



City of Seattle

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

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

Project Number: 3013471
Applicant Name: Paul Shema of Hewitt Architects for Barrientos, LLC
Address of Proposal: 120 Harvard Avenue East

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a seven-story, 38 residential unit structure. Parking for 48 vehicles located below grade.

The following Master Use Permit components are required:

Design Review Departures (SMC Chapter 23.41)

- Development Standard Departure to allow the structure depth to exceed 75% of the lot depth (23.45.526)
- Development Standard Departure to allow less than the required rear setback (23.45.518)
- Development Standard Departure to allow less than the required front setback (SMC 23.45.518)
- Development Standard Departure to allow less than the required side setback (SMC 23.45.518)

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

Current Development:

Existing surface parking lot accessed from the alley. The west property line includes a high bank condition with landscaping separating the sidewalk from the parking lot.

Access:

Existing and proposed vehicular access is from the alley. Proposed pedestrian access is from the sidewalk at the west façade.

Surrounding Development and Neighborhood Character:

A newer mixed-use building (The Heights on Capitol Hill West) is located adjacent to the north. An early 20th century residence has been converted to apartments adjacent to the south. Dick's Drive In with surface parking and heavy pedestrian traffic is located to the west across the alley. A range of ages and styles of multi-family buildings are located across Harvard Ave E to the west.

This site is located near the future Capitol Hill light rail station, ½ block west of Cal Anderson Park. The street character to the east is dominated by the major commercial corridor of Broadway East. East Olive Way is another busy commercial corridor and is located ½ block to the north. Harvard Ave E fronts the west side of this site and is characterized by quieter multi-family development in a range of ages and styles, between 2-6 stories tall. Seattle Central Community College is located a couple of blocks to the south, with the Pike-Pine corridor further to the south. Mobility in the immediate neighborhood is characterized by very heavy pedestrian traffic, frequent transit service, cyclists, and vehicles.



EARLY DESIGN GUIDANCE MEETING: August 15, 2012

The packet includes materials presented at the meeting, and is available online by entering the project number at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The packet is also available to view in the DPD file, by contacting the Public Resource Center at DPD:

Mailing Public Resource Center
Address: 700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

PUBLIC COMMENT

The following comments, issues and concerns were raised:

- A public walkway should be provided at the north property line, similar to the existing condition of the informal walkway in that area.
- The front and rear facades should be more traditional and classic in design, consistent with nearby style of Capitol Hill buildings.
- The neighbors to the north are concerned about a potential loss of views from their roof deck.
- Would like to see a building of the same or lower height than the building to the north.
- The location of the elevator overrun may block additional views from the building to the north.
- Brick should be incorporated into the design.
- The proposal should include commercial spaces at grade, given the nearby zoning, the adjacent existing commercial spaces at grade, and the nearby transit station under construction.
- The proposal should not include commercial uses, since Harvard Ave E is a residential street.
- The idea of the existing “guerilla garden” at this site should be incorporated into the design or name of the proposed development.
- Would like to see visual interest in the east façade, like an ‘art project’ hanging down over Broadway.
- The façade treatment should include details such as masonry patterning over the windows.

Staff note: DPD does not have the authority to protect or mitigate views from private property.

FINAL RECOMMENDATION MEETING: February 6, 2013

The packet includes materials presented at the meeting, and is available online by entering the project number at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

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PUBLIC COMMENT

The following comments, issues and concerns were raised:

- The east cornice cap is a pleasing addition to the design.
- The balcony colors should be timeless. The orange and yellow are good choices.
- The brick on the west façade should be proportional to the façade.
- The stormwater collection should be designed to infiltrate the runoff on the site.

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 provided the following siting and design guidance.

EARLY DESIGN GUIDANCE (AUGUST 15, 2012):

1. **EDG Options: (A-2, B-1)**
 - a. The Board noted that Option 3 (the applicant preferred option) is the best massing approach for the site.
2. **Massing and Architectural Concept: (A-2, A-6, B-1, C-2, C-3, C-4, D-1, D-8)**
 - a. The overhanging upper mass at the west façade should be designed to relate to the pedestrian scale. This can be achieved with careful use of materials, incorporation of an awning, and design the entry to maximize light and air below the overhang.
 - b. The rhythm of the narrow massing modules at the west façade should be treated with materials to relate to the rhythm of nearby development.
 - c. The east façade massing appears to be much wider in scale than the west façade. The east façade should be treated in a creative way that relates to the pedestrian experience ½ block to the east, and the context of Broadway East.
 - d. The Board supported the architectural concept of two different treatments for the east and west modules.
 - e. The treatment of both east and west modules should include high quality materials such as brick or other materials in context with the nearby neighborhood.
3. **Setback/Courtyard/Stair: (A-5, C-2, C-4)**
 - a. The proposed design should enhance the visually interesting opportunity created by the stair/courtyard.
 - b. The stair should be designed to allow light to pass through.
4. **Relationship to the adjacent properties to the north and south: (A-5, D-3, E-2)**
 - a. The site to the north includes an existing wall at the building base, and the proposed development should respond to this condition.
 - b. The site to the south may be redeveloped in the future, but the proposed development should include careful design of any retaining walls and fences near the south property line.

