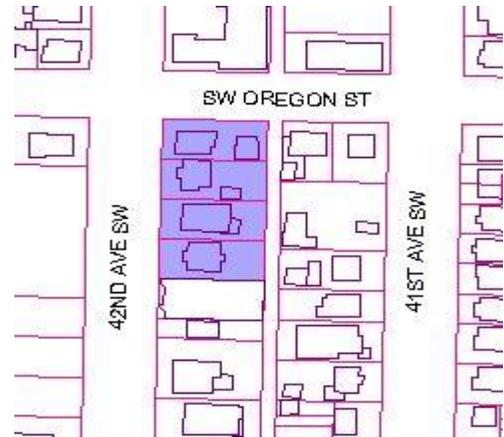




The project site is approximately 23,000 square feet in area with approximately 200 feet of frontage on 42<sup>nd</sup> Avenue SW and the alley, and approximately 115 feet of frontage on SW Oregon Street. The site slopes downward approximately 10 feet from 42<sup>nd</sup> Avenue SW to the alley along the SW Oregon Street frontage and approximately 6 feet along the south property boundary. The site currently has four single-family structures. The northern two lots currently have vehicle access from 42<sup>nd</sup> Avenue SW while the southern two lots have vehicle access from the alley. The zoning designation is Neighborhood Commercial 3 with a sixty-five foot height limit (NC 3-65).



The site's surrounding development and zoning are as follows: to the west and south is NC 3-65 transitioning to NC3-85 along SW Alaska St and California Ave SW and contains a mix of development. Directly to the south is a 3-4 story medical / dental building, then followed by two sites that are under review (DPD MUP # 3004482) or have been permitted for new development (DPD MUP #'s 3007035 and 3007129), as mixed use developments. The permitted development will front on SW Alaska Street and extend between 41<sup>st</sup> and 42<sup>nd</sup> Streets SW. Behind the SW Alaskan Way development, the alley behind the project site has been diverted to open onto 42<sup>nd</sup> Avenue SW. To the south of SW Alaska Street the zoning reverts to NC 3-65 and contains a mix of commercial, office, and residential structures, including Jefferson Square. Across 42<sup>nd</sup> Avenue SW is a single family structure, a large surface parking lot for the Alaska Junction businesses, and a 1979 residential tower, The Alaska House. Further to the west is the West Seattle Junction business district along California Avenue SW. Across SW Oregon Street to the north the zoning is NC 2 with a 40 foot height limit (NC 2-40) and includes California Avenue commercial uses, residential structures, and the buildings of the Hope Lutheran Church. To the east of the site the zoning is Lowrise 3 (L-3) and contains a mix of older single-family structures along with newer townhouse developments.

### Public Comment

The two week Master Use Permit public comment period began February 21, 2008. No comments were received during that time. Public comment was also received at the Early Design Guidance meeting (held October 11, 2007) and Recommendation meeting (held January 8, 2009). Public comments received at both Design Guidance meetings are documented in the respective meeting reports and available in the MUP project file at DPD.

A post-Recommendation meeting letter was received with the following comments:

- The building design presented at the Recommendation meeting is exceptional and outmatches what has been built in West Seattle.
- A vehicle pull-out / commercial loading zone should be included on the 42<sup>nd</sup> Avenue frontage along with a 2 hour parking restriction.
- Adequate street lights should be installed along 42<sup>nd</sup> Avenue.
- The site distance uphill and to the west along SW Oregon Street when exiting the alley is inadequate and could result in vehicle to vehicle conflicts when exiting the alley.

## **ANALYSIS - DESIGN REVIEW**

At the January 8, 2009 *Recommendation* meeting the Design Review Board reviewed the design submitted in response to the EDG and further developed in conjunction with the project planner and discussed the four requested *Design Departures* (post meeting review determined only one Design Departure is required). Following clarifying questions and deliberation the Board provided the following additional guidance and recommendations. The Board's comments and recommendations follow EDG Guidance in *Italics*.

