City of Seattle
Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use
Diane M. Sugimura, Director

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

Application Number: 3004853

Applicant Name: Tim Becker, PB Architects

Address of Proposal: 115 Aurora Ave N

SUMMARY OF PROPOSED ACTION

Land Use Application for a seven-story building containing 130 Residential units, five live-work units and 3½ levels of below grading parking within the structure for 167 vehicles. Project includes 28,000 cubic yards of grading.

Seattle Municipal Code (SMC) requires the following approvals:

Design Review pursuant to SMSMC 23.41. No Departures have been requested.

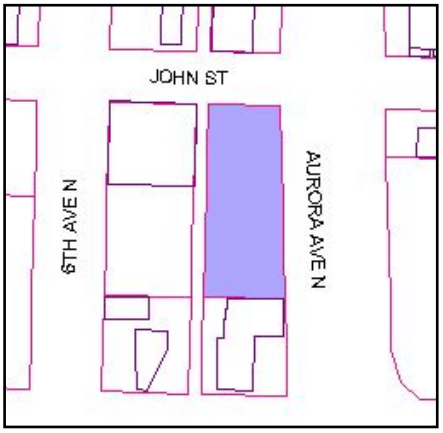
SEPA – Environmental Determination pursuant to SMC 25.05.

SEPA Determination: [ ] Exempt [X] DNS [ ] MDNS [ ] EIS

[ ] DNS with conditions

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

BACKGROUND AND VICINITY INFORMATION



The applicant has applied for Design Review to develop a 22,967 sq. ft. rectangular lot in the South Lake Union neighborhood.

The subject site, zoned 'Seattle Mixed 85' (85 foot height limit) is located on the southwest corner of the intersection of John Street and Aurora Avenue North. The zoning allows a building height of 85 feet with an additional 20 feet of height allowable under certain circumstances to accommodate mechanical equipment. The site covers four parcels and is currently a surface parking lot. Surrounding properties are all zoned SM 85.

The surrounding neighborhood is zoned SM-85 and currently features a mix of low-scale commercial and industrial development, surface parking, multi-family residential, and some single-family residential. There are no designated landmarks on or adjacent to the site.

Proposal Description

The project consists of construction of a seven-story building with 3 ½ levels of below-grade parking. The proposal anticipates construction of 115,744 square feet of above grade space for residential dwelling units, five live/work units, and parking for 167 vehicles. Landscaped open spaces include ground level/rooftop terraces and upper level baloneys for the building residents. Ingress and egress to the building's parking will be at the northwestern corner of the building via a west abutting alley. Project design and landscaping will include the addition of street trees along both John St and Aurora Avenue N. Construction of the project will require the removal of an existing surface parking lot.

Public Review and Comment Periods

Three Design Review meetings were held on this proposal and included opportunities for the public to comment; an Early Design Guidance meeting was held on June 21, 2006 and two Recommendation meetings held on September 20, 2006 and November 1, 2006. No members of the public were in attendance at the Early Design Guidance and Recommendation meetings.

Public notice of the Master Use Permit (MUP) project application was given on November 9, 2006. The public comment period ended on November 22, 2006. DPD received no written comments on this proposal.

ANALYSIS – DESIGN REVIEW

ARCHITECT'S PRESENTATION—*Early Design Guidance Meeting – June 21, 2006*[1]

At the Early Design Guidance meeting, the owner's architect Mike Shreve introduced the design team and presented the project context, site design analysis and development objectives. Massing diagrams, sections and plans described a "preferred scheme" which includes a series of 5 street-level commercial live/work spaces and 130 dwellings on seven floors, with 3½ levels of below-grade parking to accommodate 167 vehicles. Conceptual renderings were shown, describing the pedestrian streetscapes as well as examples of architectural elements providing inspiration for the design. Relevant examples of completed projects were also shown.

CLARIFYING QUESTIONS/COMMENTS FROM THE BOARD

- (Roewe) noted that 6th Street could be an important street in the future. The reason for this is based on the possibility of Aurora being lowered. If that happens 6th would become a through street connecting South Lake Union and Lower Queen Anne.

