



**City of Seattle**  
Edward B. Murray, Mayor

**Department of Planning and Development**  
D. M. Sugimura, Director

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

**Application Number:** 3011405  
**Applicant Name:** John Adams, Stuart Silk Architects  
**Address of Proposal:** 324 NE 45<sup>th</sup> St

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a four-story structure containing one residential unit, 4,860 sq. ft. of office and 13,312 sq. ft. of retail. Parking for six vehicles to be provided within the structure. Project includes 1,800 cu. yds. of grading.

The following Master Use Permit components are required:

- Design Review** (SMC Chapter 23.41) with Development Standard Departures:
1. Street-Level Development Standards (SMC 23.47A.008 B.3.)
  2. Street-Level Development Standards (SMC 23.47A.008 B.3.b.)
  3. Parking Standards (SMC 23.54.030 B.2.a.).

**SEPA — Environmental Determination** (Chapter 25.05 SMC)

**DPD SEPA DETERMINATION:**

Determination of Non-significance

- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts.

Site Zone: Neighborhood Commercial 3P-40 (NC2P-40), Wallingford Residential Urban Village.

Nearby Zones: North — LR1 RC, South — NC3P-40, East — NC3P-40, and West — NC3P-40.

Lot Area: 5,555 square feet.

Project Description: The applicant proposes a four-story plus basement mixed use building. The basement and first two floors are intended to be the new location for Bedrooms & More, a household furniture store. The third floor will be designated as a separate office use. The fourth



floor is intended to be a single residential unit. The commercial square footage will total approximately 16,000 square feet and the residence will occupy approximately 3,500 square feet. On-site parking will provide 5-6 stalls.

Current Development: Vacant.

Access: Streets border the site on two sides. NE 45th St to the south is classified as a Principal Arterial. 4th Ave NE bounds the property to the east. A paved alley connection between 4th Ave NE and Latona Ave NE limits the site to the north.

Surrounding Development: See Neighborhood Context and Character below.

Environmentally Critical Area's: Limited Steep Slopes on north and east edges of property.

Neighborhood Context and Character: NE 45th St is very diverse in terms of uses ranging from sidewalk cafes, supermarket stores, restaurants, bars, cinemas, eclectic shops as well as multi-family and single-family residential uses. The majority of this use diversification is concentrated along the main arterials in the neighborhood, NE 45th St and Stone Way, as well as the areas in proximity to the water to the south.

The architecture of the single residential uses remains relatively consistent through the years. However the architectural character of the commercial and multi-family uses along the main arterials is highly varied due in part to the different types of businesses. Newer buildings include auto-repair, fast foods and supermarket stores. Some older buildings still carry the neighborhood's original architecture by preserving a few architectural features, details and storefront configuration.

Landmarks in the broader neighborhood include the Good Shepherd Center and Gas Works Park. Additionally the original Dick's Drive-In founded in 1954, the Guild 45th Theatre, and Murphy's Bar are all located along NE 45th St.

The site offers the potential to serve as a gateway to the entire Wallingford neighborhood even though the structures in the immediate vicinity of the site are not of particular architectural value or historic interest.

## **DESIGN REVIEW**

The Design Review materials presented at the Early Design Guidance and Recommendation meetings are available online by entering the project number at website noted below:

[http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp).

or by contacting the Public Resource Center at DPD:

**Address: Public Resource Center**  
700 Fifth Ave., Suite 2000  
Seattle, WA 98124-4019

Email: [PRC@seattle.gov](mailto:PRC@seattle.gov)

## **EARLY DESIGN GUIDANCE MEETING: October 4, 2010**

Three development options were presented: **Alternative 1: Street Level.** Places the retail space to the south and east of the property, covering most of the NE 45<sup>th</sup> St and 4<sup>th</sup> Ave NE sides. All the required parking is located behind the retail area, with access from the alley. Departure required for façade depth and parking quantity mix. The main entrance to the retail space is located at the corner of NE 45<sup>th</sup> St and 4<sup>th</sup> Ave NE. Lobby entrance for the upper floors is located along 4<sup>th</sup> Ave NE. This corner

configured building has its longest side along 4<sup>th</sup> Ave NE. This alternative locates the parking behind the retail space and the main building entrance, and creates an opportunity to bring retail and transparent façades along most of 4<sup>th</sup> Ave NE. The residential unit at the top of the building has one terrace to the north, one terrace to the south, and a terrace and planters on the east side, creating a recess in the massing and lowering the perception of the building's height. The corner massing of the building will be differentiated as an architectural feature and principal entry.