- c. The proposed treatment of the north and south edges seem appropriate to enhance safety and respond to adjacent conditions. The Board noted that the proposed design is preferred over a public pedestrian connection across the site.

FINAL RECOMMENDATIONS (FEBRUARY 6, 2013):

1. Architectural Concept and Materials:

- a. The Board expressed concern with the application of brick around the building entry. The Board noted that the thin brick wall intersects with the metal panel directly above, with no apparent architectural transition between these materials.
 - i. The Board recommended that the applicant modify the use of brick to enhance the concept of the “box” expression of the patios at street level. (A-2, A-6, C-2, C-3, C-4, D-1, D-3)
 - ii. The “box” expression should clearly relate to the overall design concept. (C-2, C-4)
 - iii. The transition between materials needs to be intentional, finely detailed, and relate clearly to the overall design concept. (C-2, C-3, C-4)
 - b. The Board noted that the white material on the north and south facades appears to be unrelated to the rest of the well-crafted materials in the palette. The white color will also draw attention to an area of the building that isn’t a focus of the design concept.
 - i. The Board recommended use of another color or scale of material on the north and south facades, in place of the white lap siding. The material or color should be used to break down the visual impact of these walls and relate to the architectural concept. (A-5, B-1, C-2, C-4)
 - c. The Board was concerned with the stepped shape of the elevator penthouse, which appears unrelated to the architectural concept of clearly rectilinear forms. The Board recommended that the elevator penthouse should be a simple box shape to relate to the overall design concept. (C-2)
2. **Stair Tower:** Any of the three possible colors shown in the Recommendation packet and at the Recommendation meeting are acceptable for the stair towers. Each color relates to the overall palette of materials and colors, and serves to visually enhance the stair tower. (C-2, C-4)

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

A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.
Capitol Hill-specific supplemental guidance:

- **Retain or increase the width of sidewalks.**
- **Provide street trees with tree grates or in planter strips, using appropriate species to provide summer shade, winter light, and year-round visual interest.**
- **Vehicle entrances to buildings should not dominate the streetscape.**

- Orient townhouse structures to provide pedestrian entrances to the sidewalk.
- For buildings that span a block and “front” on two streets, each street frontage should receive individual and detailed site planning and architectural design treatments to complement the established streetscape character.
- New development in commercial zones should be sensitive to neighboring residential zones. Examples include lots on Broadway that extend to streets with residential character, such as Nagle Place or 10th or Harvard Avenues East. While a design with a commercial character is appropriate along Broadway, compatibility with residential character should be emphasized along the other streets.

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.

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.

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.

Capitol Hill-specific supplemental guidance:

- Break up building mass by incorporating different façade treatments to give the impression of multiple, small-scale buildings, in keeping with the established development pattern.
- Consider existing views to downtown Seattle, the Space Needle, Elliott Bay and the Olympic Mountains, and incorporate site and building design features that may help to preserve those views from public rights-of-way.
- Design new buildings to maximize the amount of sunshine on adjacent sidewalks throughout the year.

Broadway-specific supplemental guidance:

- Help maintain and enhance the character of Broadway by designing new buildings to reflect the scale of existing buildings.
- Masonry and terra cotta are preferred building materials, although other materials may be used in ways that are compatible with these more traditional materials. The Broadway Market is an example of a development that blends well with its surroundings and includes a mixture of materials, including masonry.
- The pedestrian orientation of Broadway should be strengthened by designing to accommodate the presence or appearance of small store fronts that meet the sidewalk and where possible provide for an ample sidewalk.

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.

Capitol Hill-specific supplemental guidance:

- Incorporate signage that is consistent with the existing or intended character of the building and the neighborhood.
- Solid canopies or fabric awnings over the sidewalk are preferred.
- Avoid using vinyl awnings that also serve as big, illuminated signs.
- Use materials and design that is compatible with the structures in the vicinity if those represent the desired neighborhood character.

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

Capitol Hill-specific supplemental guidance:

- Incorporate building entry treatments that are arched or framed in a manner that welcomes people and protects them from the elements and emphasizes the building's architecture.
- Improve and support pedestrian-orientation by using components such as: non-reflective storefront windows and transoms; pedestrian-scaled awnings; architectural detailing on the first floor; and detailing at the roof line.

