City of Seattle
Edward B. Murray, Mayor

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

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

Application Number: 3016897

Applicant Name: Aaron Schaefer of Via Architecture

Address of Proposal: 427 9th Avenue North

SUMMARY OF PROPOSAL

Land Use Application to allow a 26-story building containing 244 dwelling units, above 3,831 sq. ft. of retail space at ground level. Parking for 96 vehicles below grade to be provided. Existing structures to be demolished. Project includes 14,000 cubic yards of grading.

The following approvals are required:

Design Review pursuant to Chapter 23.41, Seattle Municipal Code, with Departures:

Development Standard Departure to decrease minimum depths of residential amenity areas. (SMC 23.48.020.C.3)

Development Standard Departure to exceed the minimum 10ft setback from roof edge below, of rooftop elements over 240 ft. (SMC 23.48.010.H.7.b)

SEPA – Environmental Determination – Chapter 25.05, Seattle Municipal Code.

DPD SEPA DETERMINATION:

Mitigated 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:

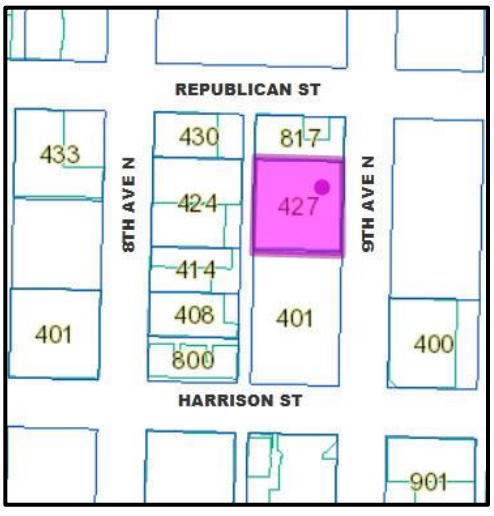
Site Zone: SM 160/85-240

Nearby Zones: (North) SM 160/85-240
(South) SM 160/85-240
(East) SM 160/85-240
(West) SM 85-240

Lot Area: 14,387 sq.ft.

Site Development:

The site is currently occupied by two, one-story commercial structures.



Access:

This mid block site has pedestrian access is from the adjacent 9th Avenue North. The adjacent through-block alley to the west provides vehicular access to the site.

Surrounding Development and Neighborhood Character:

A newer 7 story residential structure is adjacent to the south; a two story commercial structure is adjacent to the north; 2 story commercial structures are across the alley to the west; a 12 story office building is under construction on the entire half block to the east across 9th Avenue N. The neighborhood is undergoing a transition from largely 2-3 story commercial uses to a taller mixed use character, including an 8 story residential project proposed for the half-block site across the alley to the west (#3014781).

Environmentally Critical Areas (ECA's):

None.

I. ANALYSIS – DESIGN REVIEW

EARLY DESIGN GUIDANCE April 16, 2014

The packet includes materials presented at the meeting, and is available online by entering the project number (3016897) 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 file, by contacting the Public Resource Center at DPD:

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

Email: PRC@seattle.gov

PUBLIC COMMENT

At this EDG meeting, the following comments, issues and concerns were raised:

- Stated the street level treatment facing 9th was broken up well and supported the South Lake Union guidelines.
- Concerned about light and air blockage for the corridor-end windows on the adjacent residential building to the south (stated those are operable windows).
- Concerned about the design of the southeast corner of the proposed base, stating it does not transition well to the existing (voluntary) setback on the abutting property.
- Concerned the one loading space for 240 units is not sufficient, and with so little on-site parking, that one loading space will always be occupied by resident parkers, thus congesting the alley.

- Concerned about loading and vehicular flow conflicts on the alley with the loading and parking ramp of the adjacent residential project proposal (#3014781, MUP issued).
- Asked how the base meets the north property line and abutting structure? [Applicant clarified the preferred concept has a 4 story wall at the north property line, and a 25ft tower set back above that].
- Stated that more guest drop-off and grocery/etc unload spaces should be provided.

FINAL RECOMMENDATION January 7, 2015
The packet includes materials presented at the meeting, and is available online by entering the project number (3016897) 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 and issues were raised at this meeting:

- Supported the general massing and carrying the tower face to grade at the entrance lobby, but felt the canopy at that location was heavy and negated a clear reading of the entry.
- Supported the dark brick at the base and wrapping the two side walls, but suggested a darker grout color than shown.
- Appreciated the step down of the proposed base at the southwest corner to respect the existing adjacent amenity deck.
- Suggested the project wall opposite the 2-3 floors of corridor-end windows on the adjacent residential building be given an interesting and bright color treatment.
- Supported the columnar street trees and root barriers proposed.

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 (the Board) provided the following priority guidelines, siting and design guidance.

The PRIORITY Citywide and *Neighborhood specific guidelines* are summarized below, while all guidelines remain applicable. For the full text please visit the Design Review website.

Page references below are to the Recommendation booklet dated January 07, 2015.

CONTEXT & SITE

CS1 Natural Systems and Site Features: Use natural systems/features of the site and its surroundings as a starting point for project design.