**Alternative 2: Street Level.** Places the retail space to the south and east of the property, covering most of the NE 45<sup>th</sup> St and 4<sup>th</sup> Ave NE sides. All the required parking is located behind the retail area, with access from the alley. Departure required for façade depth and parking quantity mix. The main entrance to the retail space is located at the corner of NE 45<sup>th</sup> St and 4<sup>th</sup> Ave NE. Lobby entrance for the upper floors is located along 4<sup>th</sup> Ave NE. Street level is located at the corner of NE 45<sup>th</sup> St and 4<sup>th</sup> Ave NE. This corner configured building has its longest side along 4<sup>th</sup> Ave NE. This alternative locates the parking behind the retail space and the main building entrance, and creates an opportunity to bring retail and transparent façade along most of 4<sup>th</sup> Ave NE. The residential unit at the top of the building has one terrace to the north and one bigger terrace to the south, creating a recess in the massing and lowering the perception of the building's height. The corner massing of the building will be an architectural feature for the full height of the structure.

**Alternative 3: Street Level.** This alternative meets all the Land Use Code development standards and has no departures. It places the retail space to the south of the property, covering the full width of the NE 45<sup>th</sup> St and portion of 4<sup>th</sup> Ave NE. All the required parking occupies the north end of the 4<sup>th</sup> Ave NE façade and would be screened by a wall. The main entrance to the retail space at street level is located at the corner of NE 45<sup>th</sup> St and 4<sup>th</sup> Ave NE. The lobby entrance for the upper floors is at the southwest corner of the site along NE 45<sup>th</sup> St. This corner configured building has its longest side along 4<sup>th</sup> Ave NE. Saving the tree located just east of the property line by the main building entrance will create a fourteen by thirty foot notch into the building along the full height of the structure, assuming a 15 foot tree buffer. This alternative creates a full height blank wall along the eastern property line in order to hide the parking away. The residential unit at the top the building has one terrace to the south.

The corner massing of the building will be differentiated as an architectural feature and retail entry.

#### Public Comment

The following comments were offered by the public at the Early Design Guidance meeting:

- Would like consideration of widening the tree pits to extend into the roadway to accommodate large trees. Requested consideration is given to north facade of the proposed building as it overlooks the townhouses across the alley. Also asked some consideration be given to the "friendliness" of the 4<sup>th</sup> Ave facade.
- Stated that several car vs. pedestrian accidents have occurred at the intersection of 4<sup>th</sup> Ave NE and NE 45<sup>th</sup> St and wondered what pedestrian safety and crosswalk improvements could be made.

#### **FINAL RECOMMENDATION MEETING: February 24, 2014**

#### **PRIORITIES & BOARD RECOMMENDATIONS**

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members (the Board) provided the following siting and design guidance. The Board identified the following **Citywide Design Guidelines** of **highest priority** for this project.

The guidelines are summarized below. For the full text of all guidelines please visit <http://www.seattle.gov/dpd/aboutus/howeare/designreview/designguidelines/default.htm>

Page references below refer to the respective EDG or Recommendation Design Proposal booklet.

No members of the public attended the Recommendation meeting.

#### **A. Site Planning**

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

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

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

**At the Final Recommendation Meeting, the Board was pleased with the transparency provided at the street level. They also liked how this transparency carried through to the upper levels of the building. The building topology was considered a design that would encourage human activity on the street. The orientation of the street commercial pedestrian entrances and the location of the alley vehicle access create the proper orientation of the corner and public street fronts.**

#### **B. Height, Bulk and Scale**

**B-1 Height, Bulk and Scale** *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.*

At the Early Design Guidance Meeting, the Board suggested acknowledgement of the more residential character to the north would be desirable along the 4th Ave facade. The applicant stated that they desire to hold the corner with the building and responded to that intention positively.

**At the Final Recommendation Meeting, the Board noted that the northern portion of the building makes a transition in fenestration/materials creating a design sensitive to the less-intensive zone to the north. The upper level of the building has been stepped back from the alley and the rooftop space has been designed for passive use. Overall the building creates a well-proportioned and unified building that will complement the scale of anticipated development.**

#### **C. Architectural Elements and Materials**

**C-1 Architectural Context** *New buildings proposed for existing neighborhoods with well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.*

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

**At the Early Design Guidance Meeting**, the Board noted that that page 12 of the EDG package was very effective in demonstrating the intent of the facade design. They noted that the blank façade on the third scheme was not desirable. They are pleased to see the residential entry located along 4<sup>th</sup> Ave. The Board is interested in a reinterpretation of local form but not necessarily a 19<sup>th</sup> century copy.

