



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

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

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

**Application Number:** 3014898  
**Applicant Name:** Gary Oppenheimer, NK Architects  
**Address of Proposal:** 3651 Interlake Ave N

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a four story, 17 unit residential building with one live-work unit located at street level.

The following Master Use Permit components are required:

**Design Review** (SMC Chapter 23.41) with Development Standard Departures:

1. Setback Requirements (SMC 23.47A.014.B.3.a&b).
2. Setback Requirements (SMC 23.47A.014.B.1).

**SEPA DETERMINATION:**

Determination of Non-significance

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

Site Zone: Commercial 1-30 (C1-30)

Nearby Zones: Directly to the north and to the east across Interlake Ave N, the zone is LR2. To the west, across the alley the zone is C2-40. To the south the zone is C1-30

Lot Area: 4,551 square feet.

Project Description: The proposed project is for the design and construction of a 4-story mixed use building with 17 residential units and one live/work unit. No parking is provided.

The proposed structure will have 4 stories of residential units including, studios, one bedroom units and two loft units. The ground level facing the street will have one live/work unit approximately 635 sq. ft. in size. The main residential entry gate will be accessed by an open ramp that runs on the north side of the live/work unit. An open stair leads up and down to the residential units. An enclosed stair leads up to the two loft units that face the street above the ground level. Approx. 450 cubic yards of soil will be excavated.

Current Development: The site is currently vacant.

Access: The site is bordered by Interlake Ave. to the east, and an alley to the west.

Surrounding Development: The lot directly to the north contains a four-plex in a converted Seattle “four square” residence built in 1901. Further to the north are single family residences remaining from when the area was first developed in the early 1900’s. To the south is a one story warehouse structure built in 1981. Across Interlake Ave N to the east is a three story apartment building constructed in 1988 and a single family residence built in 1911. West of the alley a large mixed use development is under construction. Also across the alley is a two story office building that Bastyr recently occupied.

Environmentally Critical Area’s: None

Neighborhood Character: The surrounding neighborhood along Interlake Ave N and to the east has a predominately residential character even with the commercial warehouse structures south of the subject site. Newer townhouses are replacing the older single family residences but there is still a good mixture of both. Stone Way N to the west is a busy arterial which had many commercial uses focusing on the building trades but is being transitioned to larger mixed use developments.

## **DESIGN REVIEW**

### **EARLY DESIGN GUIDANCE MEETING: August 14, 2013**

The packet presented at the EDG meeting is available online by entering the project number (3014898) at this website:

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

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

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

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

### Public Comment

Several members of the public were present. The following comments, issues and concerns were raised at this meeting:

- Stated that they are not opposed to a modern look but encouraged a structure that fits in with the neighborhood.
- Encouraged materials that will transition from a modern look to the existing craftsman style structures.
- Encouraged the south facing wall that will rise above the existing structure provide visual interest, not a blank wall.
- Stated that the proposed structure appears more office-like than residential with the large amounts of glass proposed.
- Concerned about the loss of the current neighborhood character and encouraged the proposed design not to be too industrial looking.
- Concerned that blank walls at ground level will attract graffiti.

## **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.

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

### **EARLY DESIGN GUIDANCE:**

1. **Design Character:** The Board expressed concern that the proposal is not presenting a clear architectural concept. The modern industrial look presented in the character sketches is interesting but does not read as residential. The Board debated giving specific advice on style but determined they were comfortable with the design team generating an interesting concept and detailing. The Board stated they were open to various options being presented at the Recommendation meeting.
  - a. The idea of transition from commercial to residential use should be expressed. (B-1)
  - b. The building should not have a strictly commercial vocabulary. Balance the commercial live/work unit at grade with the residential use of the structure and neighborhood. (A-5, C-1, C-2)

- c. Consider providing modulation on the south elevation above the existing structure to the south. (C-2)
2. **Privacy:** The Board expressed concern that privacy is not being adequately addressed for the existing residential structure to the north and for the proposed ground floor units.
  - a. Document the location of the windows of the existing residence to the north and provide for privacy of the residents. (A-5)
  - b. Landscaping should be provided in front of the glazing at the ground level units. (A-5, E-2)
3. **Pedestrian Experience:** The Board discussed the pedestrian experience at the ground level.
  - a. The proposal should provide for weather protection and lighting for residents at unit entries. (A-6, D-1)
  - b. Landscaping should be incorporated into the north setback pedestrian walkway. (A-5, E-2)
  - c. Entries to the units, especially the live/work unit should be visible and provide a human scale. (A-3, A-6)

### **RECOMMENDATION MEETING: March 17, 2014**

#### **DESIGN PRESENTATION**

The Recommendation packet includes materials presented at the meeting, and is available online by entering the project number 3014898 at this website:

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

The Recommendation packet is also available to view in the project file (project # 3014898), 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](mailto:PRC@seattle.gov)

#### **PUBLIC COMMENTS:**

There were no public comments made at the Recommendation Meeting.