CS1-B Sunlight and Natural Ventilation

CS1-B-2. Daylight and Shading: Maximize daylight for interior and exterior spaces and minimize shading on adjacent sites through the placement and/or design of structures on site.

CS1-B-3. Managing Solar Gain: Manage direct sunlight falling on south and west facing facades through shading devices and existing or newly planted trees.

At the Early Design Guidance Meeting, the Board discussed how the long south wall, and east/west walls (in all options) deserve careful integration of exterior shading elements, especially since no balconies are proposed as modulation or shading devices. The Board also encouraged more study of sunlight penetration to level 2 and 5 terraces, which appear to be in perpetual shade. The Board encouraged the reduction of the west side of the preferred roof penthouse so it does not shade the shared, north roof terrace as much. (Also see DC3-B)

At the Final Recommendation Meeting, the Board regretted that the gold wrapping facades (especially the solar impacted south one) did not display projections, sunshades or the degree of textural interest the Board expected. However, the designs presented are minimally acceptable as long as they incorporate the recessed panels, shadow play and visual depth over the entire extent of the gold facades, as shown on page 75.

The Board was satisfied with the enlarged south terrace, the landscape design of the north terrace, and the redesigned canopy elements that maximize sun penetration, as shown on booklet page 30; the penthouse form above does not need to be reduced, and it should not increase in size or height.

CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

CS2-A Location in the City and Neighborhood

CS2-A-2. Architectural Presence: Evaluate the degree of visibility or architectural presence that is appropriate or desired given the context, and design accordingly.

CS2-C Relationship to the Block

CS2-C-2. Mid-Block Sites: Look to the uses and scales of adjacent buildings for clues about how to design a mid-block building. Continue a strong street-edge and respond to datum lines of adjacent buildings at the first three floors.

CS2-D Height, Bulk, and Scale

CS2-D-4. Massing Choices: Strive for a successful transition between zones where a project abuts a less intense zone.

CS2-D-5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy of residents in adjacent buildings.

At the Early Design Guidance Meeting, the Board agreed all four sides of the tower will be highly visible in the existing and emerging context, so even this relatively small tower requires careful composition and quality materials (also see DC4-A-1). The Board supported the basic tower placement and massing as appropriate at this alley zone change.

The Board agreed the preferred option with its 45 ft base along 9th Avenue created the best mid-block street wall, but does not need to match adjacent datum lines, as long as the ground floor remains at about 15 ft clear height. To respect the adjacent site, the Board requested more detailed studies to ensure positive ventilation occurs to all floors of the window recess on the adjacent south property.

At the Final Recommendation Meeting, the Board accepted that ventilation should be adequate into the 2-3 stories of the adjacent window recess, and recommended that the side wall surface receive a light color surface and a treatment that provides visual interest for those windows to view.

South Lake Union Supplemental Guidance:

CS2-II Height, Bulk, and Scale Compatibility

> ***CS2-II-ii. Upper-level Setbacks:*** *Encourage stepping back an elevation at upper levels for development taller than 55 feet to take advantage of views and increase sunlight at street level. Where stepping back upper floors is not practical or appropriate other design considerations may be considered, such as modulations or separations between structures.*

At the Early Design Guidance Meeting, the Board discussed how the preferred tower massing steps back from 9th Avenue, and is slender north-south, affording more afternoon daylight to that street. The upper tower does not need further stepping, but the roof elements and vertical modulations shown should be retained, with refinements cited under DC3-B.

At the Final Recommendation Meeting, the Board endorsed the upper building setbacks.

CS3 Architectural Context and Character: Contribute to the architectural character of the neighborhood.

CS3-A Emphasizing Positive Neighborhood Attributes

> **CS3-A-4. Evolving Neighborhoods:** In neighborhoods where architectural character is evolving or otherwise in transition, explore ways for new development to establish a positive and desirable context for others to build upon in the future.

At the Early Design Guidance Meeting, the Board supported the proposed 'wrap' of contrasting material/texture shown on the west and south sides, especially as an environmental shading response and scale element. But the Board cautioned that wrap should not extend full height on the tower, or negate the vertical modulations, offsets and proportions shown.

At the Final Recommendation Meeting, the Board endorsed the redesign that shows the 'wrap' stepped down two floors on the north.

PUBLIC LIFE

PL1 Connectivity: Complement and contribute to the network of open spaces around the site and the connections among them.

PL1-B Walkways and Connections

PL1-B-2. Pedestrian Volumes: Provide ample space for pedestrian flow and circulation, particularly in areas where there is already heavy pedestrian traffic or where the project is expected to add or attract pedestrians to the area.

At the Early Design Guidance Meeting, the Board strongly endorsed the proposed 4 ft setback along 9th Avenue (to storefront, with pilaster faces setback 1-2 ft, as shown on page 27); this setback provides additional paved surface for café tables, etc while preserving the existing public sidewalk for pedestrian movement and a landscape buffer at the curb.

At the Final Recommendation Meeting, the Board reiterated the need for the 4 ft setback at the north portion of the façade, allowing for minimal pilasters to accommodate only structure. Also see comments under Pl2.

PL2 Walkability: Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.

