



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**

Project Number: 3012956
Applicant Name: Radim Blazej for Barrick Benson
Address of Proposal: 12350 33rd Ave NE

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a four-story, 23-unit residential building with one 483 sq. ft. live-work unit. Existing residential structure to be demolished.

The following approvals are required:

Design Review - Seattle Municipal Code (SMC) Chapter [23.41](#).

Development Standard Departures:

- 1) **Live-work at Street Level** (SMC 23.47A.004.G.3.)
- 2) **Residential Use at Street Level** (SMC 23.47A.005.C.2.c.)
- 3) **Commercial Depth at Street Level** (SMC 23.47A.008.B.3.a.)

SEPA - Environmental Determination – SMC Chapter [25.05](#).

SEPA DETERMINATION:

Exempt DNS MDNS EIS

DNS with conditions

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

BACKGROUND DATA

Site & Vicinity

Site Zone: NC2-40

Nearby
Zones: North: NC2-40
South: LR-3
East: NC2-40
West: NC2-40

Lot Area: 5,500 SF

Current
Development: SINGLE FAMILY

Access: Improved alley to the east.

Surrounding
Development: Adjacent office building on north site, MF development on adjacent southern property

ECAs: Riparian ECA area across alley to the east.

Neighborhood
Character: Mixture of commercial and multifamily properties, ages 1960-2000.

Public Comments

Public comments were invited at the two Design Review public meetings and the Master Use Permit application. Comments from the Design Review meetings are noted within the Design Review process summaries which follow below.

Master Use Permit Application

The applicant revised the design and applied for a Master Use Permit with a design review component on May 11, 2012. The public notice period for the Master Use Permit application ran from May 24, 2012 to June 6, 2012.

ANALYSIS — DESIGN REVIEW

Architect's Presentation: *(April 4, 2012 and August 20, 2012)*

Three alternative design schemes were presented.

The first scheme (Option A) showed interior courtyard with maximum FAR. This scheme required setback departures.

The second scheme (Option B) showed multiple units facing the street, but minimal amenity space on the ground plan.

The third scheme (Option C) showed the preferred scheme which included ample open space on the south side of the site. This allowed better daylighting for residential units, greater setback/separation to the neighbor to the south (LR-3 zoning), and visual connection to the riparian area to the east of the site.

Public Comments *(at the Early Design Guidance meeting)*

Approximately 15 members of the public attended this Early Design Review meeting. The following comments, issues and concerns were raised:

- Encouraged that west elevation to have more modulation and glazing/openings.
- Concerned with whether the proposed residential units would be rented at market rates or subsidized.

Design Presentation: *(at the Recommendation meeting)*

The developed preferred scheme (option C) was presented at the recommendation meeting — which included residential units with fenestration for day lighting and private open space on the south side of the site. Thus allowed greater setback/separation to the neighbor to the south (LR-3 zoning), and visual connection to the riparian area to the east of the site.

Public Comments *(at the Recommendation meeting)*

No members of the public attended the Recommendation Meeting.

DESIGN GUIDELINE PRIORITIES

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 provided the following siting and design guidance. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

The Neighborhood specific guidelines are summarized below. For the full text please visit the [Design Review website](#).

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.*

At the Early Design Guidance Meeting, the Board discussed that the site slopes 10 feet due east to alley, beyond which is an open space with a wetland area and riparian corridor associated with Thornton Creek. It supported the site development plans showing a 15 foot wide landscape buffer visually connecting through the site to the wetland area across the alley to the east.

Parking provided on the east side of the site could be tucked under the building – taking advantage of sloped site and the public alley. The Board supported the preferred scheme with a 15ft setback with green amenity space as visual corridor connecting the street to the existing Thornton creek. The setback should be landscaped so as to increase privacy and separation between the site and the adjacent site to the south.

At the Final Recommendation Meeting, the Board was shown the design solutions to the landscaping buffer and the site slopes. Their only comment was that fencing for the private open space area ‘shall not use chain link fencing.’

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

At the Early Design Guidance Meeting, the Board discussed that the residential entry will be accessed off of the main street, with its own canopy and prominent indication via material use. The board indicated that the residential entry should read as the entry to the building with light and transparency into the lobby area. The Board praised the commercial appearing live-work spaces, and indicated that the success of the side, lower level, entry to the live work space will depend on the how well it is executed in design and materials.

At the Final Recommendation Meeting, the Board was shown the design solutions to the residential entry. They offered no comments on the design.