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.

Capitol Hill-specific supplemental guidance:

- Use wood shingles or board and batten siding on residential structures.
- Avoid wood or metal siding materials on commercial structures.
- Provide operable windows, especially on storefronts.
- Use materials that are consistent with the existing or intended neighborhood character, including brick, cast stone, architectural stone, terracotta details, and concrete that incorporates texture and color.
- Consider each building as a high-quality, long-term addition to the neighborhood; exterior design and materials should exhibit permanence and quality appropriate to the Capitol Hill neighborhood.
- The use of applied foam ornamentation and EIFS (Exterior Insulation & Finish System) is discouraged, especially on ground level locations.

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.

Capitol Hill-specific supplemental guidance:

- Provide entryways that link the building to the surrounding landscape.
- Create open spaces at street level that link to the open space of the sidewalk.
- Building entrances should emphasize pedestrian ingress and egress as opposed to accommodating vehicles.

- Minimize the number of residential entrances on commercial streets where non-residential uses are required. Where residential entries and lobbies on commercial streets are unavoidable, minimize their impact to the retail vitality commercial streetscape.

D-3 Retaining Walls. Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible. Where higher retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscapes.

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

Capitol Hill-specific supplemental guidance:

- Consider: pedestrian-scale lighting, but prevent light spillover onto adjacent properties; architectural lighting to complement the architecture of the structure; transparent windows allowing views into and out of the structure—thus incorporating the “eyes on the street” design approach’
- Provide a clear distinction between pedestrian traffic areas and commercial traffic areas through the use of different paving materials or colors, landscaping, etc.

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.

DEVELOPMENT STANDARD DEPARTURES

The Board’s recommendation on the requested departure(s) was based upon the departure’s potential to help the project better meet the design guideline priorities and achieve a better overall design than could be achieved without the departure(s).

- 1. Structure Depth (SMC 23.45.526):** The Code requires a maximum structure depth of 75% of the lot depth, for lots greater than 9,000 square feet in size. The applicant proposes a structure depth of 96% of the lot depth, to allow for the north and south facing courtyards in the center of the site in response to adjacent residential units.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-5 and B-1 by providing a better design response to the adjacent neighbors to the north and south.

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed at the end of this report.

- 2. Front Setback (SMC 23.45.518):** The Code requires an average 7’ and minimum 5’ front setback. The applicant proposes a 0’ front setback, to allow for the below grade garage to extend a maximum of 8” above sidewalk grade at the front property line. The applicant noted that they are trying to design the garage to be completely below grade, but there may be some area of the structure that needs to extend a few inches above grade near the sidewalk.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-2 and A-6 by providing an interesting architectural feature with the patios adjacent to the sidewalk.

The Board extensively discussed the ramifications to the design concept if the garage structure were located above grade. If located above grade, the result will be raised west-facing patios, which could reduce the architectural concept of the 'box' or result in taller patio walls facing the sidewalk. The materials shown at Recommendation showed the patio "boxes" with a floor that is close to the same grade as the sidewalk. In order to balance the potential need for this departure with the architectural concept, the Board unanimously recommended that a departure for garage structure to raise a maximum 8" above sidewalk grade could be permitted, as long as the west patio walls remain the same height as shown in the Recommendation materials. The Board noted that any additional height for the garage structure, or taller walls for the patio, will result in the need for an additional Recommendation meeting review.

- 3. Rear Setback (SMC 23.45.518):** The Code requires a 10' rear setback for lots abutting an alley. The applicant proposes a 0' rear setback, in response to the adjacent NC-zoned properties with no rear setback at the alley. This departure would allow the building mass to be narrower in the center to provide courtyards for additional light and air to adjacent residential buildings.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-5, B-1, C-2, C-4, and D-1 by providing a design concept that responds to nearby context and residential units to the north and south.

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed at the end of this report.

- 4. Side Setbacks (SMC 23.45.518):** The Code requires a side setback of 10' average, 7' minimum, for structures above 42' tall at the side lot lines. The applicant proposes a 0' side setback, to allow for the parking garage structure to be located 9' above grade at the north property line. The departure is also needed to allow a fence and trellis with additional security structure on the south property line, to screen the at-grade parking near the southwest corner of the site.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-5, B-1, D-3, D-7, and E-2 by providing a design concept that responds to the existing garage to the north, and providing adequate security and screening for parking at the southwest corner.

