



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

Application Number: 3017353
Applicant Name: Kevin Cleary, Baylis Architects
Address of Proposal: 419 NE 71st Street

SUMMARY OF PROPOSAL

Land Use Application to allow a 6-story structure containing 130 residential units above 14,609 sq. ft. of retail space. Parking for 106 vehicles to be provided below grade. Existing structures to be demolished.

The following approvals are required:

Design Review (SMC 23.41)

Development Standard Departure to allow lot coverage over 64% above 13 feet (Property Use and Development Agreement)

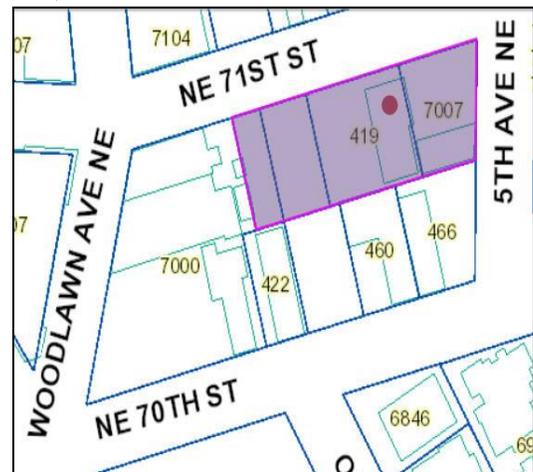
Development Standard Departure to allow a second vehicular access (SMC 23.47A.032.A1.C)

Development Standard Departure to allow off-site turning and maneuvering for access and loading (SMC 23.54.030.E.3)

Development Standard Departure to allow the street level façade setback greater than 10 feet to the street lot line (SMC 23.47A.008.A.3)

Development Standard Departure to allow less than the required street-facing façade transparency (SMC 23.47A.008.B.2)

SEPA – Environmental Determination (SMC 25.05)



SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

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

Site:

Site Zone: Neighborhood Commercial Two Pedestrian with a 65' height limit (NC2P-65)

Nearby Zones: (North) NC2P-65
 (South) NC2P-65 and NC2-40
 (East) Low Rise 3 (LR3)
 (West) NC2P-65

Lot Area: 25,094 sf

Site & Vicinity

The subject site is located on the southwest corner of NE 71st Street and 5th Avenue NE in the Greenlake Neighborhood. The site consists of four lots, containing an existing surface parking lot, construction staging and warehouse structures. The site contains a steady slope from the northwest corner and southeast corner toward the northeast corner at the intersection of NE 71st Street and 5th Avenue NE. In total, the grade change is approximately seven feet across the site along both right-of-way lot lines. The site does not contain any mature trees; however, there are two mature street trees within the NE 71st Street right-of-way. SDOT has indicated it will not permit removal of these street trees. NE 71st Street is designated as a minor arterial street. Both NE 71st Street and 5th Avenue NE have been identified on the City of Seattle Bicycle Master Plan. The site is also located within the Green Lake Residential Urban Village designation.

The neighborhood is characterized by single family homes, low- and mid-rise apartment and condominium buildings, and newer mixed use developments. This site is part of the larger Vitamilk rezone development, which includes two blocks to the north, the subject lot, and two additional parcels to the south. The 61,534 square foot block to the north was recently developed with the Green Lake Village project. The Green Lake Village project includes two midblock connections, one on a north-south orientation and another in the east-west orientation. PCC Natural Market is the anchor commercial tenant located directly across from the subject lot. The new project consists of five residential stories above ground level commercial space and is located to the south of PCC and the north-south midblock connection. SDOT has rejected requests to install a mid-block crosswalk across NE 71st Street.

East Green Lake Way, two blocks to the west, functions as the primary commercial corridor. The neighborhood contains a variety of uses and structure sizes. Older buildings are typically smaller residential structures and one and two story commercial buildings, while later buildings tend to be wood frame or concrete structures, ranging from 4-6 stories. Most of the older structures occupy only one or two parcels, while newer structures tend toward larger half or full block development sites creating a variety of scale throughout the neighborhood. Most of the newer mixed use development is built to the street property line creating a strong street edge. Brick is the most common cladding material, particularly in older commercial and residential buildings, while later buildings are clad in a variety of materials including wood, brick and concrete masonry.

The lot's proximity to Green Lake Park provides many recreational and community activities. The area is well served by transit. A future light rail station is located to the southeast within a half mile of the subject lot.

Access:

Vehicular and pedestrian access is available from NE 71st Street and 5th Avenue NE.

Environmentally Critical Areas (ECA's):

None.

Project Description:

Land Use Application to allow a 6-story structure containing 130 residential units above 14,609 sq. ft. of retail space. Parking for 106 vehicles is to be provided below grade. The existing structures are to be demolished.