### **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.**

*The elevation drop is approximately 10 feet between 42<sup>nd</sup> Avenue SW and the alley and 23 feet between 42<sup>nd</sup> Avenue SW and 41<sup>st</sup> Avenue SW. This occurs across two zones (NC 3-65 and L-3) with sharply contrasting height and lot coverage limits. Because the subject lot is a corner lot the elevation drop between the street and alley is evident along the SW Oregon Street frontage. The project proposes to be oriented to take advantage of mountain and territorial views toward the east. The intersection of 42<sup>nd</sup> Avenue SW and SW Oregon Street has high traffic volumes, and with the future build-out of the surrounding parcels, will be a visually prominent intersection.*

*The building and site design should respond to these conditions by acknowledging its corner location at an intersection, minimize the apparent height of the structure along the SW Oregon Street frontage, and transition over the depth of the lot from the evolving urban street front of 42<sup>nd</sup> Avenue SW to the smaller scale residential character at the alley. Capture of the natural view opportunities should be tempered by the building design's respect for adjacent sites and height, bulk, and scale concerns (See A-5 and B-1 below).*

Recommendation Meeting. The Board determined that the presented design fully responds to this guidance.

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

*The site's street frontage currently has a single-family neighborhood character. Directly across 42<sup>nd</sup> Avenue SW there is a single remaining single-family structure on the corner with the remaining parcels used as a surface parking lot for area merchants. This project should take advantage of this opportunity to help establish a neighborhood commercial and active street front.*

Recommendation Meeting. The Board determined that the presented design significantly responds to this guidance. However, they discussed the likelihood of the proposed eight-foot deep landscaped areas directly in front of the 42<sup>nd</sup> Avenue commercial windows obstructing "window shopping" for retail uses, precluding the option of a sidewalk café, outside display of retail goods, and the general lingering that occurs along commercial store fronts. The Board

strongly suggested alternatives be explored but did not want to dictate any particular change. Suggestions for alternatives were the complete removal of these landscaped areas and replacement with pavers that will allow future, and smaller, areas of landscaping if wanted by commercial tenants, or the reduction in quantity of landscaping placed in movable planters away from windows to allow pedestrian passage.

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

*The assumed building size and scale for an NC zone and its uphill location relative to the adjacent L3 zone and its smaller scale buildings could result in unnecessary visual intrusion into the smaller scale units and their open space areas. The proposed building design should minimize these intrusions by thoughtful location of windows and decks. Stepping of the building mass would allow unit windows and doors to be recessed and thereby break the direct line of sight between units and the adjacent properties.*

*The project may include live-work units along the alley. The Board felt that this could create a better scale transition across the alley.*

Recommendation Meeting. The Board determined that the presented design substantially responds to this guidance. However, the section of blank concrete wall at alley grade between the garage entry and the alley abutting live-work units should be softened by either “green screen” treatments or substantial wall detailing / articulation and **Recommends** this as a project **Condition**.

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

*Vehicle access is required by the Land Use Code to be from the alley to minimize impacts on the pedestrian environment. The project proposes this. Public comments raised the possibility of unsafe vehicle exiting and entering between the alley and SW Oregon Street. Public concern was also expressed about negative vehicle impacts of light, noise, and number on the adjacent smaller scale residential buildings.*

*The Board observed that alley access is preferable to assure a pedestrian friendly street environment. Impacts on the adjacent residential area can be avoided by proper location of the garage entry / exit relative to the window and open space locations of adjacent buildings. However, the Board directed the applicant to determine if there are inherent and uncorrectable safety problems with the project’s anticipated volume of vehicles entering and exiting the alley at SW Oregon Street. This would involve discussions with SDOT (the Seattle Department of Transportation) about traffic pattern changes, including conversion of the alley to one-way only, if necessary. A Design Departure from the alley access requirement would only be entertained if it was determined that full alley access was not safely feasible.*

Recommendation Meeting. The project land use planner briefed the Board that preliminary analysis by DPD's transportation planner of the applicant's recently submitted Transportation Impact Study did not indicate any findings to prohibit alley access. (However, DPD has not completed the analysis of whether changes in traffic patterns through the alley should be made.) Based on this information and the presented design, the Board supports the garage access location on the alley and noted that its proposed location minimizes impacts on the adjacent Lowrise zone and northbound alley traffic.