- (Roewe) also noted that if Aurora is lowered that could impact the city's right of way, and change setbacks. He suggests that we contact Robert Chandler at SDOT to acquire more information about this issue.

[1]Attending Board members—Maria Barrientos, Patrick Doherty, J Christopher Kirk, Matt Roewe, and Bill Vanderventer.

- (Roewe) expresses interest in exploring the possibility of entering the building off of John rather than Aurora.

- (Doherty) Voices interest in the Vulcan project across Aurora to the east, and shows concern for the fact that it will be the full 85' in height.

- (Barrientos) questions the location and quantity of Residential open space. Mike Shreve explains that the project will have three roof terraces as well as an interior common area at the entry mezzanine, which will exceed the zoning requirements.

- (Barrientos) Voices a concern for the visual impacts of the parking structure protruding above ground at the Northeast edge of the site. Michael quells this concern by explaining that planters will be located along that area to break up the façade.

- (Vandeventer) offers the suggestion that perhaps it would be better to put the parking structure at grade and remove the Condo and Live/Work Units completely at the level.

- (Vandeventer) expresses concern for the privacy and security of the units on the ground floor as well as their marketability.

- (Vandeventer) asks about the articulation of the south façade. Michael describes that the massing breakdown will involve two vertical slits stepping back 5' from the property line so that they might have windows, which will break up the façade. It will also be broken down horizontally by the protrusion of the stair onto the roof deck and the change of material after the concrete levels.

- (Vandeventer) states that John Street might be better suited for the entrance.

- The DRB asked the applicant if there were other possible locations for garage access. Mike Shreve responded that the access was at the least challenging alley elevation and that other locations were substantially less efficient and didn't resolve operational conflicts with western adjacent sites.

CITY STAFF QUESTIONS/COMMENTS

- (Bob) – All the increased development of the area will require Seattle City Light to expand its service and all those utilities will be located in the right of way along Aurora.

ARCHITECT'S PRESENTATION—*Recommendation Meeting – November 1, 2006*[2]

At the Final Recommendation Meeting, the owner's architect Mike Shreve Morgan recapitulated the project goals in the context of other development in the neighborhood. He then presented the final design that elaborated on the preferred massing scheme approved at the early board meetings via colored drawings (site plan, elevations, plans), renderings of the overall 3-d view collaged into context photographs and the pedestrian-level streetscape renderings, with emphasis on the enhanced landscaping at the street level. Samples of the materials proposed on the building exterior were also presented.

[2]Attending Board members—Patrick Doherty, J Christopher Kirk, Matt Roewe, and Bill Vanderventer. Maria Barrientos—Absent.

DESIGN GUIDANCE PRIORITIES:

The applicant described the design guideline priorities which had informed their response to site and context in the proposed development. After deliberation, The Design Review Board emphasized the following design guidelines as priorities to be considered in further evolvement of the proposed design. Each design guideline priority is identified by letter and number in accordance with City of Seattle's *Design Review: Guidelines for Multifamily & Commercial Buildings (November 1998)*. This is augmented by neighborhood-specific guidelines published in *South Lake Union: Design Guidelines (May 26, 2005)*.

In some cases, comments from the Design Review Board (**EDG**) and the Architect's Design Response (**Arch's DR**) are noted at the ending of a particular guideline.

A. Site Planning

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.

***SLU-Specific Supplemental Guidance: Heart Locations**. Several areas have been identified as "heart locations." Heart locations serve as the perceived center of commercial and social activity within the neighborhood. These locations provide anchors for the community as they have identity and give form to the neighborhood. Development at heart locations should enhance their central character though appropriate site planning and architecture. A new building's primary entry and façade should respond to the heart location. Special street treatments are likely to occur and buildings will need to respond to these centers of commercial and social activity. Amenities to consider are: pedestrian lighting, public art, special paving, landscaping, additional public open space provided by curb bulbs and entry plazas.*

(**EDG**) As offered by the applicant, the Aurora Ave N base servers as a series of live/work commercial uses and residential amenities and as a heart like location. All parties agreed that the intersection at Aurora and John is the true "people corner" and an active residential amenity function is envisaged for this space. Furthermore, right-of-way improvements including the widening of the Aurora Avenue N and John St sidewalks and added landscaping.