EARLY DESIGN GUIDANCE MEETING: August 18, 2014

DESIGN PRESENTATION

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

<http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.aspx>

The design packets for the Design Review meetings are also available to view in the project file (project number 3017353), by contacting the Public Resource Center at DPD:

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

Email: PRC@seattle.gov

PUBLIC COMMENT

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

- Would like to see a setback provided between the proposed building and the existing building to the west.
- Noted a large number of pedestrians currently cross through the block at the existing parking lot to access the new PCC.
- Preferred the massing alternative that provides a through block connection.
- Would like to see a park located adjacent to through block connection.
- Concerned about water flooding the basement.
- Concerned delivery trucks will impact residential properties near 5th Avenue NE.
- Felt ground level landscaping should be design to accommodate a large number of dogs that would likely live in the building.

SECOND EARLY DESIGN GUIDANCE MEETING: October 27, 2014

PUBLIC COMMENTS

Several members of the public were in attendance at the Recommendation meeting held on October 27, 2014. The following comments, issues and concerns were raised:

- Supported the improvements to the neighborhood and the new Bartell Drug Store located on the through block connection.
- Felt neighborhood traffic patterns were well considered.
- Concerned about the rear of the building. The rear façade should be designed with the same care as the other facades.
- Concerned about the location of trash and recycling next to the adjacent residential structures.
- Encouraged locating open space within the property lines rather than in the right-of-way.
- Felt project should be presented to the Green Lake Council.
- Noted Green Lake Chamber of Commerce voted unanimously to support the project.
- Felt the building will serve the needs of the community by providing a drug store and an enhanced look and feel of the neighborhood.
- Supported underground parking garage.
- Supported the buildings proximity to new sound transit station.

EARLY DESIGN GUIDANCE PRIORITIES & BOARD GUIDANCE: August 18, 2014

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

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

- 1. Through Block Connection and Upper Level Massing.** The property is subject to a Property Use and Development Agreement (PUDA) as a condition of the approved 2005 rezone. The PUDA requires the applicant to make a good faith effort to design a mid-block, through block pedestrian crossing, recognizing that the existing ownership pattern on the South Parcel may make this infeasible. Board was particularly concerned with the lack of design options providing a viable through block connection from NE 71st Street to NE 70th Street. The Board noted that Vitamilk South LLC owns an adjacent parcel south of the subject lot that would allow a viable through block connection. The Board felt additional site design and upper level massing studies were necessary to demonstrate the required good faith effort required by the PUDA. The Board noted that a substantial number of people cut through site from Oswego Place NE to the new midblock connection and PCC located north of the subject lot. The Board agreed a connection at this location would be extremely useful because of the substantial grade change on the adjacent streets and because 5th Avenue NE is not a pedestrian friendly street. The Board continued by noting that providing a contiguous tenant space at 14,000 square feet and the fact that SDOT will not allow a midblock pedestrian connection across NE 71st Street should not influence whether a through block connection is viable on the subject lot.

- a) The Board felt that the Option E ground plane design was the most successful case study for including a through block connection. The Board requested additional ground plane design with variations of Option E (CS2-B, CS2-Ii, CS2ii, PL-A1, PL-B, PL2-B, DC1-A, DC2-A, DC3-A).
 - i) The Board directed that the commercial use should front and include the predominant transparency and entrances along NE 71st Street and the through block connector to help activate the through block space (PL3-C, DC1-B2).
 - ii) The Board agreed that revised ground plane design should investigate locating the residential entry at the street corner and at the most westerly portion of the façade with more direct access to Green Lake (CS2-B, CS2-Ii, CS2ii, PL-A1, PL-B, PL2-B, DC1-A, DC2-A, DC3-A).
 - iii) The Board directed the location for truck loading and venting should be carefully considered. The Board noted Green Lake Village as a successful case study of the truck and service entry and functioning. (CS2-D5, DC1-B and C).
 - b) The Board directed the applicant to provide a minimum of two additional upper level massing studies which include:
 - i) A separation in the upper level massing at the location of the ground level through block connection (CS2-B, CS2-Ii, CS2ii, PL-A1, PL-B, PL2-B, DC1-A, DC2-A, DC3-A).
 - ii) A continuous upper level massing that locates residential units above the through block connection. The Board directed the applicant to review Alley 24 and the Stack House projects in South Lake Union as successful case studies of a through block connection covered by building mass (CS2-B, CS2-Ii, CS2ii, PL-A1, PL-B, PL2-B, DC1-A, DC2-A, DC3-A).
 - iii) A massing which locates the primary mass of the structure adjacent to the blank wall to the west, and then provides an upper setback similar to the existing condominium building to the west should be provided for the Board to review. (CS2-C, CS2-D).
 - iv) The Board agreed that the departure request to allow 78% lot coverage above 13 feet will require a good faith exploration of at the through block connector and an enhanced ground plane amenity space design (CS2-B).
2. **Ground Plane Design.** The Board felt additional efforts were necessary to provide a pedestrian friendly ground plane and right-of-way design which incorporates additional amenity space.
- a) The Board noted that both right-of-way trees are worth retaining, particularly the tree in the northwest corner of the site. The Board applauded the preferred massing alternatives response to the right-of-way tree canopy (DC4-D).
 - b) The Board was not impressed with the current concept of ground level amenity space provided within the right-of-way. The Board requested that staff revisit the PUDA requirement to determine if the required open space at ground level was established in the PUDA for the entire rezone area or for each site (PL-A1).
 - c) The Board directed that a truly enhanced landscape right-of-way with wider sidewalks should be provided. The Board expressed support for the inspirational images within the packet, but felt a larger amount of open space is necessary to achieve a similar result (PL-A1 and B).
 - d) For the 2nd EDG meeting the Board requested street elevation views to be provided to understand first floor retail space given the grade change along the sidewalk (PL3-C).