PL2-B Safety and Security

PL2-B-3. Street-level Transparency: Ensure transparency of street-level uses (for uses such as nonresidential uses or residential lobbies), where appropriate, by keeping views open into spaces behind walls or plantings, at corners, or along narrow passageways.

PL2-C Weather Protection

PL2-C-1. Locations and Coverage: Overhead weather protection is encouraged and should be located at or near uses that generate pedestrian activity such as entries, retail uses, and transit stops.

At the Early Design Guidance Meeting, the Board suggested the southeast corner might integrate ground level corner glass to enhance transparency, and/or the south portion of the podium might step back more than 4 ft to ease the massing transition to the adjacent setback. In any case, the remaining south facing wall at the approximately 10ft setback requires a complete design treatment as it will be visible from the street. The Board supported continuous, integrated canopies at the ground floor, including a special treatment identifying the residential lobby at the massing indent. (see PL3-A-4)

At the Final Recommendation Meeting, the Board supported the expressed brick pilasters of the south street facing podium, but recommended the longer north portion recess the three storefronts as close as possible to the 4 ft from property line, to maximize café space. The Board endorsed the dark brick material and gray grout proposed, and the brick wrapping the visible southeast and northeast side walls. The Board agreed the lobby canopy should maintain a horizontal line, but be a clear glass back through the vestibule to the tower face.

South Lake Union Supplemental Guidance:

PL2-I Streetscape Compatibility

PL2-I-i. Street Level Uses: Encourage provision of spaces for street level uses that vary in size, width, and depth. Encourage the use of awnings and weather protection along street fronts to enhance the pedestrian environment.

PL1-I-ii. Streetscape Amenities: Provide pedestrian-friendly streetscape amenities

a. tree grates;
b. benches;
c. lighting.

PL1-I-iii. Sidewalk Retail: Where appropriate, configure retail space so that it can spill-out onto the sidewalk (retaining six feet for pedestrian movement, where the sidewalk is sufficiently wide).

At the Early Design Guidance Meeting, the Board strongly supported the 4 bays of commercial shown on page 28, and suggested the south commercial might expand one bay north; the lobby width is sufficient to give residential lobby presence and a seating area to the street. The Board requested a complete street landscape plan with the amenities listed. Assuming a 4 ft wide landscape zone at the curb, the pedestrian zone would be 6-7 ft wide and should not be reduced by any café corrals or fences.

At the Final Recommendation Meeting, the Board accepted the one bay retail at the south, and the landscape design shown on page 12/13, but recommended removal of the two planters along the north storefronts.

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-4. Ensemble of Elements: Design the entry as a collection of coordinated elements including the door(s), overhead features, ground surface, landscaping, lighting, and other features.

At the Early Design Guidance Meeting, the Board supported the approximate 8 ft ground floor indent at the residential lobby, and the tower continuity to grade at that location, but agreed that lobby needs a clear and identifiable cue of entry, legible to guests and visitors from the street, and those 8 ft side walls need design interest and pedestrian scale.

At the Final Recommendation Meeting, the Board agreed the lobby is identifiable as long as the first vestibule doors and glass are frameless and the canopy above is clear glass to maximize daylight. The night lighting should also emphasize that entrance and the tower wall surface beyond. The Board accepted that one side wall of the vestibule will be the dark brick back to the façade, and glass on the north side, as shown on page 9.

PL4 Active Transportation: Incorporate design features that facilitate active forms of transportation such as walking, bicycling, and use of transit.

PL4-A Entry Locations and Relationships

PL4-A-1. Serving all Modes of Travel: Provide safe and convenient access points for all modes of travel.

PL4-B Planning Ahead for Bicyclists

PL4-B-1. Early Planning: Consider existing and future bicycle traffic to and through the site early in the process so that access and connections are integrated into the project along with other modes of travel.

PL4-B-2. Bike Facilities: Facilities such as bike racks and storage, bike share stations, shower facilities and lockers for bicyclists should be located to maximize convenience, security, and safety.

PL4-B-3. Bike Connections: Facilitate connections to bicycle trails and infrastructure around and beyond the project.

At the Early Design Guidance Meeting, the Board commended the project emphasis on cycling as a substitute for the typical residential parking, but agreed the ground floor layout should be restudied to better accommodate that alternate mode, NOT reduce the commercial areas shown, and not use standard residential tower program assumptions. The Board suggested the following revisions:

- **a)** Wider corridors/ramps for residents with bicycles and or carrybags/panniers, and possibly a designated route to bike storage from 9th Avenue (which may become a future bike route).
- **b)** Larger quantity and more secure types of bicycle storage (even if this entails taking up space on level two, which is currently a dark zone. (see DC3-B).
- **c)** Consider added space for future alternative equipment larger than typical solo-bicycles such as: bike trailers, tandem bikes, motorized chairs, scooters, etc.
- **d)** Provision of more covered visitor drop-off/ unloading space off the alley, (although strong support for the two proposed car-share spaces).
- **e)** All of these program expansions suggest relocating the large transformer room shown at grade on page 28; especially on such a small site. These are typically above the ground level or below grade, and are not required to be at grade (and cost reduction is not a design guideline).

