



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning & Development

D. M. Sugimura, Director

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

Application Number: 2304043
Applicant Name: Edi Linardic, Project Architect
Address of Proposal: 1700 East Madison Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of a six-story mixed use building, containing 2,233 square feet of retail use at ground level, and four stories of residential use containing 20 units (apartment). The structure will be attached to an existing (Trader Joe's) structure. The project also includes converting four storage rooms into four residential units within the existing building, for a total of 24 units. Parking for 39 vehicles will be provided on three levels (below, at, and above grade).

The following Master Use Permit components are required:

Design Review - Section 23.41, Seattle Municipal Code (SMC) with Development Standard Departure:

- 1) To allow reduction in Open Space quantity (*SMC 23.47.024.A*)
- 2) To allow alternatives to Landscaping standing (*SMC 23.47.016.B*)
- 3) To allow modifications to *Site Triangle* (*SMC 23.54.030.G*)

SEPA - Threshold Determination - (Chapter 25.05 SMC).

SEPA DETERMINATION: Exempt DNS EIS
 DNS with conditions
 DNS involving non-exempt grading or demolition or
 involving another agency with jurisdiction.

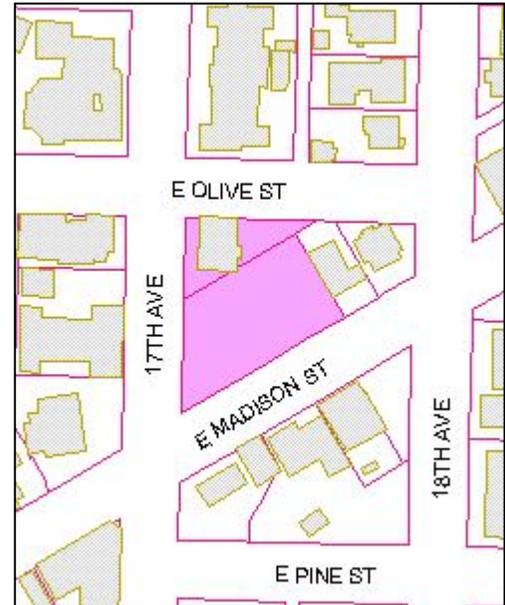
**Early Notice DNS published August 19, 2004.

BACKGROUND DATA

Site Description

The subject site occupies a total land area of approximately 26,675 square feet at the corner of 17th Avenue and East Madison Street, in the Capitol Hill neighborhood. The development site is a truncated triangular shaped lot that fronts on three rights-of-way; East Olive Street to the north, 17th Avenue to the west, and East Madison Street to the south in a Neighborhood Commercial Three zone, with a height limit of 65 feet (NC3-65). The site is also located within the Capitol Hill Urban Center Village.

A significant portion of the subject site is developed with a six-story mixed use building containing a general retail use (Trader Joe's) and apartments above (Building Permit #'s 735506, 737485, & 740121). During the later stages of the initial development of the Trader Joe's development site the applicant acquired adjacent land to enhance the site's development potential which is the subject area of the proposal. The area of development currently serves as a gravel surface parking lot with landscaping feature for the entire subject site. The area of development slopes modestly downward from west to east, and fronts along 17th Avenue and East Olive Street.



The remaining block is developed with two modest sized commercial sites; a one-story dry cleaning service (Joe Spates), and a two-story office building. All street rights-of-way are fully developed streets with asphalt roadway; curbs, sidewalks and gutters. East Madison Street is the only frontage that is defined as a primary arterial street that provides bus service (Metro Bus Routes 11, 12 and 84) to Downtown. East Madison Street connects surrounding residential neighborhoods from Lake Washington to Downtown.

The site is not located in any identified or designated Environmentally Critical Area (ECA).

