



City of Seattle

Department of Planning and Development
Diane M. Sugimura, Director

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

Application Numbers: 3012842

Applicant Name: Kevin Cleary, Baylis Architects

Address of Proposal: 525 Northeast Northgate Way

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow a seven-story structure with a total of 253 residential units and 24,869 sq. ft. of commercial space at ground level. Parking for 269 vehicles to be provided at and below-grade.

The following approvals are required:

Design Review - Seattle Municipal Code (SMC) Section 23.41

SEPA - Environmental Determination pursuant to SMC 25.05

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions*

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

* Notice of the Early Determination of Non-significance was published on June 14, 2012.

Public Comments

The SEPA comment period for this project ran from June 14 to July 5, 2012 with DPD receiving two comment letters. One letter endorsed the proposal. The other letter provided a seven point critique of the project focused on traffic pedestrian safety on Eighth Ave. and Northgate Way; height, bulk and scale; location of residential entrances; adequacy of parking; and potential damage during construction to the adjacent property to the east. Telephone calls focused on traffic congestion and circulation issues in particular cut through traffic and left turns onto Northgate Way at the driveway and at 8th Ave. Public comment also was received at three public Design Review meetings, held on February 5, 2012, April 16, 2012 and November 19, 2012.

ANALYSIS - DESIGN REVIEW

Public Comments

Approximately four members of the public attended this Early Design Review meeting. The following comments, issues and concerns were raised:

- Noted that the public realm is important and that there needs to be interaction between the building and pedestrians. The glass along the sidewalk should not be frosted as it is in the fitness center portion of the building to the west.
- Stated that vehicle access to the building should be designed to put traffic onto Northgate Way and on the 5th Ave. N.E., but not onto 8th Ave. N.E. which is not designed to be a “major arterial.”
- An owner’s representative for the building to the east stated the 20” notch at the north east corner is an appreciated gesture to their building, that the residential lobby on that corner should be prominent, that consideration should be given to pedestrians all along the Northgate Way frontage, and that the great job of developing the west façade should be replicated on the east façade.

Design Guidance

A Site Planning

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

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

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.

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.

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 anticipated development potential of the adjacent zones.

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 roofline or top of the structure should be clearly distinguished from its facade walls.
- C-3 Human Scale.** The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.
- C-4 Exterior Finish Materials.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

D. Pedestrian Environment

- D-1 Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.
- 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-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.
- D-7 Personal Safety and Security.** Project design should consider opportunities for enhancing personal safety and security in the environment under review.
- 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 during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.
- D-12 Residential Entries and Transitions.** For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.

E. Landscaping

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

GUIDANCE

At the initial Early Design Guidance (EDG) meeting the Board indicated the façade along NE Northgate Way appeared overly massive and too commercial mall like in character. While understanding that it was being presented early massing views of the project they directed a highly residential and store front-like development be designed. Placement of open space elements along the Northgate way façade was encouraged.

A second residential entry at the northeast corner of the building was encouraged at the first EDG in addition to a chamfered corner providing openness and space to the commercial building to the east.

At the second EDG meeting the Board stated it was pleased with the development of the NE Northgate Way façade as presented. An element of particular note was the second story balcony connected to the amenity gym on that level and the multi-story expression of the building on each of the building corners on Northgate Way.

The Board approved of the chamfered corner with a residential entry at the NE building corner. It felt, however, that more of an expression of “this is a residence” was needed at that corner entry.

The Board encouraged the use of pedestrian level amenities, such as seating, lush planting strips and other landscape.

The Board stated there is a need for a safe pedestrian connection along the southern easement to 5th Ave. NE. and that pedestrian safety is a strong priority throughout the site.