## **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 near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

**(From the West Seattle Junction Urban Village Design Guidelines) Current zoning in the Junction has created abrupt edges in some areas between intensive, mixed-use development potential and less-intensive, multifamily development potential. In addition, the Code-complying building envelope of NC-65 (and higher) zoning designations permitted within the Commercial Core would result in development that exceeds the scale of existing commercial / mixed-use development. More refined transitions in height, bulk and scale – in terms of relationship to surrounding context and within the proposed structure itself – must be considered.**

*A context sensitive design will respond to the above guidelines and associated guidance throughout this report (A1 and A5 above).*

*The Board discussed the merits of a courtyard for maximizing light penetration and providing a residential amenity area. However because of the importance of stepping and carving the building's east side to appropriately transition to the L3 zone, the total area of the courtyard may best be provided by "dispersing" it throughout multiple floor levels to achieve the needed height and bulk transition.*

*The neighboring 4-story medical and dental building is located at its mutual property line with this project and has no window openings. However, the preliminary building design proposes to set-back the south side of the building from this property line and to include windows. The Board noted that locating the proposed building close to or at the property line and without windows on levels 1 through 4 would allow more flexibility to step the building mass on the north and east sides and also avoid south facing windows that face a blank wall.*

Recommendation Meeting. The Board determined that the presented design fully responds to this guidance.

## **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 context.**

*The potential large size of the proposed development relative to its largely underdeveloped surroundings and the topographic difference between the site and the Lowrise zone to the east will create a highly visible building. This requires the project design to have a coherent and responsive architectural concept. The applicant should look for positive architectural cues in the surrounding built environment for guidance (example: determine if there are imitable qualities in surrounding buildings, such as the church buildings to the north).*

Recommendation Meeting. The Board determined that the presented design fully responds to this guidance.

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

*This guidance also applies to the alley façade of the proposed project. The proximity of a variety of smaller scale residential structures with their living spaces and some ground level open spaces make this façade more “street-like” than an alley bordered on both sides by an NC zone.*

*The design of the alley façade should respond to this context. The garage entry should be placed so it is functional but does not dominate the façade. The architect’s suggestion of possible live-work units along the alley could serve to lessen the garage entry size and appearance and is encouraged.*

Recommendation Meeting. The Board determined that the presented design fully responds to this guidance.

## **D. Pedestrian Environment**

**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.**

*This guidance should be applied to the SW Oregon Street façade and where this façade wraps into the alley. These walls will be particularly visible from the right of way because of the grade change and propensity to have this wall at the lower levels to be a solid garage / foundation wall.*

*(Planner Note: In NC Zones street-level parking must be separated from the street-level, street-facing facade by another permitted use [SMC 23.47A.005.C]. I.E. a street-level, street-facing foundation wall by itself cannot separate parking from the street front; there must be an intervening permitted use. This Code provision is eligible for a Design Departure and could be granted if the applicant demonstrates how the departure results in an overall design that better meets this and other guidelines.)*

*The alley façade at grade should be treated better than a utilitarian alley façade because of the adjacent residential zone.*

Recommendation Meeting. The Board determined that the presented design responds to this guidance as pertains to streets. However, see A-5 for comments on alley blank walls.

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

*This guideline applies to the alley façade per the above guidance. It will also apply to any proposed 42<sup>nd</sup> Avenue SW parking entry, if that option proves to be preferable.*

Recommendation Meeting. Recommendation Meeting. The Board determined that the presented design responds to this guidance as pertains to streets. However, see A-5 for comments on alley blank walls.