Area Development

The site is located at the northeast corner of the intersection of East Madison Street and 17th Avenue East. The site sits atop Capitol Hill, with views west into downtown and east to the Cascades. The neighborhood is a mixture of older multi-story, multi-family residential and commercial buildings. To the west across 17th Avenue East is a three story masonry residential building (the Cascadia Apartments) which is a good example of an older well detailed building representative of the Capitol Hill area. Zoning at the site and area immediately adjacent along this strip of East Madison Street is Neighborhood Commercial Three zone, with a sixty-five (65) foot height limit (NC3-65) within an Urban Village Commercial Zone Overlay. Abutting this commercial zoning band to the north and south are Multifamily Lowrise Duplex/Triplex (LDT), and Lowrise Three (L3). Modest Turn of the Century multi-family and single family structures are prevalent in the area. The neighborhood is dominated by the three large transmission towers located one-half a block to the south across Madison Street.

Proposal

The proposal is to construct a mixed use building and attached it to an existing structure in an NC3-65 zone, within an Urban Village overlay district. The proposed building's floor will align with the existing structure to share and expand usable floor area. At street level approximately 2,233 square feet is proposed for retail use with orientation and pedestrian access along 17th Avenue. Twenty (20) residential units will be located on the upper levels (floors three thru six). Between the street level commercial use and the residential use, the applicants proposed one level dedicated to commercial parking. This parking level is designed to ease on-site traffic flow within the commercial level and expand available parking. Additionally, the below grade parking for residential tenants, accessed through the existing building along East Madison will be expanded. An additional at-grade parking level is proposed for residential use and accessed off East Olive Street. Access to commercial use parking will remain off 17th Avenue through the existing (Trader Joe's) building. Five residential units are designed for each of the four floors above the upper parking level, for a total of 20 units. The proposed building will contain a mixture of studio, one and two-bedroom apartments. The applicant proposes to convert existing storage rooms on each of the residential floor levels within the Trader Joe's building into apartment units, to bring the total new unit count to 24, for a grand total of 80 units at the development site.

Pedestrian access to the residential units will be off East Olive Street, near the northwest corner of the site. The commercial use is proposed to be accessed from the 17th Avenue East frontage near the corner of East Olive Street. Primary open space will be provided at the third floor rooftop deck, which will represent an expansion of the existing residential open space. Secondary open space will be located on the sixth floor roof deck. Parking for the residents will be accessed from two locations, as previously mentioned, with the recycling station accessed through the residential parking level off East Olive Street. Parking and loading access for the Trader Joe's grocery store will remain off the west side of the site, from 17th Avenue East.

Public Comments:

Date of Notice of Application:	August 19, 2004
Date End of Comment Period:	September 15, 2005*
# Letters	3
Issues:	

The SEPA comment period for this proposal ended on September 15, 2005. The Department received three comment letters during the public comment period. One of the comment letters addressed concern over adverse height impacts upon adjacent properties; they felt it would be more appropriate for the proposal to stay within two-stories above grade. Negative impacts of increase traffic and parking were cited in another letter, which will be addressed later in this document under SEPA analysis. The respondent in the third letter expressed concern about the inappropriateness of retail use to be established in an area that was dominated by residential uses as opposed to the East Madison frontage. One letter was received after the conclusion of the extended public comment period that expressed similar concerns surrounding the proposed height.

Two letters were received during the Early Design Guidance (EDG) phase. During the time of the early design guidance phase (the subject of the report) which is a separate action from the previous project, construction related activity was nearing completion. One of the letters articulated concerns that the proposed six-story structure would adversely impact views enjoyed by neighboring properties; and with the increased floor area, parking demand will spill onto neighboring streets. Traffic volumes within this residential area are already heavy and any additional development will only exacerbate the situation. The second letter noted that construction activity (related to the previous phase) had negatively impacted surrounding properties with traffic, noise, etc. Additionally, community members also voiced their desire for maintaining and strengthening their neighborhood's vibrancy by attending the Design Review public meetings. A number of their concerns were aired during the design review phase; including modifying the proposed structures massing and detailing.

*The initial comment period ended on August 31, 2004, at the request from a member of the public the comment period was extended to an additional two weeks.

ANALYSIS - DESIGN REVIEW

Early Design Guidance

An Early Design Guidance Public Meeting was held by the At-Large Design Review Board on February 25, 2004. Seven (7) members of the public attended the February 25th meeting, with only two filling out the sign in sheet. Public comment included concerns related to parking and access; impact of the proposed building on the East Olive Street and 17th Avenue streetscapes; retaining a human scale for the development; and, the relationship of the proposed building to surrounding residential buildings.