The Board suggested that retail spaces that have good visual transparency don't need to rely on signage. It was suggested that the applicant look at some of the Wallingford signage. The Board felt it was important we were considering signage at this point of the project.

**At the Final Recommendation Meeting**, the Board indicated the building design response well to the architectural elements and materials guidance given. The design presented on plan pages 1, 11-14, 34-37, 53 and 55, including 'layered canopies' on the south and east facades. They also noted that fenestration and interior floor plans treatments are good illustration of how departures can result in a better design. The architectural context was well defined and was seen a setting a future character for the area. The building design elements, detailing and massing create a well-proportioned and unified building with a clear overall architectural concept.



PERSPECTIVE VIEW FROM THE SOUTHEAST

#### ***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.*
- D-9 Commercial Signage** *Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.*
- D-10 Commercial Lighting** *Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts evening hours.*
- 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.*
- D-12 Residential Entries and Transitions** *For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security.*

**At the Early Design Guidance Meeting**, the applicant explained that historically people came from all over to buy their products but recently there has been an increasing trend of people from the neighborhood walking into the store.

The Board noted that the new site is somewhat further away from the more pedestrian oriented core of the urban village and closer toward the highway. The Board suggested that their concern related to pedestrian access was in part addressed by the desire to maximize transparency at the street level facade and that wrapping the transparent aspects of the building around the corner for the full length of the 4<sup>th</sup> Ave facade was “highly desirable”.

**At the Final Recommendation Meeting, the Board indicated they were satisfied with the design response to pedestrian access, the maximized transparency at the street level and upper façade levels, and the proposed signage.**

**E. Landscaping**

**E-3 Landscape Design to Address Special Site Conditions** *The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.*

**At the Early Design Guidance Meeting, the Board stated that the EDG package was very strong and felt the logic of removing the tree was clearly demonstrated and felt the project was not reasonably achievable with the tree in place.**

**At the Final Recommendation Meeting, the Board indicated that the proposal took advantage of the rights-of-way conditions for landscaping. They suggested working with Seattle’s Department of Transportation on the street tree selected and the tree pit design. If possible they suggested the use of ‘evergreens’ on 4<sup>th</sup> Ave NE. The landscaping strip or tree pits need to be design to protect the materials installed.**

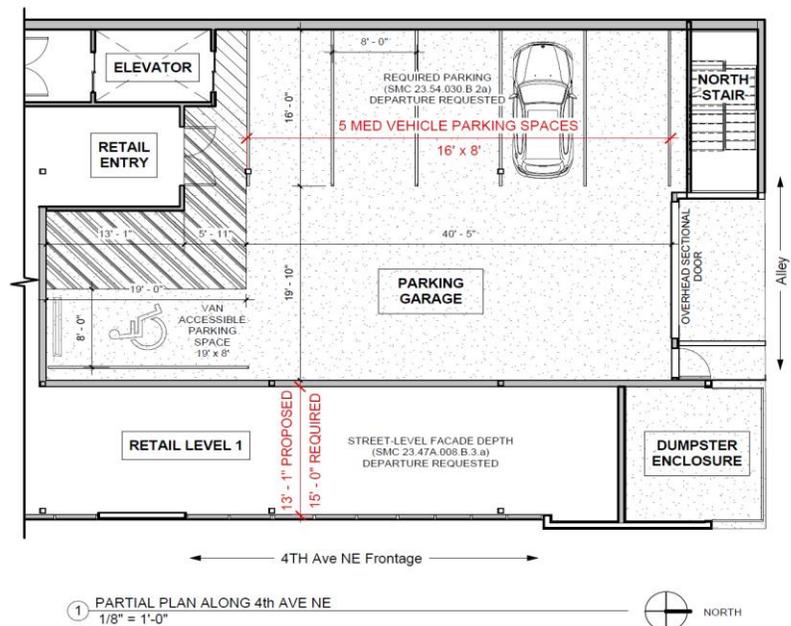
**DEVELOPMENT STANDARD DEPARTURES**

At the time of the **FINAL** Recommendation meeting the following departures were requested:

- 1. **REQUIRED PARKING (SMC 23.54.030 B.2.a.):** When ten or fewer parking spaces are provided, a maximum of 25 percent of the parking spaces may be striped for small vehicles. A minimum of 75 percent shall be striped for large vehicles.