**D-11 Commercial Transparency. Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.**

*As one of the first large neighborhood commercial mixed-use developments on this nascent “off-California Avenue” commercial area, this project should seize the opportunity to create a pedestrian and neighborhood supportive commercial frontage by providing extensive commercial transparency.*

Recommendation Meeting. The Board agrees with the applicants that providing 60% transparency along the Oregon Avenue façade is difficult due to the grade change, and if done, would not achieve the intent of this guideline. They noted that within this context, the proposed combined lower level (alley level) and upper level (42<sup>nd</sup> Avenue level) transparency creates an almost seamless continuation of commercial transparency along Oregon Street. Also, the proposed transparency along the alley for the ground level Oregon Street facing commercial area is a very positive response to the overall EDG guidance on alley treatment and transparency of all commercial areas. Based on this the Board determined that the presented design fully responds to this guidance.

## **E. Landscaping**

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

*The project design should consider including a combination of some of the above landscape features (and others) to address the harsh pedestrian environment caused by vehicle noise and the relatively narrow pedestrian zone (planting strip, sidewalk, and remaining area between the sidewalk and building).*

*Landscaping can also be used to soften and bring visual interest to portions of the building base that are not occupied by an allowed use (see SMC 23.47A.005.C, which requires an allowed use between interior parking and any street level street facing façade).*

Recommendation Meeting. The Board determined that the presented design strongly responds to this guidance with the exception of the comments on excessive landscaping in front of the commercial store-fronts along 42<sup>nd</sup> Avenue (see A-4 above) and the need for additional landscape screening of a portion of the alley wall (see A-5 above).

**BOARD RECOMMENDATION**

The Board found that the project design successfully responds to the design guidance given, with the *Condition* and the “encouraged” 42<sup>nd</sup> Avenue landscape changes outlined in this document. The Board unanimously **Recommended Approval** of the *Design Departure* request.

**DEPARTURES FROM CODE STANDARDS**

<b>Land Use Code Standard</b>	<b>Proposed</b>	<b>Rationale for Request</b>	<b>Board Recommendation</b>
<b>Nonresidential Street Level Transparency.</b> Sixty percent of street level façade between 2 and 8 feet to be transparent (SMC 23.47A.008.B.2).	Provide 53% transparency along Oregon Street façade (a reduction of 7 %).	The sloping grade along Oregon Street precludes providing this transparency. (A-1, D-11, E-2)	The Board recommended approval of this request based on the project’s overall improved design presented at the Recommendation meeting, which includes the 71% transparency provided on 42 <sup>nd</sup> Avenue.

**DIRECTOR’S ANALYSIS AND DECISION – DESIGN REVIEW**

The Director of DPD has reviewed the *Unanimous Recommendation* of the five Design Board members present at the 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 Multi-Family and Commercial Buildings* and *West Seattle Junction Urban Village Design Guidelines*.

The project planner received the applicant’s design responses to the Board’s Recommendation Meeting further recommendations and Condition. These are:

- The removal of the deep landscape areas in front of the 42<sup>nd</sup> Avenue commercial store fronts, and
- The addition of a “green screen” vine wall element to the blank concrete wall at alley grade. This included the recessing of this wall to allow room for the required planting bed.

The project planner reviewed the above submitted design changes and found that they respond to the Board's Recommendation meeting conditions. Based on this determination the Director **APPROVES** the proposed design and related departure (subject to the **Conditions** found at the end of this decision).

### **ANALYSIS - SEPA**

The initial disclosure of the potential impacts of this project was made in the environmental checklist submitted by the applicant dated January 29, 2008, updated November 6, 2008 to reflect project changes associated with a new design team, and annotated by the Department. The information in the checklist, supporting documents, project plans, and the experience of the lead agency with review of similar projects forms the basis for this analysis and decision.