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 and identified by letter and number those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines for Multifamily and Commercial Buildings*" of highest priority for this project:

A. Site Planning

A-1 Responding to Site Characteristics: The siting of buildings should respond to specific site conditions and opportunities.

Considering the site conditions and the design proposal the Board emphasized a need to provide greater compatibility with the prevalent design pattern along 17th Avenue East and East Olive Street. The Board was not satisfied with any of the proposed design schemes and requested further studies to achieve a more sympathetic design to neighboring residential scale.

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

The Board emphasized the need for the applicant to increase interaction in the pedestrian environment around the development site. The applicant was encouraged to install public open spaces adjacent to the street to encourage activity. The location and quality of overhead weather protection should be considered as a high value element and should fully serve the needs of its inhabitants while visually activating the streetscape. Create a better scale for proposed structure by minimizing its presence along the street – avoid exposing parking for any proposed parking above grade.

A-3 Entrances Visible from the Street: Entries should be clearly identifiable and visible from the street.

The Board stated that neither the residential nor the commercial entrances were readily identifiable and should be emphasized, with sensitivity to adjacent street level uses. The retail entrance should be more prominent along 17th Avenue to create a visual connection to Madison Street frontage. The residential entrance should have a stronger presence so that it is readily identifiable to the residents and their guests. As 17th Avenue has a more residential character, thought should be given to orient the residential entrance on 17th Avenue.

A-4 Human Activity: New development should be sited and designed to encourage human activity on the street.

The establishment of pedestrian activity areas at East Olive Street and 17th Avenue East street levels will create greater opportunities for pedestrian interaction with commercial and residential uses and should be incorporated in the design. The Board encouraged establishing street level public open spaces to be more interesting aesthetically.

A-6 Transition Between Residence and Street: For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

The Board recommended that the architect re-consider its approach to defining the pedestrian experience at street level, from spatial separation between commercial and residential uses to façade treatments to enliven the pedestrian experience. East Olive Street is ideally suited to locate the residential use which would create greater opportunities for social interactions due in part to proximity of other activity areas. The Madison Street frontage is the primary pedestrian corridor and the retail and pedestrian space should be designed with this in mind in 17th and East Olive's a more residentially oriented streetscape.

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

The Board emphasized location and quality of the residential open space should be considered as a high value element and should serve the needs of its residential inhabitants. Residential open spaces should be functional and connected to residential uses. During the meeting the Board informed the applicant that it would not want to entertain departures from residential open space until a thoughtful design was presented.

A-8 Parking and Vehicle Access: Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

The proposed location and quantity of the driveway access to parking areas was a significant issue raised by the proposed design. The Board restated that reduction in the number of curb cuts at the development site to lessen potential conflicts with vehicle and pedestrian activity was of primary concern. It appeared the abutting residential zone will be negatively impacted with the proposed number of curb cuts, which is not sympathetic to the surrounding residential character.

Access to the parking levels and the loading area must be re-configured to minimize the impact of the project on the pedestrian environment, particularly the proposed curb cuts and driveways which cross the sidewalks along 17th Avenue and East Olive Street.

A-10 Corner Lots: Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

The Board felt that building should be sculpted at the northwest corner to create a better human scale for the proposed structure at the intersection of 17th Avenue and East Olive Street. The proposal should pay attention to the corner by activating residential or commercial uses in this area.

B. Height, Bulk and Scale

B-1 Height, Bulk and Scale: Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by , less-intensive zones.

The Board offered a suggestion that it would be appropriate to reduce the size of the structure and explore “other residential use” options. Townhouses may be one of many viable options that would be more appropriate use of space at the development site. The Board encouraged the applicant to take into account structures in the surrounding Lowrise zone to inform a design that reflects greater sensitivity to the existing scale on the block front.

C. Architectural Elements and Materials

C-1 Architectural Context: New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complements the architectural character and siting pattern of neighboring buildings.