At the Final Recommendation Meeting, the Board acknowledged the project now proposed 102 parking spaces and somewhat less reliance on bike facilities, however the facilities provided are conveniently located with a direct route from the alley. The Board recommended that the alley door be accented with a contrasting color, and the bike storage room within be defined with a distinct color on the alley façade, as shown on page 75 /left.

DESIGN CONCEPT

DC1 Project Uses and Activities: Optimize the arrangement of uses and activities on site.

DC1-B Vehicular Access and Circulation

DC1-B-1. Access Location and Design: Choose locations for vehicular access, service uses, and delivery areas that minimize conflict between vehicles and non-motorists wherever possible. Emphasize use of the sidewalk for pedestrians, and create safe and attractive conditions for pedestrians, bicyclists, and drivers.

DC1-B-2. Facilities for Alternative Transportation: Locate facilities for alternative transportation in prominent locations that are convenient and readily accessible to expected users.

DC1-CParking and Service Uses

DC1-C-4. Service Uses: Locate and design service entries, loading docks, and trash receptacles away from pedestrian areas or to a less visible portion of the site to reduce possible impacts of these facilities on building aesthetics and pedestrian circulation.

At the Early Design Guidance Meeting, the Board agreed these guidelines also support the suggestions made under PL4-B. The Board noted the trash room shown on page 28 appears too small, and requested that space be redesigned to meet requirements in consultation with SPU staff. This is another program/space requirement that furthers the reconsideration of the transformer room and level 2 uses; the project can become a model for alternate mobility, and the Board sees these as reasonable consequences for eliminating virtually all parking/storage.

At the Final Recommendation Meeting, the Board acknowledged that the parking ramp now occupied valuable space, and accepted the SCL vault at the alley level. To assist commercial viability, the Board encouraged the project to maximize the commercial spaces at every possible location; perhaps implement a storage mezzanine over the ramp and other opportunities.

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-BArchitectural and Facade Composition

DC2-B-1. Façade Composition: Design all building facades—including alleys and visible roofs— considering the composition and architectural expression of the building as a whole. Ensure that all facades are attractive and well-proportioned.

DC2-B-2. Blank Walls: Avoid large blank walls along visible façades wherever possible. Where expanses of blank walls, retaining walls, or garage facades are unavoidable, include uses or design treatments at the street level that have human scale and are designed for pedestrians.

At the Early Design Guidance Meeting, the Board agreed all facades require composition, including the alley facing podium which faces the proposed 8 stories of residential units and courtyards in the adjacent project #3014781. See PL2-C for a street-visible blank wall concern.

At the Final Recommendation Meeting, the Board supported the alley materials and colors as shown on page 75 /left, including the smooth concrete, the mesh garage doors, and the lighting shown on page 32.

DC2-CSecondary Architectural Features

DC2-C-1. Visual Depth and Interest: Add depth to facades where appropriate by incorporating balconies, canopies, awnings, decks, or other secondary elements into the façade design. Add detailing at the street level in order to create interest for the pedestrian and encourage active street life and window shopping (in retail areas).

DC2-C-3. Fit With Neighboring Buildings: Use design elements to achieve a successful fit between a building and its neighbors.

DC2-DScale and Texture

DC2-D-1. Human Scale: Incorporate architectural features, elements, and details that are of human scale into the building facades, entries, retaining walls, courtyards, and exterior spaces in a manner that is consistent with the overall architectural concept

DC2-D-2. Texture: Design the character of the building, as expressed in the form, scale, and materials, to strive for a fine-grained scale, or "texture," particularly at the street level and other areas where pedestrians predominate.

At the Early Design Guidance Meeting, the Board discussed how all sides of the balcony-less tower will need other texture and interest providing elements to ensure visual composition and residential scale, so it is not confused with an office building. The Board also advised changes to the southeast corner (see PL2-C) for a better fit to the neighborhood context.

At the Final Recommendation Meeting, the Board accepted the 'gold wrap' facades with the qualifiers stated under CS1, and added further refinements to ensure the contrast, offsets and shadows in the tower are legible: add an indent at the panel color change on the east elevation; change a vertical recess color to improve contrast on the west; ensure the east corners are maximum glazing from floor to ceiling, as shown on pages 20-24.

DC3 Open Space Concept: Integrate open space design with the building design so that they complement each other.

DC3-B Open Space Uses and Activities

DC3-B-2. Matching Uses to Conditions: Respond to changing environmental conditions such as seasonal and daily light and weather shifts through open space design and/or programming of open space activities.

At the Early Design Guidance Meeting, the Board supported the generous and shared roof deck shown on page 29, but requested revisions on the height and west edge of the penthouse to improve general and afternoon sunlight penetration to the north side. The Board expressed concern that the terraces shown on levels 5 and 2 will get little sunlight; provide large scale shadow studies at all typical dates/times for confirmation. The environmental conditions of the two level 2 terraces appear to be self-shaded or permanently dark because of existing and adjacent proposed massing. Therefore the adjacent uses might be better matched to those non-unit functions described under PL4-B.

At the Final Recommendation Meeting, the Board accepted the placement and landscape design of all terraces, but recommended the rooftop amenity door onto the southeast terrace be shifted north to maximize interior usability. The Board also endorsed horizontal guardrails at all locations, or glass guardrails if climbing becomes an issue.