### **PRIORITIES & BOARD RECOMMENDATIONS**

After considering the context provided by the proponents, and hearing public comment, the Design Review Board members provided the following design guidance.

## RECOMMENDATION GUIDANCE:

1. **Design Character:** The Board complimented the applicant on a well put together presentation and design. It was noted that at the street facing east elevation, there were many façade elements for a 35' wide structure. The applicant responded that the elevation presented at EDG was 'cold' and they sought to avoid a façade with too much glazing and believed the proposed façade worked well.
  - a. The Board recommended that the east elevation, shift back the lower level to create a shadow line. (C-3)
  - b. The east elevation is very cohesive with the open entry and the 'quiet' live/work entry. (C-2)
2. **Privacy:** The applicant presented a graphic showing the relationship of the proposed windows with the existing structure to the north. The Board did not speak directly about this issue but was pleased with the window study and design presented showing landscaping along the north property line.

The Board expressed concern about the viability of the landscaping on the north side of the building being able to survive but were assured that the plants will be shade tolerant.

3. **Pedestrian Experience:** The Board discussed the entry sequence from Interlake Ave N. into the development and had the following concerns and suggestions:
  - a. The exterior circulation on the site is currently designed so that access is open. The Board thought that the project seemed secure except for the lower level and recommended that the project be designed so that it can be retrofitted with gates if needed. (D-7)
  - b. The Board recommended that the south entry ramp should include a gate or door. (D-7)
  - c. Keep the north entry sequence subtle, similar to what would be found in a single family residence. (A-6)
  - d. The additional ramp running parallel with the sidewalk in front of the live/work units detracts from the design. The Board gave direction to work with DPD's ordinance reviewers to see if the ramp can be avoided. (A-2, C-2)
3. **Signage:** The Board critiqued the proposed signage.
  - a. The proposed building signage at the north corner and the horizontal signage for the commercial space work well. (D-9)
  - b. The Board encouraged the applicant to consider putting the building signage on the stairwell glass at the north corner. (D-9)

The Board identified the Citywide Design Guidelines of highest priority for this project.

### Site Planning

- A-2 **Streetscape Compatibility.** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.
- A-3 **Entrances Visible from the Street.** Entries should be clearly identifiable and visible from the street.

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

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

- B-1 **Height, Bulk, and Scale Compatibility.** Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.

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

- C-1 **Architectural Context.** New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.
- C-2 **Architectural Concept and Consistency.** Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.
- C-3 **Human Scale.** The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.
- C-4 **Exterior Finish Materials.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

## **D. Pedestrian Environment**

- D-1 **Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.
- D-2 **Blank Walls.** Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.

- D-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.**
- D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.**
- D-9 Commercial Signage. Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.**
- D-11 Commercial Transparency. Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.**
- D-12 Residential Entries and Transitions. For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.**

## **E. Landscaping**

- E-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.**
- 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.**

## **DEVELOPMENT STANDARD DEPARTURES**

The Board's recommendation on the requested departure(s) were 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). At the Final Recommendation Meeting two departures were requested:

- 1. Setback requirements for Lots Abutting Residential Zones (SMC 23.47A.014.B.3.a&b):  
The Code requires structures along a rear or side lot line that abuts a residential zoned lot to be set back 15' for portions of the structure above 13' in height up to 40', and an additional 2' for every ten feet of height above 40'. The applicant proposed a setback from the north lot line that varies from 5'-9" to 9'-5".**

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-5, A-7, C-1 and E-2. The design provides opportunities for ground level landscaping and open space abutting the neighboring site. The buildings street facing elevation, and relationship to the north lot line will be more in keeping with the elevations and siting of structures in the residential zoning to the north.

The Board recommended unanimously that DPD grant the departure.

- 2. Setback Requirements for Lots Abutting Residential Zones (SMC 23.47A.014.B.1):** The Code requires a 15' by 15' triangular area setback where a NC zoned lot abuts the intersection of a side and front lot line of a lot in a residential zone. The applicant is proposing a maximum 7' by 7' portion of the structure to intrude into the required setback area.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines C-1 and C-2 by providing a structure massing more in keeping with the existing neighborhood character and a front of the structure that better interacts with the streetscape. The square setback better reflects the configuration of the existing residential structures to the north than an angled structure would.

The Board recommended unanimously that DPD grant the departure.

### **BOARD RECOMMENDATIONS**

The recommendation summarized below was based on the design review packet dated March 17, 2014, and the materials shown and verbally described by the applicant at the March 17, 2014 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, four Design Review Board members recommended **APPROVAL** of the subject design and of departures with the following recommendations:

1. The north entry should be designed so that it can be retrofitted with gates if needed. (D-7)
2. The south entry ramp should include a gate or door. (D-7)

Applicant response to Recommended Design Review Recommendations:

1. The applicant's plans have been modified to include a gate at the entry to the residential hallway and stairs accessed from Interlake Ave N. The design has been reviewed and approved by the Land Use Planner. The proposal satisfies recommendation #1.
2. The applicant's plans have been modified to include a metal gate and fence at the south entry ramp. The design has been reviewed and approved by the Land Use Planner. The proposal satisfies recommendation #2.