The Board wanted to see a cohesive design that is not a continuation of the Trader Joe’s building. The proposed addition can functionally integrate with the Trader Joe’s building, but should not carry forward its design theme. The Board recommended the applicant treat the proposal as a stand alone project to achieve greater scale compatibility with neighboring properties. Design elements from the neighboring properties should be carried through with the new structure.

The Board recommended the applicant consider the surrounding architectural styles and relate to the better examples in the neighborhood. Surrounding buildings are a collection of eclectic designs, including the Cascadia Apartments, a classic three-story brick apartment building, and several wood-framed mansions which have been converted into commercial use. There are well designed buildings surrounding the site with elements which could be incorporated into the subject design. Elements such as window shapes and styles and roof lines/elements could be incorporated to help the proposal relate to the surrounding designs.

C-2 Architectural Concept and Consistency: Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.

The Board noted vertical modulation should be substantial and carried through along the entire length of the street facing facades. The mass of the upper level should follow down to base.

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

The Board recommended establishing a stronger cohesiveness at the development site with the addition of façade architectural features, installation of public open spaces, and location of pedestrian entry points to enhance the proposed development. The Board encouraged the architect's intention to place a gable roof on the building; this one element would enable the project to fit into the existing neighborhood residential character.

C-4 Exterior Finish Materials: Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close.

The Board did not offer any specific guidance as to building materials, but did note that quality materials which correspond to the existing character of the neighborhood are the preferred materials.

C-5 Structured Parking Entrances: The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

The Board encouraged the applicant to design the entrance(s) to the parking structures so that they are not a blank void into a parking area. The Board suggested artwork, lighting and/or unique paving types at the garage entrances to add interest and to alert pedestrians to the presence of vehicles.

D. Pedestrian Environment

D-1 Pedestrian Open Space and Entrances: Convenient and attractive access to the building's entry should be provided.

The Board recommended that the proposed pedestrian entries should be well defined with detailing to help create a lively, pedestrian experience around the thresholds. Additionally, canopies or other weather protection for pedestrians along the Street facades should be incorporated into the design as this area to activate the sidewalk. The entries should be somewhat understated with respects to the abutting residential zone.

D-2 Blank Walls: Buildings should avoid large blank walls facing the street, especially near sidewalks.

The Board reiterated this element as a primary concern along East Olive Street. Blank walls, including long expanses of garage doors with no breaks provide a cold, unfriendly pedestrian corridor. The proposed building should be designed with pedestrians in mind, providing elements of interest, breaks in the facade, vertical landscaping, and other elements which make passing the street level facade a pleasant experience. An opportunity may exist to do something special upon the garage doors to deemphasize its mass.

D-5 Visual Impacts of Parking Structure: The visibility of all at-grade parking structures or accessory parking garages should be minimized.

The Board noted that the proposed parking garage levels are not compatible with the surrounding uses and street characteristic along the streets. Alternative design schemes should be explored to achieve a more pedestrian scale along the street. Additionally, the number and size of proposed garage doors must be minimized to better achieve a thoughtful integration in relation to surrounding properties.

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

The Board recommended the use of specific landscaping materials which add attractiveness to the building and the site but which allow people to see into the landscaping and do not provide hiding places. Additionally, lighting should be incorporated into the facades to illuminate pedestrian areas but which does not spillover on to the street or impact the residential tenants above.

E. Landscaping

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites: Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

The Board emphasized the need for street level landscaping to create urban gardens to help offset the buildings scale in a predominant residential city block. The northeast corner presents the only opportunity at street level to provide landscaping and this opportunity should not be wasted.

E-2 Landscaping to Enhance the Building and/or site: Landscaping, including living plants, special pavement, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

The Board stressed the importance of enhancing a planting area on the roof deck court yard with quality landscaping in permanent containers that are nicely designed to create the focal point within the interior court yard from the vantage of units looking down into the space and from neighboring properties.

Summary

The recommendations of the Board reflected their concern as to how the proposed project would better integrate into the existing and developing neighborhood.