South Lake Union Supplemental Guidance:

DC3-II Landscaping To Enhance The Building and/or Site

DC3-II-i. Integrated Artwork: Consider integrating artwork into publicly accessible areas of a building and landscape that evokes a sense of place related to the previous uses of the area. Neighborhood themes may include service industries such as laundries, auto row, floral businesses, photography district, arts district, maritime, etc.

At the Early Design Guidance Meeting, the Board discussed how locale-specific cultural/industrial themes and elements might be integrated into the building, streetscape and shared terraces; at the next meeting provide a detailed landscape design for all the terraces, including lighting, furnishings and art elements. Strong bike themes were also suggested, for the landscaping, terraces, alley bike shop and possibly the street level.

At the Final Recommendation Meeting, the Board endorsed the landscape design, and supported the bike racks and regular sidewalk lighting fixtures shown on page 32 (as long as the bike racks meet SDOT approval and do not conflict with car door swings). Consider an integrated bike rack/lighting fixture similar to fixture E to reduce sidewalk clutter.

DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.

DC4-AExterior Elements and Finishes

DC4-A-1. 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.

DC4-CLighting

DC4-C-2. Avoiding Glare: Design project lighting based upon the uses on and off site, taking care to provide illumination to serve building needs while avoiding off-site night glare and light pollution.

At the Early Design Guidance Meeting, the Board agreed quality materials and detailing will be crucial (see DC2), and advised that all lighting be selected to not uplight or glare into the existing or future residential neighbors, or building residents.

At the Final Recommendation Meeting, the Board recommended deletion of all uplighting fixtures, at grade and on all terraces.

South Lake Union Supplemental Guidance:

DC4-I Exterior Finish Materials

DC4-I-i. Signs: Developments should accommodate places for signage that are in keeping with the buildings architecture and overall sign program. Preferred sign types include: 1) small signs incorporated into the building's architecture, along a sign band, on awnings or marquees, located in windows, or hung perpendicular to the building façade.

At the Early Design Guidance Meeting, the Board supported all signage on this residential project to remain subdued and the ground floor commercial signage to emphasize the pedestrian scale, per the above guideline.

At the Final Recommendation Meeting, the Board endorsed the signage concept design shown on page 36.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the 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 recommendation will be reserved until the final Board meeting.

At the time of the Final Recommendation meeting, the following departures were requested:

1. **Minimum Horizontal Dimension of Amenity Area (23.48.020.C.3):** The Code requires all amenity areas that qualify for code requirements to be 15 ft minimum horizontal dimension. The applicant proposes three spaces that are less; 12 ft for a portion of the level 5 terrace; 6 ft 1 inch for an interior amenity corridor at the rooftop, and 10 ft 9 inch for another interior amenity space at the rooftop.

   The Board supported these three related departures, since they create a balanced mix of interior and exterior amenity space, and maintain the volumetric expression of the tower design massing. (Guideline DC-2)

   The Board unanimously recommended that DPD grant this departure.

2. **Rooftop Feature Setback (23.48.010.H.7.b):** The Code requires all rooftop features above the 240 ft maximum height to be 10 ft minimum from the roof edge. The applicant proposes the approximately 40 ft wide rooftop feature on the east to be at the roof edge, which is set 10 ft from the property line. There is a 3 ft deep portion of the west rooftop that also is not 10 ft back from the rooftop edge below .

   The Board supported both aspects of this departure, since they maintain the volumetric expression of the tower massing design, and the street face element is voluntarily placed 10 feet behind the property line. (Guideline DC-2)

   The Board unanimously recommended that DPD grant this departure.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review booklet dated January 7, 2015, and the materials shown and verbally described by the applicant at the January 7, 2015 Design Recommendation meeting (unless a condition below, the design should not change, especially aspects explicitly noted in the above narrative, which the applicant should carefully read through).

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 (these conditions should be resolved prior to MUP issuance):

NOTE: "page" references are to the January 7, 2015 Recommendation Booklet;

1) **GROUND FLOOR REFINEMENTS: (Guidelines PL2, PL3, DC4)**
   a) At the three, northern ground floor commercial storefronts, change the three minor vertical solid panels to glazing to maximize transparency, as shown on slide 69 (but not as typically shown elsewhere in the booklet, such as page 64 or 67).
   b) At the same three glass storefronts, recess the glazing line as much as structure will allow, to increase the sidewalk café zone inside the property line as close to 4 ft as possible. Consider generous sliders or operable windows at these locations.

c) Delete the two planter boxes shown on page 12 and 13 along the northern storefronts, to maximize usable café area; pots or smaller planters are welcome near the lobby entrance.
d) Add notes to all MUP drawings that the doors and all surrounding glass at the lobby east vestibule are to be butt-glazed/frameless with maximum transparency to the metal panel wall beyond; design lighting to accentuate this transparency.
e) Add note to all MUP drawings that the two commercial spaces are for independent tenants; include the "kitchen" floor area clearly in the north area, and delete the confusing mention of "lounge" on page 9 and 45 (page 68 is clear).
f) Delete uplight type "F" in all locations (pages 32-35).

