City of Seattle

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

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

Application Number: 3014328

Applicant Name: Joel Wilbur, CARON Architecture, LLC, for Fields Holdings

Address of Proposal: 4717 Brooklyn Ave NE

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 7-story, 56 unit residential building with 3,600 sq. ft. of retail commercial space at grade. Parking for 8 vehicles will be located in partially below grade garage. Existing structure to be demolished.

The following approvals are required:

SEPA Environmental Determination – Chapter 25.05 SMC.

Design Review – Chapter 23.41 Seattle Municipal Code (SMC)

Design Departure Granted: SMC 23.48.014A-- requires a 15-foot setback for portions of the building above 13 feet in height along the rear property line, required because the site abuts a residential zone. The applicants are proposing a 10 foot setback all along the entire west property line.

SEPA Determination: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[X] DNS with conditions

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

BACKGROUND INFORMATION:

The rectangular, midblock site is composed of 3 parcels, totaling some 12,450 sq. ft., and slopes approximately 6 feet from west to east and 2 feet from north to south. The site faces onto Brooklyn Avenue NE on the east and an alley on west. The zoning of the site is NC3-65.

Three lots are being combined for proposed project. The northernmost is vacant; the middle lot is currently used for parking; the southernmost lot is currently occupied by a two-

story commercial building (Weaving Works). Directly to the south of the proposed development site are two 2-story residential buildings. There is a small, single-story commercial building located north of the development site. Three multi-story residential buildings lie between the alley and 12th Avenue NE to the west.

Directly across Brooklyn Avenue NE is a grocery store (Safeway), its parking lot and a Chevron gas station. The University Heights Neighborhood Center (the former University Heights Elementary School), which houses a variety of educational and cultural functions, sits across NE 50th Street, just to the north and east of the site. The weekly University Farmers Market is held in the open area south of the historic structure. The uses along both sides of Brooklyn Avenue NE are a mixture of residential and commercial uses with a variety of newer and older structures.

Architectural styles in the area are mixed vernacular and revival styles, none of which particularly stand out, other than the wood framed and wooden clad community center, which is one of the oldest surviving elementary school buildings in the state.

PROJECT DESCRIPTION

The goal is to construct a mixed use building with a small area (8 parking stalls) of enclosed parking partially below grade off the alley and some commercial space along the street. The structure would contain six floors of residential units, "designed with the college student demographic" in mind. The building would include 56 studio units, each containing multiple bedrooms. Ample parking is proposed for bicycles. Private amenity areas, including a study and a recreation room would be provided within the preferred scheme, as would be a roof-top garden and recreation area.

The applicants noted that no vehicular parking was required at this site. There was no mention by the applicant that construction of the building would aim for or would achieve particular sustainable standards other than those required by Code.

PUBLIC COMMENT

The official public comment period for this proposal ended on May 1, 2013. The City received 5 written comments regarding the project; additional public comments were elicited at each of the Design Review meetings. Specific comments from those meetings are included under the Design Review analysis discussed below.

ANALYSIS – DESIGN REVIEW

Early Design Guidance Meeting –February 4, 2013

Architects' Presentation

Three alternative design schemes were presented by project architect Joel Wilbur. All of the options included structures generally occupying the entire site.

The first scheme ("Massing Option A") showed a bar slightly recessed at the residential entry area off Brooklyn Avenue NE. The bar was slightly recessed at each end where a middle unit was located, from the second through the fourth floors. At the fifth, sixth and seventh levels the middle unit along the south end was omitted, allowing for light to penetrate a central circulatory courtyard.

The second scheme ("Massing Option B") was similar to the bar shown as Option A, except that the upper units at the middle of the south end were not removed, allowing for less light into the

central circulatory well. The "square doughnut" scheme also showed parking at the alley level, rather than below grade. A striking part of "Option B" was an irregular modulation scheme along Brooklyn Avenue NE that actually projected portions of the front façade into the right-of way above the sidewalk. Although the presentation contained the note that the "interior courtyard pushes mass to street," it was not altogether clear why the interior courtyard, graphically shown as engaging less volume than the courtyard of the preferred scheme, had not forced Massing Option A to encroach across the front property line.

The third scheme ("Massing Option C") showed a "C" shaped scheme, with the two legs of the "C" perpendicular Brooklyn Avenue NE, beginning above the solid mass of level 1. This scheme was said to allow for fewer units than the other two presented schemes.

The applicant noted that none of the schemes would require departures from development standards.