The applicant proposes five parking spaces for medium vehicles and one van accessible space.

Due to the narrowness of the site and the desire to use the retail frontage of the building to screen the parking area, it is not possible to accommodate large stall parking. (*Guidelines A-2, A-4, and A-10*).



2. **STREET-LEVEL DEVELOPMENT STANDARDS (SMC 23.47A.008 B.3.):** The Code requires nonresidential uses shall extend an average depth of at least 30 feet and a minimum depth of 15 feet from the street-level street-facing façade. The applicant proposes 13 feet along 4<sup>th</sup> Ave NE.

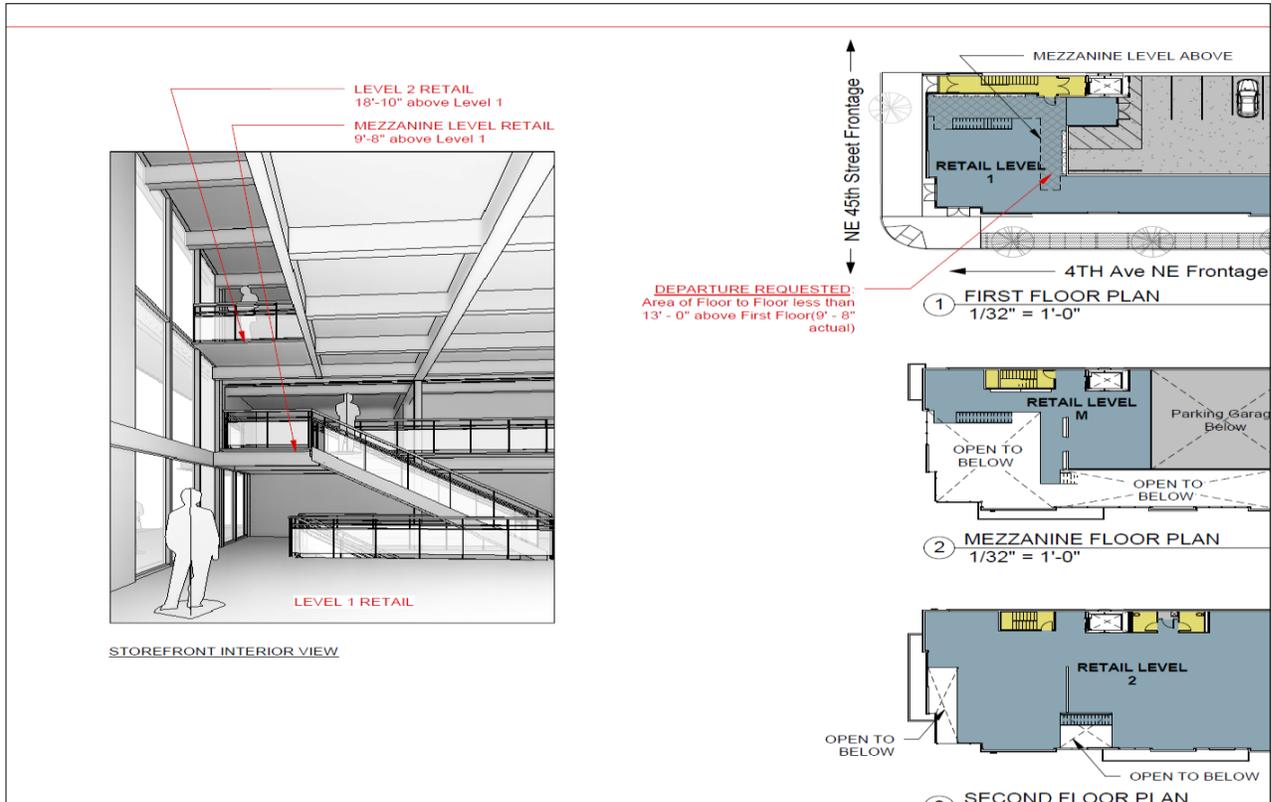
Due to the narrowness of the site and the desire to use the retail frontage of the building to screen the parking area it is not possible to make the façade along 4<sup>th</sup> Ave NE the full 15 foot depth, unless the parking area behind is modified. (*Guidelines A-2, A-4, A-10, C-1, C-2, D-11, and D-12*).

The Board indicated they were favorable towards the departure — see item 1 above and item 3 below.