2) PODIUM REFINEMENTS: (Guidelines CS2, PL1, PL2)

a) At the south side wall opposite the existing recess in the adjacent building, add a light, reflective surface treatment, and patterns for visual interest.
b) Along the entire alley frontage, use and label the predominant wall surface treatment as smooth gray concrete or similar, and a contrasting color for the middle portion, both as shown on page 75/ left side.
c) Ensure the mesh sectional doors shown on page 75 are implemented.
d) Add a strong accent color for the alley bike access door, along with the lighting shown on pages 32 and 75/left.
e) Ensure the canopy over the lobby entrance recess is glass and the framing is as light as possible, as mostly shown on page 71; the remaining canopies can be solid as shown on page 70, including the continuous edge lighting shown on page 32, fixture "C".

3) TOWER REVISIONS: (Guidelines CS1, CS2,)

a) Maximize the textural quality of the 'gold wrapping facades', with mullion sections expressed to the exterior and recessed panels, as represented on page 31, but not predominantly flush as shown on page 23.
b) Change the color of the slight recess in the middle of the west elevation, levels 5-23, to white, matching the "metal panel color 1".
c) Add a slight recess, preferably 12 " minimum, for the vertical black metal panel color #2 at the tower offset in the middle of the east elevation, levels 5-25.
d) Maintain the clear glass panes from floor to ceiling in the two east corners of the tower, to maximize the transparent corner reading as shown in pages 26-31.

4) UPPER TOWER REVISIONS: (Guidelines DC3, DC4)

a) Shift the door from the rooftop amenity room onto the southwest terrace (page 11 and 16) further north to maximize interior usability.
b) Specify the dark gray color shown on pages 20/21 for the rooftop enclosure; this material should be ribbed to provide texture, as shown on booklet page 23.
c) Ensure horizontal guardrails or glass guardrails at rooftop and levels 2 and 5 terraces.
d) Maintain the light framed trellis at the south rooftop as shown on pages 26 and 30.

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

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.

Subject to the recommended conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.
At the conclusion of the Recommendation meeting held on January 07, 2015, the Board recommended approval of the project with the following conditions:

1) **GROUND FLOOR REFINEMENTS: (Guidelines PL2, PL3, DC4)**
   a) At the three, northern ground floor commercial storefronts, change the three minor vertical solid panels to glazing to maximize transparency, as shown on slide 69 (but not as typically shown elsewhere in the booklet, such as page 64 or 67).
   b) At the same three glass storefronts, recess the glazing line as much as structure will allow, to increase the sidewalk café zone inside the property line as close to 4 ft as possible. Consider generous sliders or operable windows at these locations.
   c) Delete the two planter boxes shown on page 12 and 13 along the northern storefronts, to maximize usable café area; pots or smaller planters are welcome near the lobby entrance.
   d) Add notes to all MUP drawings that the doors and all surrounding glass at the lobby east vestibule are to be butt-glazed/frameless with maximum transparency to the metal panel wall beyond; design lighting to accentuate this transparency.
   e) Add note to all MUP drawings that the two commercial spaces are for independent tenants; include the "kitchen" floor area clearly in the north area, and delete the confusing mention of "lounge" on page 9 and 45 (page 68 is clear).
   f) Delete uplight type "F" in all locations (pages 32-35).

2) **PODIUM REFINEMENTS: (Guidelines CS2, PL1, PL2)**
   a) At the south side wall opposite the existing recess in the adjacent building, add a light, reflective surface treatment, and patterns for visual interest.
   b) Along the entire alley frontage, use and label the predominant wall surface treatment as smooth gray concrete or similar, and a contrasting color for the middle portion, both as shown on page 75/ left side.
   c) Ensure the mesh sectional doors shown on page 75 are implemented.

d) Add a strong accent color for the alley bike access door, along with the lighting shown on pages 32 and 75/left.
e) Ensure the canopy over the lobby entrance recess is glass and the framing is as light as possible, as mostly shown on page 71; the remaining canopies can be solid as shown on page 70, including the continuous edge lighting shown on page 32, fixture "C".

3) TOWER REVISIONS: (Guidelines CS1, CS2,)
a) Maximize the textural quality of the 'gold wrapping facades', with mullion sections expressed to the exterior and recessed panels, as represented on page 31, but not predominantly flush as shown on page 23.
b) Change the color of the slight recess in the middle of the west elevation, levels 5-23, to white, matching the "metal panel color 1".
c) Add a slight recess, preferably 12 " minimum, for the vertical black metal panel color #2 at the tower offset in the middle of the east elevation, levels 5-25.
d) Maintain the clear glass panes from floor to ceiling in the two east corners of the tower, to maximize the transparent corner reading as shown in pages 26-31.

4) UPPER TOWER REVISIONS: (Guidelines DC3, DC4)
a) Shift the door from the rooftop amenity room onto the southwest terrace (page 11 and 16) further north to maximize interior usability.
b) Specify the dark gray color shown on pages 20/21 for the rooftop enclosure; this material should be ribbed to provide texture, as shown on booklet page 23.
c) Ensure horizontal guardrails or glass guardrails at rooftop and levels 2 and 5 terraces.
d) Maintain the light framed trellis at the south rooftop as shown on pages 26 and 30.