The Board was supportive of the breaking down the "block" massing into a composition of smaller parts but cautioned that this must be done right.

The Board was divided on the corner strategy as proposed by the applicant, but understood that this was to function as residential amenity, not an inactive space. The design team was directed to consider stronger elements marking the intersection at Aurora Ave N and John St—the Board requests further study of this intersection at urban design scale.

At the next Design Review, the architect should be prepared to present details on the following:

- Provide an understanding of intersection at Aurora Ave N and John St. Expand the scope of pedestrian environment to include each adjacent property. Provide street sections, etc.
- Provide (pedestrian) eye-level study of the podium along Aurora Ave N and at the intersection of Aurora Ave N and John St.
- Prove the "people concept" concept to the satisfaction of the Board on the items above.

A-2 Streetscape Compatibility

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

SLU-Specific Supplemental Guidance: *Encourage provision of spaces for street level uses that vary in size, width and depth…Place retail in areas that are conducive to the use and will be successful…Where appropriate, configure retail space so that it can spill out onto the sidewalk.*

(**EDG**) The Board noted that the intersection of Aurora Ave N and John St is a "heart like location" for this neighborhood. The development of the preferred design, particularly the building's primary façade and entry, should consider ways to respond to this guideline.

One board member wanted to see an alterative façade design present at the DRB for the northeast corner of the proposed building that is compatible with the scale of development anticipated by the applicable Land Use Polices for the surrounding area.

At least two board member expressed concern that the amount of vehicular traffic on Aurora Ave N might make the ground-level live/work commercial uses on this frontage problematic.

A board member expressed concern with the residential entry along Aurora Avenue N and would like to see an alterative design for the residential entrance, if the abutting interior space were to be used for active residential activities.

(**Arch's DR**) The residential entrance has been relocated to the intersecting corner of Aurora Avenue N and John St. The recessed chamfered entry and residential amenity area is visible from both streets and encourages John St as a vehicle drop off/pick up point.

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the street.

(**EDG**) See A-2 comments above. Explore the possibility of entering from John.

(Arch's DR) See A-2 response above.

A-6 Transition Between Residence and Street

For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

SLU-Specific Supplemental Guidance: Consider designing the entries of residential buildings to enhance the character of the streetscape through the use of small gardens, stoops and other elements to create a transition between the public and private areas.

(**EDG**) The board generally approved of the ground level setback of the building at the live/work commercial uses, providing elevated or recessed private terraces and "stoops" for the users. The biggest issue to explore is the idea of security and privacy at the ground level (4' was expressed is a good vertical distance to offer both security and privacy). Explain in detail how the building touches the ground. Think about incorporating the Bus Stop into the design.

(Arch's DR) The entrances to the live/work units along Aurora Ave N. were modified to provide better security for the tenants.

A-7 Residential Open Space

Residential proposals should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

(**EDG**) Creating usable attractive and active open space should be a priority. The design should pay close attention to the location and design of decks/balconies at the ground level. The proposal should create high quality landscaping spaces which meet or exceed the Land Use Code dimensional requirements for required open space.

B. 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 the nearby, less-intensive zones.

***SLU-specific supplemental guidance**:*

• Address both the pedestrian and auto experience through building placement, scale and details with specific attention to regional transportation corridors such as Mercer, Aurora, Fairview and Westlake. These locations, pending changes in traffic patterns, may evolve with transportation improvements.

• *Encourage stepping back an elevation at upper levels for development taller than 55 feet to take advantage of views and increase sunlight at street level. Where stepping back upper floors is not practical or appropriate other design considerations may be considered, such as modulations or separations between structures.*

• *Relate proportions of buildings to the width and scale of the street.*

• *Articulate the building facades vertically or horizontally in intervals that relate to the existing structures or existing pattern of development in the vicinity.*

• *Consider using architectural features to reduce building scale such as:*
- *landscaping;*
- *trellis;*
- *complementary materials;*
- *detailing;*
- *accent*

(**EDG**) Continue with the modulation and verticality. Keep flushing out the idea of a human scale as it relates to the streetscape.