REQUESTED CODE DEPARTURES

No development standard departures were discussed.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a design review component on May 10, 2012.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on November 19, 2012 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meeting, site plans, elevations, floor plans, landscaping plans, models, and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

Public Comments

Three members of the public affixed their names to the Recommendation meeting sign-in sheet. The public provided the following comments:

- Try to keep traffic off of 8th Ave NE as it is not improved. There are no sidewalks.
- Left turns are not allowed from 8th Ave NE to Northgate Way. However, most visitors will want to return to the interstate.
- Supports continuous landscaping on Northgate Way. The departure request for such landscaping should be approved.
- The area needs a sense of place. The large commercial entrance will help provide this and encourage people to walk in the neighborhood.
- A large retail store will compromise the amount of transparency due to owner's desire for signage and storage.
- How does the traffic circulation work? There is no light on 8th Ave. NE. People need to turn onto Northgate Way from 8th Ave in order to return to the interstate.
- The proposed structure has minimal amounts of modulation for its size.
- Trees and other landscaping on the property to the east will be destroyed by the new project.
- There is not enough parking. Visitors will park in the adjacent lot.
- There is a 17'6" wall on the southeast corner. This blank wall will face the adjacent property.

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.

The Board unanimously supported the departure allowing a planting strip between the sidewalk and Northgate Way. This will provide a buffer from the street for the pedestrian.

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

See D-12 guidance for the residential entry on Northgate Way.

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

Creation of a small plaza in front of the residential entry off Northgate Way will provide a brief respite for tenants and their visitors from the activity along this commercial corridor before entering or exiting the building. See guidance for D-12.

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

The Board discussed the base or podium of the east elevation but did not recommend changes to the design of the wall or the series of green screens.

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.

See recommendations (D-12) for the residential entrance at Northgate Way.

A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

The Board did not comment on the upper level open space.

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.

The Board recommended adding a second traffic calming device along the driveway on the project's west side.

Acknowledging public concern about thru traffic along the driveway to the south of the building and traffic exiting onto Eighth Ave NE to join Northgate Way, the Board requested that the land use planner evaluate the transportation impact study.

DPD staff response: traffic impacts will be reviewed in the project's SEPA analysis.

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 anticipated development potential of the adjacent zones.**

See the discussion of blank walls and scale for guideline D-2.

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

The Board expressed its overall satisfaction with the building's design.

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.**

The extensive blank walls along the lower, south elevation gave the Board pause. After much deliberation, the Board focused its recommendations on the eastern segment of the south façade. This architect should reduce the scale along this segment by adding a scaling device (for example, a brow or canopy over the loading area) to diminish the appearance of this sizeable wall.

Discussion also focused on the series of vertical towers housing circulation. These towers contribute blank walls at key locations. The Board did not place conditions on the design of the towers.

- 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.**

See guidance for D-2, Blank Walls.

- 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.**

The Board noted the need for a dedicated loading area. The portion of the garage designated for loading appeared minimal. The Board urged the creation of a better plan for the loading docks, but did not condition the project.

D-12 Residential Entries and Transitions. For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.

The residential entrance appeared unprepossessing. Although intended to have a quieter presence on Northgate Way than the commercial entrance at the structure's other corner on Northgate, the residential entry feels diminished.

The Board requested a more gracious and expansive entrance, one that welcomes the visitor and creates a sense of place. The Board strongly recommended increasing the amount of space (a plaza) between the door and the sidewalk. In addition, the Board recommended altering the door and fenestration of the residential entrance so that it does not resemble the commercial storefront glazing. Increasing the amount of wood is encouraged.

The applicant will need to provide signage for the residential entrance.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the November 19, 2012 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the November 19th public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the four Design Review Board members present unanimously recommended approval of the subject design.

The Board recommended the following **CONDITIONS** for the project. (Authority referenced in the letter and number in parenthesis):

1. Add a second traffic calming device along the driveway at the project's west side. (A-8)
2. On the eastern segment of the south façade, the architect shall reduce the scale along this two-story base by adding a scaling device (for example a brow or canopy over the loading area) to diminish the appearance of this sizeable blank wall. (D-2)
3. Increase the amount of space to establish a small plaza between the residential door and the Northgate Way sidewalk. In addition, the Board recommended altering the door and fenestration of the residential entrance so that they do not resemble the commercial glazing. Increasing the amount of wood is encouraged. (D-12)
4. Provide signage at the residential entrance along Northgate Way. (D-12)

DIRECTOR'S ANALYSIS - DESIGN REVIEW

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. The Director agrees with the conditions recommended by the five Board members and the recommendation to approve the design, as stated above.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated May 9, 2012. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

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

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, construction impacts, traffic and parking impacts as well as mitigation.