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed at the end of this report, and noted that if a taller wall/fence is needed to provide security at the southeast corner of the site, then a minor MUP revision could be sufficient to grant that item.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated February 6, 2013, and the materials shown and verbally described by the applicant at the February 6, 2013 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design and departures, with the following conditions:

1. The use of brick should be modified to enhance the concept of the “box” expression of the patios at street level. (A-2, A-6, C-2, C-3, C-4, D-1, D-3)
2. The front patios “box” expression should clearly relate to the overall design concept. (C-2, C-4)
3. The transition between materials needs to be intentional, finely detailed, and relate clearly to the overall design concept. (C-2, C-3, C-4)
4. Another color or a different scale of material should be used on the north and south facades, in place of the white lap siding. The material or color should be used to break down the visual impact of these walls and relate to the architectural concept. (A-5, B-1, C-2, C-4)
5. The elevator penthouse should be a simple box shape to relate to the overall design concept. (C-2)
6. The garage may extend a maximum of 8” above grade at the front property line, providing the west patio wall stays at the same height as shown at the Recommendation meeting. (A-2, A-5, C-2)

Applicant response to Recommended Design Review Conditions:

1. The application of brick has been modified as shown in the MUP plan set. The proposal satisfies condition #1.
2. The design of the front patios and use of materials to enhance the architectural concept have been modified as shown in the MUP plan set. The proposal satisfies condition #2.
3. The applicant has demonstrated intentional well-designed transitions between materials, as shown in the MUP plan set. The proposal satisfies condition #3.
4. The side facades will include a modified siding pattern as shown in the MUP plan set and will be finished in a warmer white tone (“A Warm Day” or similar color). The proposal satisfies condition #4.
5. The elevator penthouse has been modified as shown in the MUP plan set. The proposal satisfies condition #5.
6. This condition shall be demonstrated prior to issuance of a building permit.

DECISION – DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED** subject to the conditions listed below.

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 dated September 13, 2012. The Department of Planning and Development has analyzed 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 many 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. Additional discussion of short and long term impacts is found below.

PUBLIC COMMENT:

The public comment period ended on October 10, 2012. Comments were received in response to the design review aspects of the proposal.

Short Term Impacts

Air

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short term impacts generated from the embodied emissions results in increases in carbon dioxide and other greenhouse gases thereby impacting air quality and contributing to climate change and global warming. While these impacts are adverse they are not expected to be significant. The other types of emissions are considered under the use-related impacts discussed later in this document. SEPA conditioning is not necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675.A.

Noise

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends. Some of the surrounding properties are developed with housing and will be impacted by construction noise.

The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM, unless modified through a Construction Noise Management Plan, to be determined by DPD prior to issuance of a demolition, grading, or building permit, whichever is issued first.

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 on Broadway East, East Olive Way, 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 for approval by Seattle Department of Transportation and Construction Parking Plan for approval by DPD. These plans may include a restriction in the hours of truck trips to mitigate traffic impacts on nearby arterials and intersections. Evidence of these approved plans shall be provided to DPD prior to the issuance of demolition, grading, and building permits.

Long Term Impacts

Parking and Traffic

As part of the environmental checklist, the project submitted information about estimated vehicle trips and parking impacts.

The project is expected to generate a net total of 155 daily vehicle trips, with 11 net new AM Peak Hour trips and 15 net new PM Peak Hour trips. This volume of traffic is not expected to significantly affect the overall operation of level of service for nearby intersections.

The proposed development includes 48 parking spaces for 38 apartments.

DPD's Transportation Planner has reviewed the traffic and parking information, and determined that the additional peak hour trips do not contribute significant adverse impacts requiring mitigation. Accordingly, no mitigation of impacts disclosed in this section is required.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in the Capitol Hill Urban Center. This site is located in that Urban Center, and the project is mostly residential with some commercial. Regardless of the parking demand impacts, no SEPA authority is provided to mitigate impacts of parking demand from the residential components of this project, even if impacts were identified.

DETERMINATION OF NONSIGNIFICANCE

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 DNS process in SMC 25.05.355. There is no further comment period on the DNS.

SEPA - CONDITIONS OF APPROVAL

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

1. The applicant shall provide a copy of a Construction Haul Route, approved by Seattle Department of Transportation, and a Construction Parking Plan approved by DPD.
2. If the applicant intends to work outside of the limits of the hours of construction described in condition #3, 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

3. 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 #2.

DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to Issuance of a Building Permit

4. The building permit application plan shall demonstrate that the garage is no more than 8” above grade at the west property line, and the west patio wall is the same height as shown at the February 6, 2013 Recommendation meeting. Modifications to this item will require a major MUP revision.

Prior to Certificate of Occupancy

5. 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 (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
6. 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 (Shelley Bolser (206) 733-9067 or shelley.bolser@seattle.gov).

For the Life of the Project

7. 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 (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

Signature: _____ (signature on file) Date: April 18, 2013
Shelley Bolser, AICP, LEED AP
Senior Land Use Planner
Department of Planning and Development

SB:bg