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

#### **Short-term Construction Impacts**

Demolition and construction activities could result in the following temporary or construction-related adverse impacts:

- Erosion from excavation and storm water impacts from ground clearing,
- Increased noise levels,
- Decreased air quality due to suspended particulates (dust) from excavation and construction, hydrocarbon emissions and greenhouse gas emissions from construction vehicles, equipment, and the manufacture of the construction materials,
- Construction traffic impacts.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts: The Stormwater Grading and Drainage Control Code, the Noise Ordinance, the Street Use Ordinance, and the air pollution standards of the Puget Sound Clean Air Agency (PSCAA). The Stormwater, Grading and Drainage Control Code regulates site excavation, requires that soil erosion control techniques be initiated for the duration of construction, and regulates the capture and treatment of on-site ground and storm water. The Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. The Street Use Ordinance regulates use of the right of way for temporary construction purposes and regulates obstruction of the pedestrian right-of-way. The Puget Sound Clean Air Agency regulations require control of fugitive dust and construction machinery emissions in order to protect air quality. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. Therefore no conditioning for these short term impacts is required. However, some impacts may not be entirely mitigated by existing codes and ordinances, such as the greenhouse gas affects on air quality and construction traffic impacts, and therefore warrants further analysis.

### Noise

The project is estimated to take approximately 18 months from the start of demolition / excavation activities through the issuance of a Certificate of Occupancy. Residential, office, and commercial uses in the vicinity of the proposal will experience increased noise impacts during the different phases of construction, such as but not limited to demolition, shoring, and excavation. Compliance with the Noise Ordinance (SMC 22.08) is required and limits the use of loud equipment registering 60 dBA 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.

Although compliance with the Noise Ordinance is required, due to the lengthy construction schedule and the nearby residential uses, primarily across the alley to the east, additional measures to mitigate the anticipated noise impacts are necessary. The SEPA Policies at SMC 25.05.675.B and 25.05.665 allow the Director to require additional mitigating measures to further address adverse noise impacts during construction. Pursuant to these policies, it is the Department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance are necessary. However, it is also recognized that some construction-related activities (e.g., surveying and layout, stocking the building, testing and tensioning of post-tension cables, etc.) will generate little or no noise, and could substantially shorten the construction schedule, hence can be allowed under limited conditions. Consequently, as a ***Condition of Approval*** in addition to the Noise Ordinance requirements, construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) and shall be limited to non-holiday weekdays from 7AM to 6 PM. Interior work that involves noise generating mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed and the mechanical equipment is enclosed within the structure or within a noise attenuating structure. Low noise generating activities, such as site security, monitoring, weather protection shall not be limited by this condition.

### Air Quality

On-site construction activities themselves will generate minimal direct impacts. However the indirect impact of construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions that adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project. No potential short term adverse impact to air is anticipated and therefore air quality mitigation is not necessary.

### Traffic and Circulation

Site preparation will involve removal of the four existing structures, pavement, and excavation for the foundation of the proposed building and below grade parking garage. Approximately 18,400 cubic yards of material will 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 that must be used for hauling and otherwise regulates truck traffic in the city. The proposal site has relatively direct access to Interstate 5 and State Route 99 through City surface streets and the Spokane Street viaduct/ West Seattle Bridge leading to them. However, traffic impacts resulting from the truck traffic associated with grading will be of short duration and be mitigated by enforcement of SMC 11.62.

Traffic control would be regulated through the City's street use permit system, and requiring 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 to pedestrians.

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

### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased carbon dioxide and other greenhouse gas emissions primarily from increased vehicle trips; increased demand for public services and utilities; increased height, bulk, and scale on the site; and increased area traffic. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use, parking requirements, shielding of light and glare reduction, and contains other development and use regulations to assure compatible development. However, some impacts may not be entirely mitigated by existing codes and ordinances, such as the greenhouse gas affects on air quality and traffic impacts, and therefore warrants further analysis.