(**1st REC**) Look into breaking down the massing of the Aurora Façade. The building's scale and human scale are there, but it is missing an intermediate scale that will help to bring the building together. Refer to the massing, scale, and shape of the North and South façades as they are well-proportioned.

Possible ways to break down the scale are by varying materials, color, and setbacks. Varying the articulation of the upper levels at the mezzanine levels could accomplish this.

(**Arch's DR)** Additional setbacks have been added and the vertical pattern has been altered to scale down the building.

The upper mezzanine levels have been set apart from the rest of the building by the use of materials. The color and texture of the siding has been varied, and additional fenestration has been added to lighten the top.

Explore removing the roof overhang at the Mezzanine windows to lighten the top of the building. This will be enough to allow the DRB to recommend the project for approval.

C. Architectural Elements and Materials
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. Buildings should exhibit form and features identifying the functions within the building. In general, the roof line or top of the structure should be clearly distinguished from its façade walls.

SLU-specific supplemental guidance*: Design the "fifth elevation" – the roofscape- in addition to the streetscape. As this area topographically is a valley, the roofs may be viewed from locations outside the neighborhood such as the freeway or the Space Needle. Therefore, views from outside the area as well as from within the neighborhood should be considered, and roof-top elements should be organized to minimize view impacts from the freeway and elevated areas.*

(**EDG**) Look at the detail of the connection between the wood and the concrete and make sure it will fit properly.

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.

(**EDG**) Be prepared to show how the façades might be treated (colors, materials). Be aware of why it may it may or may not be monochromatic. Bring examples of the development of the scheme to show what doesn't work and why/how this format was chosen.

D-2 Blank Walls

Buildings 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.

(**EDG**) Show how the South Façade is going to be treated as well as how the concrete when it connects to the ground.

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 front 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.

(**EDG**) Explain how the dumpster area is going to work.

(**Arch's DR)** The dumpster/recycle area is located within a fully screened ground floor level of the structure on the western central portion adjacent to an existing alley.

D-7 Personal Safety and Security

Project design should consider opportunities for enhancing personal safety and security in the environment under review.

(**EDG**) Adding gates, grilled fences or another type of "implied security measure" will deter people from loitering at the live/work steps.

(**Arch's DR**) The entrances to the live/work units along Aurora Ave N have been modified to provide better security for tenants. Security gate have been added to the Aurora live/work units. The amount of the building setback from the alley has been increased to provide a greater landscape buffer.

E. LANDSCAPING

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.

(**EDG**) Landscaping is going to be very important. Pay attention to details here. The South Façade terminates an axis and should have special attention paid to it.

BOARD RECOMMENDATION[3]

After considering the proposed design and the projects context, hearing public comment, and reconsidering the previously stated design priorities, the Design Review Board members agreed that the design has successfully addressed the design guidance provided in their previous meetings. The Design Review Board **recommends approval** of the design as shown in the updated Master Use Permit Plans. *(Based on Guidelines — noted above.)* The identification of these particular guidelines does not imply that other, nonprioritized guidelines may not be called upon in the ultimate decision-making regarding this proposal.

[3] Attending Board members—Maria Barrientos, Patrick Doherty, Andrew Hastings, Matt Roewe, and Bill Vanderventer. J Christopher Kirk—absent.

DECISION – DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the Design Board members present at the final Design Review recommendation meeting and finds that the Board acted within its authority and the Board's recommendations are consistent with the ***City of Seattle Design Review: Guidelines for Multifamily & Commercial Buildings*** *(November 1998)* and the ***South Lake Union Design Guidelines*** *(May 26, 2005).*

Therefore, the proposed design is **APPROVED** as presented at the November 1, 2006 Design Review Board meeting. This approval is final unless subsequent comment and reconsideration of the Decision causes the Director to take further action, which would be published pursuant to the City's requirements.