3. Materials

- a) The Board supported use of brick material at ground level. The Board felt a more durable, quality material should be explored at the upper levels to better meet the guidelines as part of the departure request for lot coverage above 13 feet. The Board encouraged use of durable, quality materials, respectful of the existing materiality context of the established Green Lake Neighborhood context (DC2-C3, DC4-A1, DC4-I).

SECOND EARLY DESIGN GUIDANCE PRIORITIES & BOARD GUIDANCE: **October 27, 2014**

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

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

- 1. Through Block Connection.** The Board unanimously preferred the through block connection and ground plane design presented in Option A. The Board noted that the Option A through block provided a better north south alignment with the adjacent properties, allowing the connection to be visually open on both ends. The Board also preferred that Option A located the retail space along the through block further activating the space.
 - a) The Board agreed the north entrance of the through block should be developed in conjunction with the vehicular ramp to make the through block feel more open. The Board noted that the wall separating the through block and the ramp should be designed as an integral artist element to the through block space (CS2-B, PL1-B, DC1-B, DC2-D).
 - b) The Board agreed the retail space corner should erode to marry with the through block and create a sense of invitation to the space (CS2-B, PL1-B, PL3-C, DC1-A, DC3-A).
 - c) The Board noted the retail wall along the through block connection should include transparency to allow a visual connection between the through block and the retail space (PL2-B, PL3-C).
 - d) For the Recommendation Meeting, the Board requested additional information demonstrating how the through block space is activated to create a vibrant pedestrian friendly space. The Board felt that both the enclosed amenity space and the amenity space open to the sky amenity spaces should be developed to further activate the through block connection (PL1-A).
- 2. Residential Entry.** The Board unanimously preferred the ground plane design of Option A. The Board agreed the two residential entry locations provided a variety of access option for residents. The Board felt the primary entry on the corner should be developed with the following guidance:
 - a) The primary corner entry should be designed with a better vertical proportion. The Board agreed the entry should be a two story entry or designed to appear as a two story entry (CS2-C, DC2-B).
 - b) Provide a strengthened expression of the flat iron architectural concept at the corner (DC2-A and B).
 - c) The first floor setback at the corner and along the NE 71st Street façade creates an enhanced pedestrian experience and a 9-foot sidewalk. The ground level setback should be maintained as the project develops (PL1-B).

- d) Ground plans renderings of the residential entry and corner curb bulb are successful and should be further developed at Master Use Permit (PL1-B).
- e) The decorative paving provided at the primary corner entry should be continued at the second entry as a point of continuity in the overall development (DC4-D).

3. Upper Level Massing, Architectural Concept and Materials. The Board agreed Design Option A provided the best design solution by providing an upper level setback on the north and south facades at the location of the through block connection.

- a) The Board unanimously agreed the two-story upper level setback along the south façade (as represented on page 21) was an appropriate, improved response to the adjacent building (DC2-A).
- b) The Board expressed concern with the upper level architectural concept. The Board felt the design concept should be simplified. The Board agreed the staggered windows in the upper level massing were not successful. At the Recommendation Meeting, the Board would like to see a much stronger composition where the texture and material changes are justified by the massing or architectural concept (DC2-A, DC2-B, DC4-A).
- c) The Board suggested that the design concept may evolve to define the top two stories separately and/or that the upper level massing could better define the commercial entry or through block connection (DC2-A, DC2-B, DC4-A).
- d) The Board supported the use of brick at the base of the structure and felt that a high quality execution of the commercial frontage was important to the overall success of the development (DC4-A).
- e) Board unanimously agreed that the primary material for the upper levels should be a durable material, such as metal, and that cement panel should be limited to an accent material application (DC4-A).

4. Loading and Solid Waste and Recycling. The Board agreed the ground plane design of Option A provided the best design solution by locating loading and solid waste and recycling in the southeast corner of the building.

