in the middle of the city, improve mobility, promote alternatives to single-occupant-vehicles, and continue a smooth flow of freight and people through the area.

As an alternative to mitigation measures that focus solely on minor improvements to nearby streets and intersections, DPD has determined that a more effective mitigation approach is for the applicant to contribute to the costs of the more comprehensive transportation improvements recommended in the South Lake Union Transportation Study. Assessing the pro-rata share of the anticipated costs of accommodating such growth reasonably apportions the costs of such mitigation. The proximity of the project site to the South Lake Union area requires mitigation for project trips that are anticipated to pass through South Lake Union pursuant to the capital improvements identified in the South Lake Union Transportation Study. Based on the projected impacts of the project in the South Lake Union area, a payment of $12,692 shall be provided.

Based on the traffic analysis provided above, in conjunction with the proposed payment to the South Lake Union fund, no further mitigation measures or conditioning pursuant to the SMC Chapter 25.05, the SEPA Ordinance is warranted.

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.

[ ] 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.

[X] 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.

NON-APPEALABLE CONDITIONS - DESIGN REVIEW

1. The project and all improvements shall be constructed as shown in the approved MUP plans. Any proposed changes to the exterior of the building or the site plan must be submitted to DPD for review and approval by the Land Use Planner (Jess Harris, 206-684-7744). Any proposed changes to improvements in the public right-of-way must be submitted to DPD and SDOT for review and approval.
2. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials and colors, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Jess Harris, 206-684-7744), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

3. Embed all conditions in the cover sheet for the MUP Plans and for all subsequent permits including updated MUP plans, and all building permit drawings.

4. Embed the approved color elevation drawings into the Building Permit Plan set in order to facilitate subsequent review for Design Review compliance. The color elevation drawings need to be provided in only two sets of plans (set 1 and 2); the other plan sets shall have the same information in black and white/grayscale.

5. The design shown in the building permit plans must be confirmed by the project planner to conform to the approved MUP design.

Prior to the Issuance of a Certificate of Occupancy

6. Construct all Green Street improvements and amenities in conformance with the approved MUP and building permits. Maintain all such improvements, features and amenities for the life of the project.

7. Compliance with the approved design features and elements, including siting, exterior materials, façade colors, landscaping or other similar features shall be verified by the Land Use Planner assigned to the project or by the Supervising Planner. Inspection appointments with the Land Use Planner must be made at least 3 working days in advance of the inspection.

CONDITIONS-DESIGN REVIEW

Prior to Construction Permit Issuance (architectural phase)

8. Submit a lighting plan that demonstrates compliance with guideline D-5 Provide Adequate Lighting as described in the Design Review Guidelines for Downtown Development. To demonstrate compliance, plans depicting a plan view as well as elevation views that include details on the lighting concept, type and style of light proposed shall be provided to DPD. The plan shall be integrated with a further refined signage concept that meets the signage conditions.

9. Submit a signage design plan to better meet guideline D-4 Provide Appropriate Signage. The signage shall be designed; to facilitate rapid orientation; to add interest to the street level environment to reduce visual clutter; to unify the project as a whole; to enhance the appearance and safety of the downtown area; to require signage to have a metallic finish such as aluminum, zinc galvanized steel; All finishes be matte, non-glare; To prohibit internally illuminated box signs or letters. Remote illumination is acceptable by means of exposed ‘industrial’ style fixtures with full cutoffs.

10. To meet recommendations of the DRB to construct the green street improvements with phase I, include in phase I (south tower), civil and SDOT plan sheets depicting the green street (Bell Street) improvements which will facilitate the construction of the green street.

Prior to Issuance of Certificate of Occupancy for phase I (south tower)

11. Complete the green street improvements.

CONDITIONS SEPA

Prior to Construction or Grading Permit Issuance

12. The responsible party shall submit a noise mitigation plan which includes the following general, as well as specific mitigation measures that shall be undertaken to minimize noise and vibration-related impacts during construction.