Design Review Board Recommendations

On July 26, 2004, the applicant submitted the full Master Use Permit application, and on January 4, 2006 January, the Capitol Hill/First Hill Design Review Board (Area 7) convened for the recommendation meeting. The applicant presented elevation renderings, site plans that responded to design guidelines set forth by the Board during the previous meetings. The applicant requested three departures from the City's Land Use Code.

Public Comments

Four (4) community members were in attendance (with three attendees publicly voicing their opinion) during the January 4, 2006, Final Recommendation meeting. One public attendee stated his opinion that the structure was more sympathetic to the surrounding residential character, and commended the design team had done a good job with the proposed addition. Other comments addressed the proposed structure's bulk and scale, and streetscape experience. Public consensus concluded that the façade materials needed to be made more interesting, with an emphasis on quality. The exterior colors looked rather bland and needed greater intensity with darker hues. The commercial level punched windows should expand upward to create a loft-like look. Additionally, there was concurrence that the concrete base should be sacked and sealed, (left unpainted) to strengthen and anchor the lower level. The gabled rooftop seemed out of portion and needs additional focused attention.

The following *departures* from standards of the Land Use Code were requested by the applicant at the time of the meeting:

<i>Development Standard</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Comment/Rational</i>	<i>Board Recommendation</i>
<i>1. Open space quantity. 23.47.024.A</i>	<i>13,415 square feet (20% of 67,074 square feet, gross residential use) with minimum 10 foot horizontal dimension.</i>	<i>11,090 square feet (or 16.5%).</i>	<i>Majority of units have operable windows with views to bring the outdoors within each unit.</i>	Board Deferred
<i>2. Landscaping standing 23.47.016.B</i>	<i>1,302 square feet (5% of 26,038 square feet, lot area).</i>	<i>945 square feet (or 3.6%).</i>	<i>Structure built out to the property lines design to be sympathetic to abutting uses.</i>	Board Deferred
<i>2. Site Triangle 23.54.030.G</i>	<i>The area between 32 inches and 82 inches shall be kept clear of visual obstruction 10 feet from the intersection of driveway with the sidewalk.</i>	<i>Less than 10 feet from the intersection of driveway with the sidewalk on the exit side.</i>	<i>To create a greater street presence by locating proposed structure along East Olive Street property line build.</i>	Board Deferred

Design Guideline Analysis

It was noted at the outset that only one Board member attending the recommendation meeting was present at the EDG meeting, the other two members relied on the EDG minutes to help inform their comments. The Board wanted to know how the residential balconies would function, were they intended to provide areas of passive activities to recline or treated as an architectural feature. It was determined that the depth would accommodate an area large enough for two chairs if the occupant wished. A secondary question also arose regarding the railing system. The applicant informed the board that the rails would be metal framed with steel channels. The Board stated that it is important to design a balcony that is both attractive and functional. The Board wanted further information regarding the window system, including operability of residential windows, framing, and informed the applicant that the colors needed further refinement. It appeared to the Board that the windows were too similar in design to the Trader Joe’s building and would welcome greater contrast. One Board member expressed concern that the proposal was more similar to the units above Trader Joe’s as opposed to striking a stronger connection to the adjacent residential uses which was a stated guideline. The Board encouraged the owner to explore ways to make the proposal more distinguishable and residential from the existing building. The readability and quality of residential and commercial entrances should be strengthened through the use of materials, color and architectural details. It also appeared to the Board that the proposal did not fully explore other design opportunities that would be more in keeping with Lowrise developments. **The Board felt their suggested design improvements did not warrant another meeting, but instead the assigned planner would be entrusted to finalize design details prior to publication.**

The Board agreed that the proposed structure is generally compatible with surrounding buildings and has taken cues from the adjacent buildings on either side of 17th Avenue and East Olive Street. The architect established a distinctive residential appearance on the upper levels with vertical connection to the commercial base. (*Guidelines A-1, A-2 & C-1*) The architect has chosen to carry through some complimentary materials found on the Trader Joe's building's upper residential level and commercial base. Residential balconies will use metal railings with different patterning design. The proposed metal canopy will be similarly designed to match the existing building's façade. The Board also felt that additional detailing is needed to create greater compatibility to the adjacent residential structures. **Along the 17th Avenue street frontage the Board Recommended that the pedestrian experience needed additional refinements with well defined commercial entrances with canopies and other amenities. (*Guidelines A-3 & D-1*) Operable windows should be explored to open up the structure to the outside. Along the East Olive Street, the residential entry should be celebratory and distinctive from a distance. It should visually read residential using quality materials with a gabled canopy entry. Upper level residential decks should be a minimum of four feet in depth. (*Guidelines A-1, A-6, C-1, C-3, D-1 & D-7*)**