- a) At the Recommendation Meeting, the Board requested more detail for the screening for the solid waste and recycling storage space on the 5th Avenue NE street façade. Screening should minimize visual impacts and odor impacts to the sidewalk (DC1-C).

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with Design Review and SEPA components on December 18, 2014.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on April 27, 2015 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meetings, site plans, elevations, floor plans, landscaping plans, and computer renderings of the proposed exterior materials were presented for the Board's consideration.

PUBLIC COMMENTS

No public comments were provided at the Recommendation meeting held on Monday, April 27, 2015.

FINAL RECOMMENDATION PRIORITIES & BOARD RECOMMENDATIONS:
April 27, 2015

At the Recommendation meeting, the Board discussed the response to the EDG meetings and offered the following recommendations for the proposal to meet the applicable Design Review Guidelines identified at the EDG meeting.

- 1. Through Block Connection.** The Board supported the direct through block connection and ground plane design presented at Recommendation. Specifically, the Board noted the importance of the direct visual and physical connection and noted the openness and lack of screening at the end of the vehicle ramp as a major improvement.
 - a) The Board expressed concern with the potential of the through block connection to dead end when the property to the south redevelops. The Board recommended a condition for the applicant to maintain a publically accessible, attractive connection and extension of the through block connection to the south, consistent with the intent of what was presented at Recommendation. (PL1-A, PL1-B)
 - b) The Board noted the pedestrian scale elements, including the inset pavement lighting, sconces, and catenary lighting created an inviting and welcoming space. (PL1-B, PL2-B, DC4-C)
 - c) The Board expressed support for the proposed hardie panel installation on the ceiling of the midblock connection to mitigate noise and clarified this should be hardie panel or a similar durable material and not gypsum board. (DC2-C, DC4-A)
 - d) The Board supported the recessed retail entry at the corner of the through block stating it created a sense of invitation and pedestrian-orientation. (PL3-C, DC3-A)
 - e) The Board supported the conceptual layout of the retail space because of the placement of active uses adjacent to the through block connection including a checkout zone, photo counter, and soda fountain type ice cream shop. The Board reiterated the importance of maintaining transparency and a visual connection into the retail space adjacent to the through block connection and recommended a condition to maintain transparency into the retail space for the life of the project. (PL2-B, PL3-C, DC1-A)
 - f) The Board also supported the residential amenity uses adjacent to the through block connection because they created a sense of activity and interest to help activate the space. (PL2-B, PL4-B, DC1-A)
 - g) The Board unanimously agreed the guardrail separating the through block and the ramp should maintain some transparency and should be designed as a durable, well-constructed artistic piece. The Board recommended a condition for the guardrail to be further developed as an integral artistic element. (DC2-C, DC2-D, DC4-A)
 - h) The Board recommended a condition for the art along the western wall of the vehicle ramp and through block connection to be included and consistent with the examples shown at Recommendation. The art should be cohesive, playful, and convey a sense of motion. Three dimensional or hanging art is encouraged. (PL1-B, DC2-B, DC2-C, DC2-D)
- 2. Architectural Concept & Materials.** The Board expressed support for the overall more simplified, cohesive, and intentional massing and architectural concept presented at Recommendation and stated this was an improvement from EDG. The Board also expressed general support for the color and material composition, including the use of more metal siding.
 - a) The Board noted the change in window color to match the abutting material color was an important detail. (Pg. 8 & 9 Recommendation packet). (DC4-A, DC4-I)
 - b) The Board supported architectural concrete at the residential corner location instead of brick (Recommendation packet page 10) and noted that the concrete should be

architectural grade and have a high quality level of detail and finishing. (DC2-D, DC4-A, DC4-A)

- c) The Board noted that the portion of the western elevation that would be exposed at the upper level would be reflective and highly visible by the adjacent uses and recommended a condition that the exposed portion of the façade be hardie panel to minimize reflection. (DC4-A, DC4-I)
- d) The Board indicated general support for the canopy height presented by the applicant at Recommendation but expressed concern with size and number of breaks between the canopies, specifically along NE 71st St. The Board recommended a condition to minimize the size and number of breaks to create a more continuous canopy and better relate to the massing and materials above the canopies. (DC2-B, DC2-C, DC4-I)
- e) The Board commented that translucent garage doors could be a possible alternative but expressed general support for the solid bronze doors as presented. (DC2-B, DC1-B, DC1-C)

3. Signage. The Board expressed general support for the signage concept that was presented and stated that the signage should provide clear wayfinding for both residential and commercial users.