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

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

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

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

### **Director’s Analysis**

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

### **Director’s Decision**

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

### **SEPA ANALYSIS**

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated October 4, 2013. The Department of Planning and Development (DPD) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or its agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, 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.

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts in appropriate.

#### Public Comment:

The SEPA public comment period began on October 31, 2013, and was extended to November 27, 2013 by public request. Numerous SEPA comments were received.

#### Short Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: 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. The following analyzes construction-related noise, air quality, greenhouse gas, construction traffic and parking impacts, as well as mitigation.

#### Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential uses. There will be excavation required to prepare the building site and foundation. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding residential uses in the adjoining area. Due to the proximity of the LR2 residential zone directly to the north and to the east, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted, see SEPA conditions at the end of this document.

*Air Quality*

Demolition of the existing structures, grading and construction activities will result in localized short-term increases in air particulates and carbon monoxide which could temporarily affect the air quality in the vicinity. Demolition/construction activities that would contribute to these impacts include excavation, grading, soil compaction, and operation of heavy trucks and smaller equipment (i.e., generators and compressors). Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency regulations requires activities which produce airborne materials or other pollutant elements to be contained with temporary enclosure. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency (“PSCAA”) prior to demolition. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne.

There is no indication of unusual short term adverse impacts related to air quality. Current codes are adequate to provide mitigation and pursuant to the Overview Policy (SMC Section 25.05.665) and Air Quality Policy (SMC Section 25.05.675A). Therefore, no further mitigation is warranted.

*Greenhouse gas emissions*

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

*Construction Parking and Traffic Impacts*

During construction, parking demand will increase due to additional demand created by construction personnel and equipment. Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. However given the smaller size of this project and the restrictions of the RPZ (Residential Parking Zone) designation of this block of Interlake Ave N and other nearby streets, mitigation is not warranted.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Compliance with Seattle’s Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

### Long Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; and possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas emissions; height, bulk and scale; traffic and transportation; and parking impacts warrant further analysis.

#### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant, therefore, no further mitigation is warranted.

#### Height, Bulk & Scale

The project went through a Design Review process which addressed the issue of Height, Bulk & Scale; see the above Design Review Analysis for details of the process and design changes.

Pursuant to SEPA Policy 25.05.675.G.2.c: Height, Bulk and Scale, "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 is presumed to comply with the 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 that have undergone design review shall comply with the design guidelines applicable to the project." Additional SEPA Mitigation of height, bulk and scale is not warranted.

#### Traffic and Parking

The project will add traffic to local streets. Based on rates from the Institute of Transportation Engineers Trip Generation manual, and adjusting for nearby transit opportunities, the project is expected to generate fewer than 10 new vehicle trips occurring during any given hour. This amount of additional traffic is not expected to result in a noticeable impact on the local roadway system.

The project is not providing any parking spaces. Given the number and size of the proposed units, parking demand should range from 9 to 13 spaces. SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in urban villages within 1,320 feet of a street with frequent transit service. This site is located within the Fremont Hub Urban Village, is also located within a mapped frequent transit service corridor. 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.

DPD's Transportation Planner has determined that the additional hourly trips and parking demand do not contribute significant adverse impacts requiring mitigation. Accordingly, no mitigation is required.

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

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

- Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

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

This DNS is issued after using the optional DNS process in WAC [197-11-355](#) and Early review 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. If the applicant intends to work outside of the limits of the hours of construction described in condition #2, a Construction Noise Management Plan shall be required, subject to review and approval by DPD, and prior to a demolition, grading, or building permit, whichever is issued first. The Plan shall include proposed management of construction related noise, efforts to mitigate noise impacts, and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short - term transportation impacts that result from the project.

#### **During Construction**

2. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan, required prior to issuance of a building permit as noted in condition #1.

**DESIGN REVIEW - CONDITIONS OF APPROVAL.**

Prior to Certificate of Occupancy

3. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Beth Hartwick 206 684-0814 or [beth.hartwick@seattle.gov](mailto:beth.hartwick@seattle.gov)).
4. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Beth Hartwick 206 684-0814 or [beth.hartwick@seattle.gov](mailto:beth.hartwick@seattle.gov)).

For the Life of the Project

5. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Beth Hartwick 206 684-0814 or [beth.hartwick@seattle.gov](mailto:beth.hartwick@seattle.gov)) or a DPD assigned Land Use Planner.

Signature: \_\_\_\_\_ (signature on file) Date: August 7, 2014  
Beth Hartwick, Senior Land Use Planner  
Department of Planning and Development

BH:drm