Noise

Noise associated with construction of the mixed use building and future phases could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Prior to issuance of demolition, grading and building permits, the applicant will submit a construction noise mitigation plan. This plan will include steps 1) to limit noise decibel levels and duration and 2) procedures for advanced notice to surrounding properties. The plan will be subject to review and approval by DPD. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:

- 1) Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
- 2) Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 3) Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 4) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

Air Quality

Construction of the proposal is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the nearby residential buildings.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

Excavation to construct the mixed use structure will be necessary. The maximum depth of the excavation on the east side of the parcel's slope is approximately 11.33 feet and will consist of an estimated 17,600 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Impacts

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.

Traffic and Parking

Construction of the mixed use structure is proposed to last approximately 22 months. During construction, parking demand will 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 and parking (SMC 25.05.675 B and M). Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Due to the large scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, construction workers will be required to park on site as soon as possible and continue for the duration of construction. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 17,600 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 1,760 round trips with 10-yard hauling trucks or 880 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along NE Northgate Way. Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval 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; increased demand for parking; and increased light and glare.

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

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's 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.

Historic Preservation

An existing commercial structure built in 1959 was reviewed by the Department of Neighborhoods and determined that it is unlikely, due in part to a loss of integrity, that the existing commercial building would meet the standards for designation as an individual landmark.

Traffic and Transportation

Trip generation equations compiled by the Institute of Transportation Engineers (ITE) were used to estimate daily and PM peak hour traffic that would be generated by the proposed development using ITE categories of "apartments" and "discount retail". The latter, compared to other retail uses, generates the highest level of traffic. The worst-case scenario (single tenant discount retailer) results in an estimated net total of approximately 1,870 and 200 PM peak hour vehicular trips at full build-out of the project.

Intersection levels of 14 intersections in the vicinity (ten signalized and four un-signalized) indicates that all intersections are expected to operate at Levels of Service (LOS) D or better with and without the project in 2015 during the PM peak hour. All traffic movements at the proposed site access intersection are anticipated to operate at LOS b or better during the PM peak hour; this assumes that the site access onto Northgate Way be limited to allow only right-in and right-out turn movements.

A review of impacts to roadways, intersections levels of service, site access and circulation, parking, transportation services and non-motorized transportation facilities, was conducted in association with the proposed development. The following mitigation measures are recommended by Transportation Engineering NorthWest, LLC to reduce or eliminate project impacts as a result of the proposed mixed use development.

1. Maintain a shared access connection with the existing 507 Northgate Apartments to Northgate Way and maintain existing curb, gutter and sidewalk. Remove two existing curb cuts onto Northgate Way.
2. Construct a modified and improved access connection south to the existing east-west access road that will allow access to both Fifth Avenue Northeast (to the west) and Eighth Avenue (to the east).

The Northgate Coordinated Investment Transportation Plan (CTIP), developed by the Seattle Department of Transportation, provides a comprehensive, multi-modal plan for the area's transportation system, and is intended to serve as a blueprint for financing and prioritizing SDOT's capital investments in the Northgate area. Traffic from the proposed development is expected to impact several locations where these capital investments are planned. To mitigate these impacts, the development is required to help fund proximate capital projects identified in the CTIP on a pro-rata basis. The total amount of this pro-rata contribution is \$61,187. The applicant has requested that this amount be applied to a specific CTIP project: the planned Northgate Way corridor signal optimization and prioritization (CTIP project E-1). DPD concurs that concentrating the project's pro-rata share of CTIP capital improvements on this Northgate Way corridor project will provide reasonable mitigation for transportation impacts in the vicinity of the project. Therefore, the project will be conditioned to pay this amount prior to issuance of a building permit.