- a) The Board noted pedestrian-oriented signage was an important element of the through block connection and recommended a condition to include pedestrian scale signage denoting the space as open to the public, as was presented at the Recommendation meeting and packet. (DC4-B, DC4-II, PL1-B)
- b) The Board stated that pedestrian- and auto-oriented signage should be designed and located in a way that minimizes siting conflicts and provides clear wayfinding for the two different intended audiences, but declined to recommend a condition for this item. Generally, residential signage should be more pedestrian-oriented and located lower, on more of a pedestrian level and near pedestrian entries. Commercial and parking signage near pedestrian entries and pedestrian spaces should generally be more auto-oriented and located higher on the building as to provide clear wayfinding and not conflict with pedestrian wayfinding. The fin parking sign should be designed and located to minimize impacts to the pedestrian experience and the through block connection. (DC4-B, DC4-II)

DESIGN REVIEW GUIDELINES

The identified the following Citywide and Neighborhood guidelines of highest priority for this project. The specific guidelines are summarized below. The full text of the guidelines is available on the City of Seattle Department of Planning and Development website.

CONTEXT & SITE

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-B Adjacent Sites, Streets, and Open Spaces

CS2-B-1. Site Characteristics: Allow characteristics of sites to inform the design, especially where the street grid and topography create unusually shaped lots that can add distinction to the building massing.

CS2-B-2. Connection to the Street: Identify opportunities for the project to make a strong connection to the street and public realm.

CS2-B-3. Character of Open Space: Contribute to the character and proportion of surrounding open spaces.

CS2-C Relationship to the Block

CS2-C-1. Corner Sites: Corner sites can serve as gateways or focal points; both require careful detailing at the first three floors due to their high visibility from two or more streets and long distances.

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-1. Existing Development and Zoning: Review the height, bulk, and scale of neighboring buildings as well as the scale of development anticipated by zoning for the area to determine an appropriate complement and/or transition.

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.

Greenlake Supplemental Guidance:

CS2-I Responding to Site Characteristics

CS2-I-i. Curved and Discontinuous Streets: The community's street pattern responds to the lake by breaking with the city's standard north-south and east-west grid pattern. This creates numerous discontinuous streets, street offsets, and curved streets, which are an aspect of the community character. New development can take advantage of such street patterns by providing special features that complement these unique spaces.

CS2-I-ii. Entry Locations: Within the Green Lake Planning Area, certain locations serve as entry points into neighborhood and commercial areas. Development of properties at these "Entry Locations" should include elements suggesting an entry or gateway. Examples include a clock tower, turret or other architectural features, kiosks, benches, signage, landscaping, public art or other features that contribute to the demarcation of the area. For Entry Locations, see Map 1 on page 5 of Green Lake Guidelines.

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

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-2. Contemporary Design: Explore how contemporary designs can contribute to the development of attractive new forms and architectural styles; as expressed through use of new materials or other means.

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.

PUBLIC LIFE

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

PL1-A Network of Open Spaces

PL1-A-1. Enhancing Open Space: Design the building and open spaces to positively contribute to a broader network of open spaces throughout the neighborhood.

PL1-B Walkways and Connections

PL1-B-1. Pedestrian Infrastructure: Connect on-site pedestrian walkways with existing public and private pedestrian infrastructure, thereby supporting pedestrian connections within and outside the project.

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.

PL1-B-3. Pedestrian Amenities: Opportunities for creating lively, pedestrian oriented open spaces to enliven the area and attract interest and interaction with the site and building should be considered.

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-1. Eyes on the Street: Create a safe environment by providing lines of sight and encouraging natural surveillance.

PL2-B-2. Lighting for Safety: Provide lighting at sufficient lumen intensities and scales, including pathway illumination, pedestrian and entry lighting, and/or security lights.

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.

PL3-C Retail Edges

PL3-C-1. Porous Edge: Engage passersby with opportunities to interact visually with the building interior using glazing and transparency. Create multiple entries where possible and make a physical and visual connection between people on the sidewalk and retail activities in the building.

PL3-C-2. Visibility: Maximize visibility into the building interior and merchandise displays. Consider fully operational glazed wall-sized doors that can be completely opened to the street, increased height in lobbies, and/or special lighting for displays.

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

PL4-B Planning Ahead for Bicyclists

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.

DESIGN CONCEPT

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

DC1-A Arrangement of Interior Uses

DC1-A-1. Visibility: Locate uses and services frequently used by the public in visible or prominent areas, such as at entries or along the street front.

DC1-A-4. Views and Connections: Locate interior uses and activities to take advantage of views and physical connections to exterior spaces and uses.

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-C Parking and Service Uses

DC1-C-2. Visual Impacts: Reduce the visual impacts of parking lots, parking structures, entrances, and related signs and equipment as much as possible.

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.

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-A Massing

DC2-A-1. Site Characteristics and Uses: Arrange the mass of the building taking into consideration the characteristics of the site and the proposed uses of the building and its open space.

DC2-A-2. Reducing Perceived Mass: Use secondary architectural elements to reduce the perceived mass of larger projects.