PUBLIC COMMENT

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

- Noted that there were view and shadow issues associated with the proposal and that parking access to the condominium buildings west of the alley was restricted and many drivers accessed the parking from the parking lot that would be developed….
- Noted that the proposed structure, no matter the orientation of the scheme chosen, would be out of scale with the existing neighboring buildings on the Brooklyn Avenue NE half of the block.…
- Noted that the proposal at the proposed height would have profound effects on the much smaller building directly north of the site which had been designed according to a day-lit plan.
- Noted that there was an "implicit easement between the building to the north of the development site and the development site, partially on the vacant lot that would be developed and that the "easement" was in much use by pedestrians cross from Brooklyn Av NE to the alley.

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 comments relating to the proposal.

- A need to provide sections to reveal the relationship of the proposed structure to existing and finished grades, especially between the level of the alley and through the parking area and building to the sidewalk along Brooklyn Avenue NE.
- Provide details of how the alley really works as access juncture for existing buildings and assumed post construction of the proposal.
- Provide more street-level renderings of proposed structure.
- Explore how the attractiveness and playfulness of the modulated Brooklyn Avenue NE façade of Option B might enliven the façade treatment of Option A.
- The Brooklyn Avenue NE façade shown in Option B, although at a preliminary stage, conveyed a stronger sense of a residential building above the commercial base and the applicants were urged to retain that residential sense as design development progressed.

- The entry and building seam as location of the elevator and landings shown in both options "A" and "B" was identified by the Board as "a strong architectural move," one that should be more fully developed.
- Provide examples of proposed finish materials at the Recommendation Meeting.

Commenting on the proposed schemes, the Board agreed that the "C" scheme was probably the weakest, with both Options "A" and "B" having more individual merit.

The Board asked that at the Recommendation meeting the design team should provide some three dimensional views of the broader built environment, indicating graphically how the proposed structure would fit into the existing built context .

The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project (see below).

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation regarding any requested departure(s) will be based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departure(s). The Board's recommendations regarding any departures will be reserved until the recommendation meeting.

At the time of the Early Design Guidance meeting, the design team indicated that no departures from development standards were being requested.

Given the general comments from the Board members, the following Design Guidelines from the ***Guidelines for Multifamily and Commercial Buildings*** were identified as being of highest priority for developing a successful MUP application and well-designed building: A-2, A-3, A-4, A-5, A-8, C-2, C-3, C-4, D-1, D-7, D-10, D-11, and E-2. The applicant is also referred to the supplemental materials in the ***University Community Design Guidelines*** for specific guidance for this proposal. In particular, the applicant is directed to the additional comments under the following guidelines: A-3, A-4, C-4, and D-1. In identify each of these general and neighborhood-specific guidelines to be of highest priority for the success of the project, the Board pointed out that, unless physically not applicable to the actual proposal, all of the design guidelines contained in the two documents are pertinent to a successful design.

A-3 Entrances Visible from the street
Entries should be clearly identifiable and visible from the street.
As noted above in remarks under the Board's deliberations, setting back the circulation seam of the elevators and their vestibules aligned with the inset street-level residential pedestrian entrance was a strong architectural move to be kept and refined.

A-4 Human Activity
New development should be sited and designed to encourage human activity on the street.
Design development and refinement should clearly convey a sense of heightened and pleasant pedestrian experience.

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.
While it is acknowledged that infill development cannot always accede to the desires of adjacent property owners, good design will seek ways to minimize abrasiveness and obtrusiveness.

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 applicant should study how the access from the alley actually works for the intended structure and in concert with adjacent properties and strive to avoid conflicts wherever possible.

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.
The Board selected this guideline to be of special urgency in attempting to integrate the attractive energy of the façade in Option B with the organizational diagram of Option A, all the while preserving the strength of the asymmetrical entry and circulation seam within what would be a "busier" façade.

C-3 Human Scale
The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.
The Board was especially interested in seeing details of the interactions with the retail space and entry from the pedestrian, eye level perspective along Brooklyn Avenue NE.

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, patterns, or lend themselves to a high quality of detailing are encouraged.

Architectural materials, scale and details should be integrated within a building whose concept is appropriate for the site and its surroundings as well as its programmatic uses. The Board was not prescriptive regarding materials, but would expect to see a choice of durable and sustainable materials and to be presented with samples of proposed colors and materials at the subsequent recommendation meeting.

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

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.

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

The above four guidelines dealing with the Pedestrian Environment were cited by the Board as being of highest priority for the success of the project under review. The Board was particularly interested in seeing clearly how one would enter the building, on foot or in a vehicle from the alley, and as a pedestrian from the front sidewalk. The Board would like to see a complete

outdoor lighting plan, one that illuminated the various entrances and provided security without causing glare for neighbors. The Board would also like to see graphics that conveyed a sense of the experience of the building and its immediate environment from an eye-level view at the ground plane.