Four members of the West 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.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. 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 and finds that they are consistent with the City of Seattle Design Review Guidelines. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

Response to Recommended Design Review Conditions:

1a) The applicant changed the specified panels to increase transparency to the street. The proposal meets recommended condition #1a.

1b) The applicant recessed the specified storefronts. The proposal meets recommended condition #1b.

1c) The applicant deleted the specified planters. The proposal meets recommended condition #1c.

1d) The applicant noted the butt-glazed windows specified, and added lighting notes. The proposal meets recommended condition #1d.

1e) The applicant noted the commercial spaces as specified and deleted the 'lounge' reference. The proposal meets recommended condition #1e.

1f) The applicant deleted the uplights. The proposal meets recommended condition #1f.

2a) The applicant added a patterned treatment at the specified facade. The proposal meets recommended condition #2a.

2b) The applicant added material notes and colors at the specified alley locations. The proposal meets recommended condition #2b.

2c) The applicant added notes for the the specified elements. The proposal meets recommended condition #2c.

2d) The applicant added the specified door color and lighting. The proposal meets recommended condition #2d.

2e) The applicant revised and noted the specified canopy will be clear glass. The proposal meets recommended condition #2e.

3a) The applicant noted the specified window sections and facades. The proposal meets recommended condition #3a.

3b) The applicant revised the color at the specified locations. The proposal meets recommended condition #3b.

3c) The applicant added the recess and color specified. The proposal meets recommended condition #3c.

3d) The applicant fully noted the glass portions at the specified corners. The proposal meets recommended condition #3d.

4a) The applicant shifted the specified door. The proposal meets recommended condition #4a.

4b) The applicant noted the correct color for the specified forms. The proposal meets recommended condition #4b.

4c) The applicant noted the correcet guardrails at the specified locations. The proposal meets recommended condition #4c.

4d) The applicant showed and noted the rooftop elements as specified. The proposal meets recommended condition #4d.

The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

DECISION – DESIGN REVIEW

The Director accepts the Design Review Board's recommendations and CONDITIONALLY APPROVES the proposed design and the requested departures with the conditions summarized at the end of this Decision.

II. ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), Washington Administrative Code 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 July 08, 2014. 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 it's 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) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *"Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation"* subject to some limitations.

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

Public Comments:

The SEPA public comment period for #3016897 ended on July 30, 2014. In addition to the comments received through the Design Review process, other comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to parking, traffic, shadows, and landscaping. Comments were also received that are beyond the scope of this review and analysis per SMC 25.05.

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 buildings could adversely affect surrounding uses in the area, which include residential uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities, in particular the residences existing across the street to the north and to the south. Due to the proximity of the project site to residential uses, the amount of proposed grading, the hours and days of construction noise permitted in Seattle Mixed zones, and the number of sites under construction in the immediate vicinity, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts to residential uses near the site. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7:00 A.M. to 6:00 P.M. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9:00 A.M. and 6:00 P.M. Once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, and weather protection may occur outside these hours.

If the applicant intends to work outside of the limits of non-holiday weekdays between 7am and 6pm, the applicant will submit a **Construction Noise Mitigation Plan (CNMP)**. This plan will include steps 1) to limit noise decibel levels and duration and 2) procedures for advanced notice to surrounding properties. The plan will be subject to review and approval by DPD. This CNMP is outlined in SEPA Condition #1 on the last pages of this document.

Air Quality

Construction for this project is expected to add temporarily particulates to the air that will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC).

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. This will assure proper handling and disposal of asbestos , therefore no further mitigation is warranted for this item..

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.

Construction Traffic and Parking

Duration of construction of the structures may last approximately 20 months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675 B and M).

The construction of the project will have short term 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. To minimize impacts to proximate short term on-street public parking, a **Construction Worker Parking Plan** is required per SEPA Condition #3 on the last pages of this document. The Construction Worker Parking Plan should identify the following, and is subject to approval by DPD:

1. Peak number of construction workers anticipated on site during the duration of construction,
2. Location of nearby public or private parking lots/garages that could be used by construction workers coming to the site,
3. Total Number of publicly available parking spaces per lot,
4. Efforts to reduce the number of construction worker vehicular trips, such as carpooling and transit, and
5. Identify month/year date when construction workers may begin parking in the parking levels to be constructed with this development.

Approximately 14,000 cubic yards of soil are expected to be excavated from the project site. The soil removed for the structure will not be reused on the site and will need to be disposed off-site. Excavation and construction materials will require numerous truck trips, in a location constrained by busy streets on all sides.

Considering the volume of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Therefore, large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 4:00 PM on weekdays or the applicant shall propose measures to minimize and mitigate truck trip staging and haul route impacts to PM peak hour traffic. This must be included in the **Construction Traffic Management Plan (CTMP),** as outlined in SEPA Condition #2 on the last pages of this document.