DC2-B Architectural 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.

DC2-C Secondary 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-2. Dual Purpose Elements: Consider architectural features that can be dual purpose—adding depth, texture, and scale as well as serving other project functions.

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

DC2-D Scale 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.

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

Greenlake Supplemental Guidance:

DC3-A Building-Open Space Relationship

DC3-A-1. Interior/Exterior Fit: Develop an open space concept in conjunction with the architectural concept to ensure that interior and exterior spaces relate well to each other and support the functions of the development.

DC3-B Open Space Uses and Activities

DC3-B-3. Connections to Other Open Space: Site and design project-related open spaces to connect with, or enhance, the uses and activities of other nearby public open space where appropriate.

DC3-C Design

DC3-C-1. Reinforce Existing Open Space: Where a strong open space concept exists in the neighborhood, reinforce existing character and patterns of street tree planting, buffers or treatment of topographic changes. Where no strong patterns exist, initiate a strong open space concept that other projects can build upon in the future.

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

DC4-A Exterior 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-B Signage

DC4-B-1. Scale and Character: Add interest to the streetscape with exterior signs and attachments that are appropriate in scale and character to the project and its environs.

DC4-B-2. Coordination with Project Design: Develop a signage plan within the context of architectural and open space concepts, and coordinate the details with façade design, lighting, and other project features to complement the project as a whole, in addition to the surrounding context.

DC4-C Lighting

DC4-C-1. Functions: Use lighting both to increase site safety in all locations used by pedestrians and to highlight architectural or landscape details and features such as entries, signs, canopies, plantings, and art.

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.

DC4-D Trees, Landscape, and Hardscape Materials

DC4-D-1. Choice of Plant Materials: Reinforce the overall architectural and open space design concepts through the selection of landscape materials.

DC4-D-2. Hardscape Materials: Use exterior courtyards, plazas, and other hard surfaced areas as an opportunity to add color, texture, and/or pattern and enliven public areas through the use of distinctive and durable paving materials. Use permeable materials wherever possible.

Greenlake Supplemental Guidance:

DC4-I Exterior Finish Materials

DC4-I-i. Desired Materials: See full Guidelines for list of desired materials.

DC4-I-iii. Discouraged Materials: See full Guidelines for list of discouraged materials.

DC4-I-vi. Awnings: Awnings made of translucent material may be backlit, but should not overpower neighboring light schemes. Lights, which direct light downward, mounted from the awning frame are acceptable. Lights that shine from the exterior down on the awning are acceptable.

DC4-I-vii. Light Standards: Light standards should be compatible with other site design and building elements.

DC4-II Exterior Signs

DC4-II-i. Encouraged Sign Types: The following sign types are encouraged, particularly along Mixed Use Corridors:

- a. Pedestrian-oriented shingle or blade signs extending from the building front just above pedestrians.
- b. Marquee signs and signs on pedestrian canopies.
- c. Neon signs.
- d. Carefully executed window signs, such as etched glass or hand painted signs.
- e. Small signs on awnings or canopies.

DC4-II-ii. Discouraged Sign Types: Post mounted signs are discouraged.

DC4-II-iii. Sign Location: The location and installation of signage should be integrated with the building's architecture.

DC4-II-iv. Monument Signs: Monument signs should be integrated into the development, such as on a screen wall.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation was based upon the departures' potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departures.

1. **Lot Coverage above 13 Feet (Property Use and Development Agreement):** The Property Use and Development Agreement adopted for this site limits the lot coverage above 13 feet to 64%. The applicant proposes 79% lot coverage above 13 feet.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines DC2 Architectural Concept and DC3 B and C Open Space Uses and Activities and Design by providing a through block connection and ground level amenity.

The Board unanimously recommended that DPD grant the departure, but recommended a condition that the through block connection remain open to the south.

2. **Second Vehicular Access (SMC 23.47A.032.A1.C):** The Code allows access across one side street to lots without alley access and abutting two streets. The applicant is requesting a second vehicular access for loading berths.

This departure would provide an overall design that would better meet the intent of Design Review Guideline DC1 Project Uses and Activities by locating loading and service uses away from the pedestrian through block connection.

The Board unanimously recommended that DPD grant the departure.

3. **Off-Site Turning and Maneuvering for Access and Loading (SMC 23.54.030.E.3):** The Code requires vehicle turning and maneuvering areas to be located on private property. The applicant is requesting vehicle turning and maneuvering areas to access the loading dock be allowed in the 5th Ave NE right of way.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines DC1 Project Uses and Activities and PL2 Walkability by locating loading away from the pedestrian through block connection, maintaining the pedestrian character of 71st Street, and preserving the existing street trees along 71st Street.

The Board unanimously recommended that DPD grant the departure.