    - Because of the proximity of dwelling units in residential buildings near the project site, the applicant agrees that mitigation of noise and vibration-related impacts is important and they are committed to the measures noted below.
    - Creation of a procedure for hearing neighbor complaints and concerns (monthly meeting, door to door canvassing, etc.), providing affected neighbors with a construction schedule in advance of such work, and providing available project contact persons at the site and by phone during construction hours
    - Limit most activities to standard construction hours between 7 AM and 6 PM on non-holiday weekdays and 9 AM – 5 PM on Saturdays.
    - Nighttime and/or hours beyond the standards hours will be allowed after approval from DPD for activities that require long durations of continuous work, generate low levels of noise, and for emergencies. Submit requests to work nighttime hours or hours beyond the standard hours at least 5 days prior to the requested work time.
    - Ensure that nighttime activities do not exceed allowable noise levels.
    - Limit the use of noise impact-type equipment, such as pavement breakers, pile drivers, jackhammers, sand blasting tools and other impulse noise sources, to work activity between 8 AM and 5 PM on non-holiday weekdays.
    - Whenever appropriate, for impact tools substitute hydraulic with electric models to further reduce demolition and construction-related noise and vibration.
    - Limit loud talking, music, or other miscellaneous noise-related activities.
    - Construction noise would be reduced with properly sized and maintained mufflers, engine intake silencers, engine enclosures and turning-off idling equipment.

    For Demolition, Earthwork and Shoring

    - Process building debris off-site during the demolition process.
    - As necessary, deploy portable sound barriers around generators, compressors, tieback drill rigs, etc.
    - As needed, construct temporary barriers of materials at least as dense as one-half-inch thick plywood with sound-dampening insulation.

    For Concrete Construction

    - Stage concrete trucks at a location outside the Downtown area, to limit the number of concrete trucks on-site at any one time.
    - Pre-fabricate core-wall formwork at the contractor's off-site facility to minimize the use of electric saws and hammers on-site.
    - Pre-fabricate reinforcing steel for the concrete core-wall curtains off-site to reduce the amount of noise associated with this work on-site.
    - Where possible, locate the concrete pumping station and associated trucks to minimize impacts to the nearby residences.
    - Use hydraulic jacks to lift the core-wall formwork rather than disengaging, hoisting with crane, and re-attachment.

For Interior Construction

- Pre-fabricate large duct risers and long interior runs and hoist them into place.
- Screen the building perimeter during steel fireproofing activities.

13. The responsible party shall submit a Transportation Construction Management Plan that addresses impacts caused by construction vehicle traffic. A construction transportation plan for workers and truck deliveries/routes shall be prepared to minimize disruption to traffic flow on adjacent streets and roadways. The plan shall consider the need for special signage, flaggers, route definitions, street cleaning; construction-worker parking; coordination with Metro transit relative to construction activity that could affect transit service proximate to the project site; vehicle and pedestrian circulation and safety.

14. Applicant shall make a transportation mitigation fee contribution of $12,692 to SDOT. This is the final proportionate share cost amount developed by Transpo in consultation with the DPD transportation planner and approved by DPD.

During Construction

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.

15. The responsible party shall abide by the approved noise and transportation construction management plans approved by DPD.

16. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays[1] from 7am to 6pm and on Saturdays between 9am and 6pm. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

    Construction activities outside the above-stated restrictions may be authorized in writing by the Land Use Planner for emergencies, for safety reasons or requested by SDOT to decrease traffic impacts. Additionally, during some stages of construction which may require extraordinary long periods of continuous work or activity that generates low levels of noise DPD may consider allowing nighttime work or hours beyond the hours stipulated above. Requests for extended construction hours must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request

Signature: (signature on file) Date: June 28, 2007
Jess E. Harris, AICP, Senior Land Use Planner

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[1] New Year's Day, Martin Luther King Junior's Birthday, President's Day, Memorial Day, July 4, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day.