Parking

A total of 269 off-street parking stalls are proposed as part of the project. Taking local reduction factors into consideration on a cumulative basis, peak demand for parking is estimated to be 257 spaces. As the total on-site supply of 269 off-street parking stalls is proposed, a parking surplus of 12 spaces is estimated during peak demand assuming both uses peak simultaneously. No impacts to off-street or on-street parking are anticipated as proposed parking supply is expected to exceed estimated demand and City minimum requirements. Based on this analysis, no SEPA mitigation of parking impacts is warranted.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are anticipated to be non-significant. The conditions imposed below are intended to mitigate construction impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

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

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

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance

Revise plans sets to show:

1. Add a second traffic calming device along the driveway at the project's west side.
2. On the eastern segment of the south façade, the architect shall reduce the scale along this two-story base by adding a scaling device (for example a brow or canopy over the loading area) to diminish the appearance of this sizeable blank wall.
3. Increase the amount of space to establish a small plaza between the residential door and the Northgate Way sidewalk. In addition, the Board recommended altering the door and fenestration of the residential entrance so that they do not resemble the commercial glazing. Increasing the amount of wood at the entrance facade is encouraged.
4. Provide signage at the residential entrance along Northgate Way.

Prior to Building Application

5. Include the departure matrix in the zoning summary section on all subsequent Building Permit Plans. Add call-out notes on appropriate plan and elevation drawings in the updated MUP plans and on all subsequent Building Permit plans.

Prior to Commencement of Construction

6. Arrange a pre-construction meeting with the building contractor, building inspector, and land use planner to discuss expectations and details of the Design Review component of the project.

Prior to Issuance of all Construction Permits

7. Embed the MUP conditions in the cover sheet for all subsequent permits including updated building permit drawings.

Prior to Issuance of a Certificate of Occupancy

8. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 615-1392). An appointment with the assigned Land Use Planner must be made at least five (5) 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.

For the Life of the Project

9. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce Rips, 615-1392). 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.

RECOMMENDED CONDITIONS – SEPA

Prior to Issuance of Building Permit

10. A transportation route plan shall be provided to DPD and SDOT; this plan shall document proposed truck access to and from the site, and shall indicate how pedestrian connections around the site will be maintained during the construction period.
11. Provide a construction worker parking plan with the intent to reduce on-street parking. Construction workers may park on-site once the garage is completed.
12. The development is required to help fund proximate capital projects identified in the CTIP on a pro-rata basis. The total amount of this pro-rata contribution is \$61,187. The requested amount shall be applied to a specific CTIP project: the planned Northgate Way corridor signal optimization and prioritization (CTIP project E-1). Payment of the \$61,187 shall occur prior to issuance of a building permit.

During Construction

13. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:
 - A. Surveying and layout.
 - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
 - C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
14. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:
 - a) Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
 - b) Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
 - c) Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
 - d.) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
15. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.
16. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.
17. Construction activities outside the above-stated restrictions may be authorized upon approval of a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. The Plan shall include a discussion on 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.

Prior to Building Occupancy

18. Construct a modified and improved access connection south to the existing east-west access road that will allow access to both Fifth Avenue Northeast (to the west) and Eighth Avenue (to the east).

Permanent for the Life of the Project

19. The north access to/from Northgate Way NE shall be restricted to allow only right-in/right-out movements.

The owner(s) and/or responsible party(ies) shall ensure that the Transportation Management Program be implemented and compliance monitored to achieve the SOV goal as specified in SMC Section 23.71.018 and shall include the standard implementation requirements and appropriate supplemental implementation requirements identified in Director's Rule 14-2002.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Bruce Rips, (206-615-1392) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.

Signature: (signature on file) Date: February 7, 2013
Bruce P. Rips, AICP, AAIA, Sr. Land Use Planner
Department of Planning and Development