- 4. Building Setback (SMC 23.47A.008.A.3):** The Code requires street level, street facing facades be located within 10 feet of the street lot line, unless wider sidewalks, plazas, or other approved landscaped or open spaces are provided. The applicant is requesting a portion of the building façade be setback from the property line by up to 13 feet on NE 71st Street.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines PL1 Connectivity and CS2 Urban Pattern and Form by creating a better relationship to the adjacent building, through block connection, and adjacent right of way and allow for additional gathering space, landscaping, and pedestrian and bicycle amenities.

The Board unanimously recommended that DPD grant the departure.

- 5. Façade Transparency (SMC 23.47A.008.B.2):** The Code requires 60% of the street-facing facade between 2 feet and 8 feet above the sidewalk to be transparent. The applicant is requesting non-transparent doors at the loading dock and service room on 5th Ave NE.

This departure would provide an overall design that would better meet the intent of Design Review Guideline DC1 Project Uses and Activities by minimizing visual and other impacts of the loading and service uses on the public right of way.

The Board unanimously recommended that DPD grant the departure.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated April 27, 2015, and the materials shown and verbally described by the applicant at the April 27, 2015 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, three Design Review Board members recommended **APPROVAL** of the subject design. The Board recommends the **CONDITIONS** outlined below (Authority referred in the letter and number in parenthesis).

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 following 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 April 27, 2015, the Board recommended **APPROVAL** of the project with the following **CONDITIONS**:

1. Retain an open, direct, and publically accessible through block pedestrian connection on site and extending to the south. The southern extension should meet the general intent of what was presented at recommendation, providing an accessible connection that is open to the public. (PL1-A, PL1-B)
2. For the life of the project, retain transparent storefront windows that provide an unobstructed visual connection into the retail space adjacent to the through block connection, as was presented at Recommendation. (PL2-B, PL3-C, DC1-A)
3. Further develop the guardrail separating the through block pedestrian path and vehicle ramp as an integral artistic element that is durable and maintains transparency. (DC2-C, DC2-D, DC4-A)
4. Further develop the art along the wall of the vehicle ramp to be cohesive and playful, while conveying a sense of motion. Three dimensional or hanging art is important to its function and is encouraged. (PL1-B, DC2-B, DC2-C, DC2-D)
5. Clad the exposed upper level portions of the western façade with a non-reflective material such as cementitious panel to minimize reflection. (DC4-A, DC4-I)
6. Minimize the number and size of breaks in the canopies along NE 71st St to create a more continuous canopy and better relate to the massing breaks and material changes above the canopies. (DC2-B, DC2-C, DC4-I)
7. Provide pedestrian scale signage at the through block connection signifying the space as open to the public, as was presented in the Design Review packet dated April 27, 2015 (page 20) and at the Recommendation meeting. (DC4-B, DC4-II, PL1-B)

Three 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.

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 three 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.

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 three members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines. The Design Review Board agreed that the proposed design, along with the conditions listed, 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 departure with the conditions summarized at the end of this Decision.

DECISION – DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS – SEPA

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated December 16, 2014. The applicant also submitted a Transportation analysis (Transportation Engineering NorthWest dated December 9, 2015) and a geotechnical engineering study (Geotech Consultants, Inc. dated March 17, 2014). The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file, and pertinent comments which may have been received regarding this proposed action have been considered.

As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

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

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for many short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. Additional discussion of short and long term impacts is found below.

Public Comments:

The public comment period ended on January 25, 2014. Multiple comment letters were received. Comments included concerns with traffic and parking as well as support for the proposed enhanced pedestrian connections and walkability, additional retail and inclusion of parking.

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 mixed use building could affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Although there is adjacency to residential uses, the Noise Ordinance is found to be adequate to mitigate the potential noise impacts.

If the applicant intends to work outside of the limits of non-holiday weekdays between 7 am and 7 pm, 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.

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.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Construction Traffic and Parking

Duration of construction of the apartment building may last approximately 18 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). Parking by construction workers during construction could reduce the supply of on-street parking in the vicinity. Due to the scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, the applicant will need to provide a Construction Worker Parking Plan to reduce impacts to on-street parking, as outlined in SEPA Condition #2 on the last pages of this document. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

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. A net export of approximately 20,000 cubic yards of excavated soil is anticipated to be removed from the project site. Excavation and construction materials will require approximately 2,000 round trips with 10-yard hauling trucks or 1,000 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during constructions, it is reasonable that truck traffic avoid the peak afternoon hours. Therefore large (greater than two-axle) trucks will be prohibited from entering or existing the site from 4:00 PM to 7:00 PM on weekdays.