CONDITIONS – DESIGN REVIEW are noted at the end of this decision.

ANALYSIS – SEPA

This analysis relies on the *Environmental Checklist* submitted by the applicant on August 1, 2006 which discloses the potential impacts from this project. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Seattle SEPA ordinance provides substantive authority to require mitigation of adverse impacts resulting from a project (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific adverse environmental impacts identified in an environmental document and may be imposed only to the extent that an impact is attributable to the proposal. Additionally, mitigation may be required only when based on policies, plans, and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675, inclusive, (SEPA Overview Policy, SEPA Cumulative Impacts Policy, and SEPA Specific Environmental Policies). In some instances, local, state, or federal requirements will provide sufficient mitigation of a significant impact and the decision maker is required to consider the applicable requirement(s) and their effect on the impacts of the proposal.

The SEPA Overview Policy (SMC 25.05.665) 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 specific circumstances (SMC 25.05.665 D 1-7) mitigation can be required.

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). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate.

Short-Term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition and 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. Puget Sound Clean Air Agency (PSCAA) 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.

Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, noise, and construction traffic warrant further discussion.

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 or other hazardous substances during demolition, if any are found. Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency ("PSCAA") prior to demolition. Thus, as a condition of approval prior to demolition, the proponent will be required to submit a copy of the required notice to PSCAA. If asbestos is found on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

The applicant will take the following precautions to reduce or control emissions or other air impacts during construction:

> *During demolition, excavation and construction, debris and exposed areas will be sprinkled as necessary to control dust; and truck loads and routes will be monitored to minimize dust-related impacts.*
> *Using well-maintained equipment and avoiding prolonged periods of vehicle idling will reduce emissions from construction equipment and construction-related trucks.*
> *Using electrically operated small tools in place of gas powered small tools wherever feasible.*
> *Trucking building materials to and from the project site will be scheduled and coordinated to minimize congestion during peak travel times associated with adjacent roadways.*

Noise

The project is expected to generate loud noise during demolition, grading and construction. Compliance with the Noise Ordinance (SMC 25.08) is required and will limit the use of loud equipment registering 60 dBA (not including construction equipment exceptions in SMC 25.08.425) or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays. This condition may be

modified by DPD to allow work of an emergency nature or allow low noise interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD. Construction noise is within the parameters of SMC 25.05.675.L, which states that the Noise Ordinance provides sufficient mitigation for most noise impacts.

Traffic and Circulation

Site preparation would involve removal of the existing asphalt pavement and excavation for the foundation of the proposed building and below grade parking garage. Approximately 28,000 cubic yards of material would be excavated and removed from the site. Existing City code, Regulating the Kind and Classes of Traffic on Certain Streets (SMC 11.62) designates major truck streets which must be used for hauling and otherwise regulates truck traffic in the city. The proposal site has fairly direct access to both Highway 99 and Interstate 5 and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC 11.62.

Traffic control would be regulated through the City's street use permit system, and a requirement for the contractor to meet all City regulations pertaining to the same. Temporary sidewalk or lane closures may be required during construction. Any temporary closures of sidewalks would require the diversion of pedestrians to other sidewalks. The timing and duration of these closures would be coordinated with SDOT to ensure minimal disruptions.

Compliance with Seattle's Street Use Ordinance administered by Seattle Department of Transportation (SDOT) is expected to mitigate any adverse impacts to traffic which would be generated during construction of this proposal and no further conditioning is necessary.

Long-Term Impacts – Use-Related Impacts

Historic

There are no known or listed historical resources or any officially-designated historical resources on the project site. Four historic landmarks are within five blocks of the project site: the Pacific-Ford McKay Building (three blocks north of the project), the Van Vorst Building (three blocks east of the project), the Troy Laundry Building (four blocks east of the project) and the West Earth Co. Street Clock (one block west). The project is not expected to have any impact on any of these designated historic landmarks.