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.
Although the above guideline was the lone landscaping guidance given for the project, the Board felt that enhancing the streetfront along Brooklyn Avenue NE was particularly important. A landscape plan should also convey details of the rooftop amenity space as well as show how the buildings north and south edges addressed the abutting neighbors of this in-fill building.

Recommendation Meeting –July 15, 2013

At the Early Design Guidance the preferred massing scheme showed a bar slightly recessed at the residential entry area off Brooklyn Avenue NE. The bar was slightly recessed at each end where a middle unit was located, from the second through the fourth floors. At the fifth, sixth and seventh levels the middle unit along the south end was omitted, allowing for light to penetrate a central circulatory courtyard. This preferred scheme was presented more fully developed at the Recommendation Meeting, with the front façade creating a solid front along Brooklyn Avenue NE, except for a recessed notch that accommodated the residential entry and elevator tower.

All the ground floor commercial spaces would be directly accessed from individual entries along Brooklyn Av NE, with the residential lobby distinguished with a different canopy profile and set back from the plane of the retail spaces. To the left of the residential entry was a double-height residential amenity area.

For design details, see the packet at:

http://www.seattle.gov/dpd/aboutus/news/event/DesignReview/SearchPastReviews/default.asp

Public Comment

Comments on the project included those of owners of the small, neighboring building to the north which would be within the shadow of the much larger building during a significant portion of the day. A member of the public also noted that the parking lot and open space currently on site provided for regular vehicular and pedestrian pathways from the alley to Brooklyn Avenue NE, which maneuvering construction of the new building would put an end to.

Departures

Two departures from development standards were requested by the applicants. First, was a departure from SMC 47A.005, which does not allow more than 20 percent of the street facing façade to be occupied by residential uses. In all, 29.5 percent of the proposed façade would be occupied by residential uses, which would include residential lobby and a gym-amenity space for residents. A second departure was requested from SMC 23.54.030.D.3, which states that no portion of a driveway shall exceed a 15 percent slope. The proposed slop is 20 percent.

During their deliberations the Board recommended approval of the driveway slope, agreeing that the slope was related to only 8 parking space which were tucked below the alley grade, provided a better relationship to the alley than the option of parking at grade open to alley. In addition,

the Board agreed that the increased slope allowed for the ground floor commercial spaces to have adequate depth and provide for greater human interaction and activity along the street front (Guideline A-4). Likewise, the Board recommended the departure from the diminishment of commercial frontage since the gym/amenity space at two stories of glass frontage was thought to enliven the street front dramatically and (Guideline A-40) and compositionally worked to add dramatic flair to the stair and elevator tower (Guideline C-2).

Boards' Recommendation of Approval of Project and Departures

The Board unanimously recommended conditional approval of the project and the requested departures. They found that the applicants had thoughtfully addressed the Guidelines determined to be of highest priority and had seriously considered the earlier guidance given by the Board. One particular area of some discussion by the Board, however, was the stair and elevator tower that was presented as a kind of signature element of the project. Favorably reacted to by the Board, this element was thought by the Board to deserve even "more pop." The Kynar painted perforated metal screen in bright metallic orange, as rendered. It was suggested, might be more fully integrated with the transparency of the elevator, in glass color, in interior elevator colors, or in lighting or all, to enhance what was a pleasant and significant architectural gesture of the project. It certainly should not be muted or dumbed-down in any way. Rather, the design team was encouraged to explore ways in which the element could become an even more forceful gesture.

The Board's condition of approval was that the architect work with the Land Use Planner to ensure that this element was not in any way degraded or perceptually lost. The architects met with the Land Use Planner on September 24, 2013 per the condition and direction given by the Board at the July 15, 2013 meeting. In a letter dated October 2, 2013, sent to DPD after the meeting, the architects agreed: 1) to have the tower evenly lit with wall-washing lights to bring the tower element to life after dark, and 2) to paint the area behind the perforated metal in the same orange color as the metal to create the perception of a deeper depth of color.

ANALYSIS & DECISION- DESIGN REVIEW

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

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

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

Director's Analysis and Decision

Five members of the Design Review Board provided recommendations (listed above) to the Director and identified elements of the Design Guidelines that would be critical to the project's overall success. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made at the Recommendation meeting and finds that they are consistent

with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board's conclusion that the proposed project as presented at the July 10, 2013 meeting would result in a design that best meets the intent of the applicable Design Guidelines. Therefore, the Director accepts the Design Review Board's recommendations regarding the removal of the trees on site and their approval of the design, predicated upon a favorable redesign of the corner tower element to impart a greater sense of verticality to the architectural feature, and **APPROVES the proposed design and the requested departure.**

Design Review Conditions

See below.

ANALYSIS – SEPA

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) because the proposed project exceeds the 12,000 square feet size threshold.