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 this proposal, including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Drainage Code which requires on site detention of Stormwater with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code and Design Review process which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts, although some impacts warrant further discussion.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. 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.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Parking & Traffic

A Transportation Impact Analysis dated December 9, 2014 was prepared for the project by Transportation Engineering NW (TENW). Based on rates from the Institute of Transportation Engineers (ITE) Trip Generation manual, the analysis reports the proposed uses will generate 1,104 net new weekday daily trips, and 42 AM peak-hour trips and 58 PM peak-hour trips. These forecasts are adjusted to reflect local conditions, which provide opportunities for transit, walking, and bicycle usage. DPD does not anticipate that the impacts to level of service on nearby streets would be significant.

A Truck Loading and Unloading Evaluation dated June 24, 2015 was prepared for the project by Transportation Engineering NW (TENW). The evaluation analyzed truck maneuvers for servicing the loading/unloading area accessed from 5th Ave NE, a minor arterial. Due to the location of the loading/unloading area on an arterial and volume of pedestrians, impacts from vehicle loading and unloading may be adverse. In order to minimize adverse impacts, trucks will be required to access the loading/unloading area by driving in forward ("front entry"), a designated flagger must be present when trucks exit the loading/unloading area to assist the driver in negotiating the sidewalk and entering the street, and all loading and unloading of trucks utilizing the loading/unloading area shall be done internal to the site.

Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic.

The project is proposing to provide 106 on-site parking spaces. Because of the project's location within a designated Urban Center, the City of Seattle off-street parking standards (SMC 23.54.015) do not require any off street parking. The Transportation Impact Analysis noted that the estimated peak parking demand during the weekday day (when commercial retail is at its peak) and evening hours (when residential uses are at their peak) is estimated at approximately 100 stalls and 83 stall, respectively. The proposed 106 stalls will accommodate this peak demand. No adverse parking impacts are anticipated from this project.

Historic Resources

The proposed development includes the demolition of two industrial warehouse buildings over 50 years old. The Department of Neighborhoods reviewed the proposal for potential impacts to historic resources, and indicated that the existing structures on site are unlikely to qualify for historic landmark status (LPB 127/15). Therefore, no mitigation is warranted for historic preservation.

Height, Bulk & Scale

The project was subject to the City's 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.

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 mitigation contained herein.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the 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 non-holiday weekdays between 7 am and 7 pm, 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. A **Construction Worker Parking Plan**, approved by the Land Use Planner (BreAnne McConkie: breanne.mcconkie@seattle.gov or 206-684-0363), shall be required. The plan should identify the following:
 - a. Peak number of construction workers anticipated on site,
 - 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 available parking spaces per lot,
 - d. Methods to reduce the number of construction worker vehicular trips, such as carpooling and transit, and
 - e. Identify schedule when construction workers may begin parking in any parking stalls constructed with this development.

During Construction

3. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site from 4:00 PM to 7:00 PM on weekdays.

For the Life of the Project

4. Trucks will be required to access the loading/unloading area by driving in forward (“front entry”); a designated flagger must be present when trucks exit the loading/unloading area to assist the driver in negotiating the sidewalk and entering the street; and all loading and unloading of trucks utilizing the loading/unloading area shall be done internal to the site. If the applicant intends to use alternative maneuvering to access the loading/unloading area, the applicant will submit an updated Truck Loading and Unloading Plan. The plan will be subject to review and approval by DPD.

DESIGN REVIEW - CONDITIONS FOR APPROVAL

Prior to Issuance of a Building Permit

5. The final design of the artistic guardrail separating the through block pedestrian path and vehicle ramp (composition, materials, and colors) will be subject to approval by the Land Use Planner (BreAnne McConkie 206-684-0363 or breanne.mcconkie@seattle.gov).
6. The final design of the art along the wall of the vehicle ramp (composition, materials, and colors) will be subject to approval by the Land Use Planner (BreAnne McConkie 206-684-0363 or breanne.mcconkie@seattle.gov).

Prior to Issuance of a Certificate of Occupancy

7. Install improvements to provide a publically accessible through block pedestrian connection on parcel #952810-1840. The southern extension should meet the general intent of what was presented at recommendation and contained in the PUDA, providing an accessible through block connection that is open to the public.
8. Install pedestrian scale signage at the through block connection (north entry, south entry, and ramp located on parcel #952810-1840) signifying the connection and space as open to the public.
9. 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 (BreAnne McConkie 206-684-0363 or breanne.mcconkie@seattle.gov).
10. 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 (BreAnne McConkie 206-684-0363 or breanne.mcconkie@seattle.gov).

For the Life of the Project

11. Retain transparent storefront windows that provide an unobstructed visual connection into the retail space adjacent to the through block connection.
12. 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 (BreAnne McConkie 206-684-0363 or breanne.mcconkie@seattle.gov).

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, BreAnne McConkie 206-684-0363 or breanne.mcconkie@seattle.gov at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.

Signature: retagonzales-cunneutabby for Date: August 3, 2015
BreAnne McConkie
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.