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

At the Early Design Guidance Meeting, the Board indicated that the 15 foot deep amenity area should be designed with security in mind. Lighting, visibility and the nature of pedestrian paths should all reflect this concern in addition to showing a relation to the riparian area to the east and buffering the multifamily building to the south.

At the Final Recommendation Meeting, the Board was shown the design solutions and offered no comments on the design.

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.*

At the Early Design Guidance Meeting, the Board indicated it was not highly concerned about the appearance of height, bulk and scale while stating that it still deserves some consideration in the design; especially to the north and northwest where a wall to the full height of the building would be placed along the property line.

At the Final Recommendation Meeting, the Board was shown the exterior materials selected, how these materials were to be arranged, and colors considered. Their only comment was that the grey color selected on the northern façade should be changed to ‘redder color or color was closer to the reds/oranges proposed.’

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.*

At the Early Design Guidance Meeting, the Board stated the design elements; details and massing are well designed and defined. The board suggested more fenestration on both East and West facades, especially at the corners. It was stated there could be “more major and a little more minor” in the expression of elements of the east and west facades. It stated there is an opportunity for more playful moves on the west façade which could include bays or sunshades.

At the Final Recommendation Meeting, the Board was shown the design elements, details and massing. They were pleased with the progression for the facades. As a result they had no additions comments. See B-1 above.

C-3 *Human Scale.* *The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.*

At the Early Design Guidance Meeting, the Board discussed that the project already has a ground level treatment which addresses the need for human scale.

At the Final Recommendation Meeting, the Board was shown the human scale architectural features, elements, and details. They were pleased with the progression and had no additions comments.

- 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.*

At the Early Design Guidance Meeting, the Board discussed that in general the material choice and application are good. The board wants to see the actual palette and treatment of north wall (blank wall).

At the Final Recommendation Meeting, the Board was shown a building exterior constructed of durable and maintainable materials that are attractive even when viewed up close. The materials have texture, pattern, and have a quality of detailing.

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.*

At the Early Design Guidance Meeting, the Board discussed the blank wall facing north needs to have well defined material palette and application. This façade is along the property line will eventually be hidden by new development. However, that date is uncertain and in the foreseeable future it will be visible, necessitating tasteful treatment.

At the Final Recommendation Meeting. See B-1 above.

- 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.*

At the Early Design Guidance Meeting, the Board discussed the location of dumpsters and utilities. The project proposes all utilities will be secured, screened and access from the alley. The board agreed this was reasonable location.

At the Final Recommendation Meeting, the Board was shown the design solutions and offered no comments.

- D-7** **Personal Safety and Security.** *Project design should consider opportunities for enhancing personal safety and security in the environment under review.*

At the Early Design Guidance Meeting, the Board discussed that the 15 ft. setback amenity area should be secured and have controlled access.

At the Final Recommendation Meeting, the Board was shown the design solutions and offered no comments.

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.*

At the Early Design Guidance Meeting, the Board indicated that the project needs to have attractive and desirable commercial signage with an appropriate weighting of residential verses commercial.

At the Final Recommendation Meeting, the Board was shown the design solutions and offered no comments.

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.*

At the Early Design Guidance Meeting, the Board discussed that the lighting strategy should be designed further and that the residential entry is an especially important element to get right.

At the Final Recommendation Meeting, the Board was shown the design solutions and offered no comments.

E. Landscaping

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

At the Early Design Guidance Meeting, the Board discussed that privacy issues on the 15 ft. setback should be addressed with planting, trellises and/or screen walls in a manner which screens the base level of the structure to the south. The use of native species and the overall landscape design should be used to tie the landscape into existing Thornton Creek wetland area across the alley.

At the Final Recommendation Meeting, the Board was shown the design solutions and offered no comments.

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 affirmed the proponents plan to respond to and tie into the riparian area to the east.

At the Final Recommendation Meeting, the Board was shown the design solutions and offered no comments.

DECISION – DESIGN REVIEW

The Design Review Board conducted a Final Recommendation Meeting on August 20, 2012 to review the applicant’s formal project proposal developed in response to the previously identified priorities. At the public meetings, site plans, elevations, floor plans, landscaping plans and computer renderings of the proposed project were presented for the Board members’ consideration.