Truck access to and from the site shall be documented in a **Construction Traffic Management Plan**, to be submitted to DPD and SDOT and approved by SDOT prior to the issuance of any demolition, grading or construction permits. This plan shall include how pedestrian connections around the site will be maintained during the construction period. The Plan shall also include Construction Haul Routes for expected excavation of soils. 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; potential blockage of designated sites from the Scenic Routes nearby; 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.

Historic Resources

The project proposes to demolish one structure more than 50 years old, the commercial building at 427 9th Avenue North. This structure was evaluated by Landmarks Preservation Board staff and determined to be unlikely to meet the standards for designation as an individual landmark. (LPB letter 221/14, dated April 21, 2014). No further mitigation is warranted.

Height, Bulk & Scale

The project #3016897 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.

Transportation

A Transportation Impact Analysis dated February 8, 2015 was prepared for the project by Heffron Transportation. Based on rates from the Institute of Transporation Engineers (ITE) Trip Generation manual the analysis reports the proposed uses will generate 620 net new weekday daily trips, and 40 AM peak-hour trips and 55 PM peak-hour trips. These forecasts are adjusted to reflect local conditions, which provide substantial opportunities for transit, walking, and bicycle usage.

Heffron also analyzed Transportation Concurrency per the City of Seattle, and the traffic generated by the project does not exceed the stipulated thresholds. The vehicle traffic that the project is forecast to generate is within the capacity of the nearby roadway system, and the project is not expected to have substantial adverse transportation impacts.

The project will also mitigate traffic impacts by participating in the City of Seattle SDOT transportation mitigation payments for the South Lake Union neighborhood, as described in TIP 243. Pursuant to that mitigation payment system, the project proposes to pay a pro rata contribution of $90,166 in order to help reduce project transportation impacts. Per condition #4,

this fee shall be paid prior to the final building permit issuance, consistent with DPD business rules.

Parking

The Transportation Impact Analysis noted that the estimated peak parking demand rate for the residential uses for this project would be approximately 96 vehicles. The commercial use area is very small and the parking demand is anticipated to be met by onstreet parking, which is common within the vicinity. The total parking demand is therefore 96 spaces; the proposed 96 total spaces will accommodate this peak demand. No adverse parking impacts are anticipated from this project.

Summary

The Department of Planning and Development has reviewed the environmental checklist submitted by the project applicant; reviewed the project plans which were outcomes of the Design Review process; reviewed additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist and this analysis, this action will result in probable adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant, given the conditions and mitigations contained herein.

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 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.

☒ Mitigated 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 MDNS 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 MDNS.

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 non-holiday weekdays between 7am and 6pm, the applicant will submit a **Construction Noise Mitigation Plan** (CNMP). This plan will include steps: 1) to limit noise decibel levels and duration and 2) procedures for advanced notice to surrounding properties. The plan will be subject to review and approval by DPD.

2. The applicant shall provide DPD with a copy of a **Construction Traffic Management Plan**, including **Construction Haul Routes**, both aspects approved by Seattle Department of Transportation. The plan shall note that large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 4:00 PM on weekdays, or the applicant shall propose measures to minimize and mitigate truck trip staging and haul route impacts to PM peak hour traffic.

3. A **Construction Worker Parking Plan**, approved by the Land Use Planner (Garry Papers: garry.papers@seattle.gov or 206-684-0916), shall be required. The plan should identify the following:
    a. Peak number of construction workers anticipated on site during the duration of construction,
    b. Location of nearby public or private parking lots/garages that could be used by construction workers coming to the site,
    c. Total Number of publicly available parking spaces per lot,
    d. Efforts to reduce the number of construction worker vehicular trips, such as carpooling and transit, and
    e. Identify month/year date when construction workers may begin parking in the parking levels to be constructed with this development.

Prior to Issuance of a Final Architectural Building Permit

4. The applicant shall make a pro rata mitigation payment pursuant to TIP 243 in the amount of $90,166 to the City of Seattle.

During Construction

5. 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 Mitigation Plan**, required prior to issuance of a building permit as noted in condition #1.

DESIGN REVIEW - CONDITIONS FOR APPROVAL

For the Life of the Project

6. Materials, colors, and all other aspects of the approved design shall be consistent with those presented at the design recommendation meeting and the Master Use Plan sets. Any change to materials, colors, or other aspects of the approved design **shall require prior approval by the Land Use Planner** (Garry Papers 206-684-0916 or garry.papers@seattle.gov).

Prior to Certificate of Occupancy

7. 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 Master Use Plan sets. Any change to the proposed design, materials, or colors **shall require prior approval by the Land Use Planner** (Garry Papers 206-684-0916 or garry.papers@seattle.gov).

8. The applicant shall provide a Landscape Checklist from Director's Rule 10-2011indicating 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 prior to landscape installation** (Garry Papers 206-684-0916 or garry.papers@seattle.gov).

Signature: retagonzales-cupnetutubby for Date: May 18, 2015

Garry Papers
Senior Land Use Planner
Department of Planning and Development

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered "approved for issuance". (If your decision is appealed, your permit will be considered "approved for issuance" on the fourth day following the City Hearing Examiner's decision.) Projects requiring a Council land use action shall be considered "approved for issuance" following the Council's decision.

The "approved for issuance" date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.