Land Use

The proposed project is consistent with the *City of Seattle Comprehensive Plan*, the *South Lake Union Neighborhood Plan* and the Seattle Land Use Code.

Housing

The proposed project creates new and much-needed housing. The project is in accordance with the housing goals of the *Comprehensive Plan* for the area. Therefore, there is no adverse impact to housing.

Traffic and Transportation/Transportation Concurrency

Based on the applicant's traffic analysis and DPD's review, the project is expected to have a sufficient impact on the intersections of Aurora/Denny that mitigation is necessary to reduce project traffic. To this end, a transportation information center will be established in a common area of the building (such as the lobby). The information center will, at a minimum, provide current transit schedules and ridesharing information to building residents, and should be located in an area that is visible and easily accessible to residents. Provision of this information center will provide adequate mitigation of the projected transportation impacts; no further conditioning pursuant to SMC 25.05.675 R is required.

Parking

The proposed development will provide approximately 167 vehicle spaces to be provided in 3½ levels of below grade parking within the structure. The project will eliminate approximately 80 surface spaces, resulting in a net on-site parking increase of 87 spaces. Based on the Seattle Land Use Code, the proposed development is providing their required parking pursuant to SMC 23.54. Thus, there is sufficient on-site parking supply to meet this proposals demand; adverse impacts would be minimal and no further conditioning is necessary.

DECISION – STATE ENVIRONMENTAL POLICY ACT (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. 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 of 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(2)(c).

The proposed action is **APPROVED WITH CONDITIONS** as noted below.

CONDITIONS – SEPA

Prior to Building Permit Issuance

1. The applicant shall submit for review and approval a Construction Impact Management Plan to the Department of Planning and Development for concurrent review and approval with Seattle's Department of Transportation. The plan shall identify management of construction activities including construction hours, parking, traffic and issues concerning street and sidewalk closures.

During Construction (including Excavation and Demolition)

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.

2. The applicant will be required to limit the hours of construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m. (Work would not be permitted on the following holidays: New Year's, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and the day after, and Christmas.

3. Comply with the limitations contained in the approved construction-phase transportation plan.

4. Debris and exposed areas shall be sprinkled as necessary to control dust; and truck loads and routes shall be monitored to minimize dust-related impacts.

5. Use well-maintained equipment to reduce emissions from construction equipment and construction-related trucks and avoid prolonged periods of vehicle idling.

6. Use electrically operated small tools in place of gas powered small tools wherever feasible.

7. Trucking building materials to and from the project site shall be scheduled and coordinated to minimize congestion during peak travel times associated with adjacent roadways.

Prior to Building Permit Final

8. Dependent on SDOT's/METRO's future Review: install a Bus Stop on Aurora Ave N adjacent to the project site to prevent the loss of the existing stop.

For the Life of the Project.

9. A transportation information center will be established in a common area of the building (such as the lobby). The information center will, at a minimum, provide current transit schedules and ridesharing information to building residents, and should be located in an area that is visible and easily accessible to residents.

NON-APPEALABLE CONDITIONS – DESIGN REVIEW

10. The proponent must retain the landscaping, fenestration, architectural features and elements, and arrangement of finish materials and colors presented to the Design Review Board. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials and landscaping) shall be verified by Colin R. Vasquez, Senior Land Use Planner, 206-684-5639, or by Vincent T. Lyons, Design Review Manager, 206-233-3823 at a Pre-construction meeting.

11. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by Colin R. Vasquez, Senior Land Use Planner, 206-684-5639, or by Vincent T. Lyons, Design Review Manager, 206-233-3823. Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

12. An appointment with the assigned Land Use Planner must be made at least three working days in advance of the meeting. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved. Embed updated colored elevation drawing in MUP plans and all subsequent Building Permit Plans.

13. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings. Call out on the appropriate plan sheets where and what departures have been granted.

14. Construct buildings with siting, materials, and architectural details substantially the same as those presented at the Design Review Board meetings.

Signature: (signature on file) Date: March 15, 2007

Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development

CRV:ga