Board Recommendations

After considering the site and its context, hearing public comment, considering the previously identified design priorities, reviewing the plans and renderings showing the proposed revisions, and reviewing the requested departures, the Design Review Board members **unanimously recommended approval of the project’s design and recommended approval of the three departures requested, as outlined in the matrix below.** Five Design Review Board members attended the recommendation meeting. The recommendations summarized above were based on the plans submitted for the August 20, 2012 meeting.

Development Standard Departures Granted		
No.	Standard	Departure Approved
1	Live-work at Street Level SMC 23.47A.004.G.3	To allow the live-work units to occupy more than 20% of the street-level street-facing façade per the approved plans.
2	Residential Use at Street Level SMC 23.47A.005.C.3	To allow the residential uses to exceed 20% of the street-level street-facing façade, per the approved plans.
3	Commercial Depth at Street Level SMC 23.47A.008.B.3.a.	To allow the commercial depth at street-level to have less than an average depth of 30-feet with a 15-foot minimum, per the approve plans.

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed recommendations, 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 recommendations and decision of the Design Review Board made by the members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multi-family and Commercial Buildings, and is consistent with SEPA requirements or state and federal laws. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design with the conditions summarized at the end of this Decision.

The Director of DPD has reviewed the recommendations of the Design Board members present at the final Design Review recommendation meeting and finds that the Board acted within its authority and the Board's recommendations are consistent with the guideline's and do not conflict with regulatory requirements.

CONDITIONS

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

ANALYSIS – SEPA

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

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

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: “*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,*” subject to some limitations. Under specific circumstances (SMC 25.05.665 D 1-7) mitigation can be required.

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

Short -Term Impacts

The following temporary construction-related impacts are expected: temporary soils erosion; temporarily decreased air quality due to dust and other suspended air particulates during construction and demolition; increased noise from construction operations and equipment; increased traffic and parking demand from construction personnel; tracking of mud onto adjacent streets by construction vehicles; conflict with normal pedestrian movement adjacent to the site; and consumption of renewable and nonrenewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)). Although not significant, these impacts may be adverse, and in some cases, mitigation is warranted.

City codes and/or ordinances apply to the proposal and will provide adequate mitigation for the identified impacts. Specifically these are: 1) Grading and Drainage Control Ordinance, SMC [22.800](#) (storm water runoff, temporary soil erosion, and site excavation); and 2) Street Use Ordinance (tracking of mud onto public streets, and obstruction of rights-of-way during construction). Other agencies will provide adequate mitigation for the identified impacts, such as the Puget Sound Clean Air Agency (dust/air impacts during construction and demolition).

Earth

The project will require excavation and DPD anticipates further study and design associated with the grading and construction permits. DPD geotechnical staff indicates that existing Codes (Grading and Drainage Control Ordinance, SMC [22.800](#)) provide authority to require appropriate mitigation for this project, and that no specific conditioning is warranted in this regard.

Air Quality

The on-site structures will be demolished. Characterization of on-site building for lead paint and asbestos will be required prior to demolition. The project will be required to obtain a permit from the Puget Sound Clean Air Agency prior to a demolition permit being issued. Such additional study and the PSCAA permit will provide adequate mitigation of any potential SEPA impacts.

Environmental Health

State law provides for the cleanup and appropriate disposal of hazardous substances. The Model Toxics Control Act (WAC [173-340](#)) is administered by the Washington Department of Ecology (DOE) and establishes processes and standards to identify, investigate, and clean up facilities where hazardous substances have come to be located. DPD alerts the applicant to this law and provides a contact: Joe Hickey, DOE, (425) 649-7202.

Discharge of contaminated groundwater to the sewage system is regulated by the King County Department of Natural Resources under Public Rule [PUT 8-14](#). A [factsheet](#) and permit application is available online or by calling (206) 263-3000.

Disposal of contaminated fill is regulated by the City/County Health Department, contact: Jill Trohimovich, (206) 263-8496.

Existing regulations adequately address potential impacts to environmental health. In addition, there is no evidence of environmental health issues on the project site. No further conditioning of site cleanup or hazardous waste treatment is warranted pursuant to SEPA policies.

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 significant, so mitigation is not required pursuant to SEPA.

Streets and Sidewalks

The proposed on-site demolition, excavation and construction are controlled by a demolition/building permit, separate from this Master Use Permit. The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation. It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675 R).

In this case, adequate mitigation is provided by the Street Use Ordinance, which regulates and provides for accommodating pedestrian access. Therefore, additional mitigation under SEPA is not warranted.