### Air Quality

The number of residential and commercial tenant vehicular trips, customer and visitor vehicular trips associated with the project is expected to increase from the amount currently generated by the site's four single-family structures (see *Traffic and Transportation* below) and the projects' overall electrical energy and natural gas consumption is expected to increase. Together these changes will result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

### Height, Bulk, and Scale

The City's SEPA Height, Bulk and Scale Policy states that *"(a) project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated."* The discussion above in the Design Review portion of this decision regarding the Director's Design Review decision indicates that there are no significant heights, bulk and scale impacts with the approved design as contemplated within this SEPA policy. Since the Design Review Board recommended approval of this project with conditions, and the Director agrees, no mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

Transportation

A *Traffic Impact Analysis*, dated December 5, 2008 and updated March 9, 2009, by Gibson Traffic Consultants was submitted for review by the project planner and DPD's transportation planner. The report evaluated existing traffic conditions in the study area, estimated the amount of new traffic to be generated by the project, evaluated the impact of these new trips on the level-of-service of the 42<sup>nd</sup> Avenue Southwest and Southwest Oregon Street and alley and SW Oregon Street intersections, conducted site distance analysis of these two intersections, performed an accident analysis of SW Oregon Street between 42<sup>nd</sup> and 41<sup>st</sup> Avenues SW, and conducted a screen-line traffic concurrency analysis. A copy of the report is in the project file at DPD.

The report was reviewed by DPD's transportation planner, in consultation with the Seattle Department of Transportation (SDOT) traffic operations engineer. Both concur with the updated report's findings. The Level of Service (LOS) of both intersections will maintain their current LOS of "A" and "B", respectively, following the addition of the development's anticipated vehicle trips.

Clear sight distance is considered adequate for all directions of travel, except exiting the alley westbound onto SW Oregon Street because of this street's vertical grade between 42<sup>nd</sup> Avenue South and the alley. To mitigate the potential for collisions from alley exiting and left turning vehicles onto SW Oregon Street, DPD *Conditions* project approval on the installation of a "Right Turn Only" sign at the alley's north end to prevent traffic from turning left (to the west) onto SW Oregon Street. The sign location and other details must be reviewed and approved by SDOT since the alley is public right of way (ROW). SDOT also noted that the current "No Parking" restriction on the south side of SW Oregon Street between 42<sup>nd</sup> Avenue SW and the alley remain in place to prevent any reduction in the existing line of sight.

The DPD transportation planner found the report's accident data accurate, which concluded that the accident rate at the two intersections and along SW Oregon Street (the 3-year accident data indicates a total of 2 accidents) is below the state average rate for similar roadways. This rate in conjunction with the anticipated project traffic does not warrant specific project conditioning. Finally, the screen-line analysis found the anticipated project traffic will not significantly change the vehicle / capacity ratio (satisfactory LOS's will be maintained).

**DECISION - STATE ENVIRONMENTAL POLICY ACT**

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

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030.2C.
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21.030 2C.

## **DESIGN REVIEW STANDARD REQUIREMENTS AND CONDITIONS**

### **STANDARD REQUIREMENTS**

#### *For the Life of the Project*

1. Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval by the Land Use Planner (Art Pederson, 733-9074).
2. The building constructed shall comply with all images and text on the final MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, and landscaping). This shall be verified by the DPD planner assigned to this project (Art Pederson, 733-9074), or by the Design Review Manager, before the issuance of the Certificate of Occupancy. An appointment with the assigned Land Use Planner must be made at least three 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.

#### *Prior to Issuance of the Master Use Permit*

3. Update the MUP plan sets as necessary to reflect the Design Review Board's **Condition** and any zoning required updates.
4. Embed all conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.
5. Call out all departures on relevant updated MUP plan sheets and building permit plan sheets.

#### *Prior to Issuance of the Building Permit*

6. The design shown in the building permit plans shall conform to all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials and landscaping), subject to any DPD approved post MUP design revisions.

#### *Prior to Issuance of the Certificate of Occupancy*

7. On-site verification of conformance with the approved building and site design as shown in the building permit plans and conforming to the approved MUP design, or subsequently revised and approved by the DPD planner assigned to this project (Art Pederson, 733-9074), or by the Design Review Manager, shall occur before issuance of the *Certificate of Occupancy*. An appointment with the assigned Land Use Planner must be made at least three 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.