This site was originally looked at as part of the ***Yesler Terrace Redevelopment,*** Draft (2010) and Final EIS (2011). The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant, dated April 10. 2013. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist which was submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SM C 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 and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,"* subject to some limitations.

Short-Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and nonrenewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates approximately 4,500 cubic yards of excavation for construction. Excess material to be disposed of must be deposited in an approved site.

- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, and removal of debris and regulates obstruction of the pedestrian right-of-way.
- PSCAA regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities. Most short-term impacts are expected to be minor, and compliance with existing applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. For example, the Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes, and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of drainage, grading, traffic, circulation and parking, noise, and greenhouse gases is warranted.

Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

Earth - Grading

Construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

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 current proposal involves excavation of approximately 4,500 cubic yards of material. A Geotechnical Report by GeoEngineers, dated March 16, 2012, was submitted with this application and was reviewed and approved by DPD. 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.

Traffic, Circulation and Parking

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The construction activities will require the removal 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 materials to the site will generate truck trips.

During demolition and construction, the existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. For the removal and disposal of the spoil materials, the 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 to minimize the amount of spilled material and dust from the truck bed en route to or from a site.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires and removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for these construction transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

On-street parking in the neighborhood is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site or on a dedicated site within 800 feet for the term of the construction, whenever possible.

To facilitate these efforts, a Construction Management Plan will be required as a condition of approval identifying construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.

Noise

All construction activities are subject to the limitations of the Noise Ordinance. However, given the proximity of the site to existing residential uses, additional restrictions are warranted. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7 a.m. to 6 p.m. and to Saturdays between 9 a.m. No construction will be permitted on Sundays. Non-noisy activities, such as site security, monitoring, and weather protection shall not be limited by this condition.

Greenhouse Gas Emissions

Construction activities, including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves, result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Long-Term Impacts — Use-Related Impacts

Height, Bulk and Scale

The SEPA Height, Bulk and Scale Policy (25.05.675.G) states that:

"…the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies…for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning."

In addition, the Policy states that:

"A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated."

The proposed development would proceed according to Land Use Code standards for the proposed zone. The development as a whole will be in keeping with the scale of development anticipated by the goals and policies for the existing zoning and the Comprehensive Plan. In addition, in approving the project, the Design Review Board gave particular attention to the height, bulk and scale relationship of the proposal to its surroundings. There is no evidence that height, bulk and scale impacts have been inadequately mitigated through the Design Review Board process. Therefore, no mitigation of height, bulk and scale impacts is warranted pursuant to SEPA.

Traffic and Parking

The proposed development is estimated to generate approximately 798 2-way trips per day for residential use and an additional 107 2-way trips per commercial uses. Peak volumes are expected to occur during typical peak hours of 6:00 a.m.-8:00a.m and 4:00p.m. to 6:00p.m. While these impacts may be adverse, they are not expected to be significant as they affect existing and future 2014 conditions. The project is close to transit and will provide 32 interior bike storage spaces and a bicycle repair area to encourage alternatives to single occupancy vehicle use. No further mitigation through SEPA authority appears warranted.

Greenhouse Gas

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. It is estimated that over the lifetime of the projects, emissions of CO2 directly attributable to the project would be 6,721,885 MTCO2e. While these impacts are adverse, they are not expected to be significant.

DECISION — STATE ENVIRONMENTAL POLICY ACT (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. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21 C), including the requirement to inform the public of 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 43.21 C.030(2)(c).

CONDITIONS DESIGN REVIEW

Prior to issuance of the MUP permit

1. The MUP architectural plans shall be updated to include colored elevations and other plans that show the approved configuration and treatment of the tower element at the corner of 12th Avenue and E. Yesler Way.

Prior to Issuance of a Certificate of Occupancy

2. The design, siting, and architectural details of the project shall remain substantially as presented at the Design Review recommendation meeting of July 10, 2013, except for any alterations made in response to the recommendations of the Board and incorporated into the plan sets re-submitted to DPD prior to issuance of the Master Use Permit. Compliance with the approved design features and elements, including exterior materials, architectural detail, facade colors, and landscaping, shall be verified by the DPD Planner assigned to this project. Inspection appointments with the Planner shall be made at least five (5) working days in advance of the inspection.

CONDITIONS – SEPA

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction:

3. The hours of construction activity not conducted entirely within an enclosed structure shall be limited to non-holiday weekdays between 7:00 a.m. and 7:00 p.m., and between 9:00 a.m. and 7:00 p.m. on Saturdays. All construction activities remain subject to the construction noise ordinance (SMC 25.08.425).

Signature: (signature on file) Date: October 24, 2013
Michael Dorcy, Senior Land Use Planner
Department of Planning and Development

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