Construction Noise

As redevelopment proceeds, noise associated with demolition/construction activities at the site could adversely affect the surrounding residential/commercial uses. However, the limitations of the Noise Ordinance are found to be adequate 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](#)), no mitigation other than compliance with the Construction Noise Ordinance is warranted.

Construction Parking

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. Construction workers can be expected to arrive in early morning hours and to leave in the mid-afternoon. Surrounding residents generate their peak need for on-street parking in the evening and overnight hours when construction workers can be expected to have departed. In addition, most of the commercial uses in the surrounding

area include enough on-site parking such that street parking is not an issue. Construction parking impacts will be insignificant and therefore SEPA mitigation of parking impacts during construction is unwarranted.

Construction Traffic

Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated in part by enforcement of SMC [11.62](#). This immediate area is subject to some traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC [25.05.675 B](#) (Construction Impacts Policy) and SMC [25.05.675 R](#) (Traffic and Transportation) additional mitigation is warranted.

The construction activities will require the export/import of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other building materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which will not be mitigated by existing codes and regulations.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause truck trips to cease during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC [11.62](#).

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 en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Long-Term Impacts

Potential long-term or use impacts anticipated by the proposal include: increased height, bulk and scale of building in some areas of the site; increased light and glare from exterior lighting, increased noise due to increased human activity; increased demand on public services; increased traffic on adjacent streets; increased on-street parking, and increased energy consumption. These long-term impacts are not considered significant because they are minor in scope, but some warrant further discussion (noted below).

The likely long-term impacts are typical of this scale of mixed use development, and DPD expects them to be mitigated by the City’s existing codes and/or ordinances (together with fulfillment of Seattle Department of Transportation requirements). Specifically these are: the Land Use Code (aesthetic impacts, height, light, traffic, setbacks, parking) the Seattle Energy Code (long-term energy consumption), and the Street Use Ordinance. However, more detailed discussion of some of these impacts is appropriate.

Several adopted City codes and/or ordinances provide mitigation for the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires provisions for controlled release to an approved outlet and may require additional design elements to prevent isolated flooding. 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.

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 significant, so do not require mitigation pursuant to SEPA.

Height, Bulk, and Scale

SMC [25.05.675.G.2.c](#) states, *“The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. 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. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project.”*

The site is surrounded by properties that are similarly zoned. The Design Review Board considered issues of height, bulk and scale in its review of this project and unanimously recommended approval of the project design. The proposed structure is located on an NC2-40 zoned site, and the structure conforms to zoning requirements, including height and bulk. No additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Light and Glare

The checklist discusses the project's potential light and glare effects on the surrounding area. The proposed project exterior design emphasizes a sympathetic arrangement of glazing and materials on the facades. Lighting will be downshielded but will provide enough light in the evening to provide a safe environment. DPD therefore determines that light and glare impacts are not substantial and warrant no further mitigation per SMC 25.05.675.K.

Other Impacts

Several codes adopted by the City will appropriately mitigate the use-related adverse impacts created by the proposal. Specifically these are: Grading and Drainage Control Ordinance (storm water runoff from additional site coverage by impervious surface); Puget Sound Clean Air Agency regulations (increased airborne emissions); and the Seattle Energy Code (energy consumption in the long term).

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 not to have a significant adverse impact upon the environment. An EIS is not required under RCW [43.21C.030\(2\)\(C\)](#).

The proposed action is **APPROVED WITH CONDITIONS**.

CONDITIONS – SEPA

During Demolition, Excavation, and Construction

1. For the duration of the removal of the existing building, excavation of materials, and delivery of construction materials; the owner(s) and/or responsible party(ies) shall cause truck trips to and from the project site to cease during the hours between 4 PM and 6 PM on weekdays.
2. Debris and exposed areas shall be sprinkled as necessary to control dust; a truck wash and quarry spall areas shall be provided on-site prior to the construction vehicles exiting the site if scoop and dump excavation is not used; and truck loads and routes shall be monitored to minimize dust-related impacts.

CONDITIONS-DESIGN REVIEW

During Construction

3. 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 assigned to the project.

Prior to Issuance of the Certificate of Occupancy

4. Compliance with all images and text on the MUP drawings, as modified by this decision and approved by the Land Use Planner, shall be verified by the Land Use Planner assigned to this project. 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 substantial compliance has been achieved.

Signature: _____ (signature on file) Date: November 15, 2012
Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development