3. **STREET-LEVEL DEVELOPMENT STANDARDS (SMC 23.47A.008 B.3.b.):** The Code requires Nonresidential uses at street level shall have a floor-to-floor height of at least 13 feet. The applicant proposes a departure from 13 foot floor-to-floor height was requested for the portion of the ground floor with a mezzanine is pursuant to SMC 23.41.012 B.2.

The mezzanine functions as a catwalk feature that activates the street frontage and provides a spatially interesting visual pedestrian pathway from the street level retail displays to the upper floor retail display. It maintains the visibility of the retail use and promotes ‘eyes on the street’ encouraging pedestrian activity on NE 45<sup>th</sup> St while inviting shoppers to visit the retail establishment. As both the mezzanine and the main floor (which contains the mezzanine) are both used for the same sales and retail display function — the entire volume would be perceived as one space. The applicant proposes that this arrangement meets the intent of the code to provide a tall, activated retail space facing the street. (*Guidelines A-2, A-4, A-10, C-1, C-2, D-11, and D-12*).

The Board indicated they were favorable towards the departure — the interior floor plan and the exterior design elements maintain a visible retail use that encourages pedestrian activity on NE 45<sup>th</sup> St and 4<sup>th</sup> Ave NE.



## **BOARD RECOMMENDATIONS**

The recommendation summarized above and below was based on the design review packet dated February 24, 2014, and the materials shown and verbally described by the applicant at the February 24, 2014 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, five Design Review Board members recommended **APPROVAL** of the subject design, and five Design Review Board members recommended **APPROVAL** of the requested departures.

## **ANALYSIS & DECISION – DESIGN REVIEW**

### **Director’s Analysis**

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

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

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

At the Recommendation meeting five Board members were present. All five members recommended **APPROVAL** of the project<sup>1</sup>. The design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. DPD has determined to move forward with the Design Review recommendations.

Five members of the Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project’s overall success. The Director must provide additional analysis of the Board’s recommendations and then accept, deny or revise the Board’s recommendations (SMC 23.41.014.F3). The Director agrees with and accepts the recommendations made by the Board that further augment the selected Guidelines.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the five members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board’s conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board. The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

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<sup>1</sup> Martin Zettle (Chair), Ivana Begley, Salone Habibuddin, Joe Hurley, and Christina Zettle.

### **Director's Decision**

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

### **SEPA ANALYSIS**

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file, and pertinent comments which may have been received regarding this proposed action have been considered.

As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature or limited effects, the impacts are not expected to be significant.

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, and 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.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality.

### **Notice and Comment Period**

The public comment period for this project ended on April 4, 2012. The Land Use Application information is available at the Public Resource Center located at 700 Fifth Ave, Suite 2000<sup>2</sup>.

### **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

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<sup>2</sup> <http://www.seattle.gov/dpd/toolsresources/default.htm>

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. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

### Noise

There will be excavation required to prepare the building site and foundation. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding residential uses in the adjoining area. Due to the proximity of other residential zones, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted, see SEPA conditions at the end of this document.

### Greenhouse gas emissions

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 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.

### Construction Parking and Traffic

During construction, parking demand is expected to increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The immediate area is subject to traffic congestion during the PM peak hours and nearby arterials, and large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted.

To mitigate construction parking impacts and other haul truck trip impacts, the applicant shall submit a Construction Haul Route and Construction Parking Plan to Seattle Department of Transportation for approval. This plan may include a restriction in the hours of truck trips to mitigate traffic impacts on nearby arterials and intersections.

### Long Term Impacts

Long term or use-related impacts are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to 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.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

### **DETERMINATION OF NON-SIGNIFICANCE**

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 requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of 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 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW [43.21C.030](#) (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC [197-11-355](#) and Early review.

### **SEPA - CONDITIONS OF APPROVAL**

#### Prior to Issuance of a Demolition, Grading, or Building Permit

1. If the applicant intends to work outside of the limits of the hours of construction described in condition #2, a Construction Noise Management Plan shall be required, subject to review and approval by DPD, and prior to a demolition, grading, or building permit, whichever is issued first. The Plan shall include proposed management of construction related noise, efforts to mitigate noise impacts, and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short-term transportation impacts that result from the project.

#### During Construction

2. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves 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. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan, required prior to issuance of a building permit as noted in condition #1.

**DESIGN REVIEW - CONDITIONS OF APPROVAL**

Prior to Certificate of Occupancy

3. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner.
4. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner.

For the Life of the Project

5. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner.

Signature: (signature on file) Date: May 5, 2014  
Colin R. Vasquez, Senior Land Use Planner  
Department of Planning and Development