The Board was encouraged by the building's mass anchoring the 17th Avenue and East Olive Street intersection. Its scale is in keeping with development in the NC3-65 zone, and is sympathetic to surrounding properties including one and seven-story structures. (*Guidelines B-1 & D-1*)

The Board agreed that the proposed materials including concrete, brick, and hardi-panel reflected materials found within the immediate area and suited the development site. (*Guidelines C-1 & C-2*) The color renderings in the design review packet conveyed greater pigmentation density that should be carried through to the construction phase. Additional manipulation of façade treatments was encouraged with recommendations to successfully strengthen the building's presence on both street frontages. (*Guidelines C-4, C-5, D-1, D-5 & D-7*) **The Board recommended that the applicant explore more intensive colors, rather than the bland washed out look as depicted in site illustration – staying away from beige tones. The Board recommended that the roof edges should have a parapet wall to accentuate a gabled canopy entry above the pedestrian doorways. The glass windows at ground level should extend vertically up to the second level. The second level glass windows should create a loft appearance. Additional canopies should secure the pedestrian experience during inclement weather. The lower level concrete base shall be sacked and sealed. (*Guidelines A-10, C-1, & C-4*)**

The Board supported the revised second story parking level set behind nontransparent windows. Added precautions need to be set in place to prevent enclosed vehicle activity from being seen from the outside. (*Guidelines C-2 & D-5*) **Therefore, the Board recommended an attractive screening system be employed that creates translucency on the parking level but does not allow vehicle headlight to spill out onto adjacent street frontages. Further, the applicant is instructed to work with SDOT and DPD to introduce paving changes through color and texture at the vehicle access points along 17th Avenue and East Olive Street. (*Guidelines A-8, D-1 & D-7*)**

Additionally, lighting will be incorporated into the facades to illuminate pedestrian areas. The retail windows will be transparent and not covered by equipment to provide “eyes on the street.” Upper level units which face 17th Avenue and East Olive Street, with decks, will also provide additional “eyes on the street,” to provide pedestrians an additional sense of security. (*Guideline D-7*)

The landscape design includes placement of street trees along both street fronts. The two roof top decks will be landscaped with a variety of trees and shrubs to provide a pleasant experience for building residents with portions available as common courtyard areas for all building residents, and portions set aside as private areas for the units on the third level which open directly out to the open space. (*Guideline A-7*) At street level landscaping has been incorporated to frame the building to provide a contrast to the brick work, distinguish the entries, and enhance the pedestrian corridor. Finally, landscape materials will be planted at the site’s northeast corner to enhance the building, soften the facade and to provide a buffer between the building and the property to the north. (*Guidelines E-1 & E-2*) **The Board recommended that the applicant use quality materials (planter boxes, plants, etc.) and durable lawn furniture on the roof top decks.**

Departure Analysis

1. To allow reduction in open space quantity (*SMC 23.47.024.A*)

Required residential open space is based on a percentage (20%) of the gross floor area dedicated to residential use. Additionally, depending on location, at or above grade, open spaces shall have minimum area and horizontal requirements. In this instance the applicant has proposed 67,074 square feet dedicated to residential use, which in turn would require 13,415 square feet of open space. The applicant has proposed 16.5% or 11,090 square feet for residential open space. This represents an open space shortfall of approximately 2,325 sq. ft. Open space provides opportunities for apartment dwellers to experience the outdoors in a secured environment. The applicant has successfully argued that each unit is afforded operable windows with views outdoors. Additionally, each unit will have a private small balcony or deck. The common roof top deck open spaces are designed to encourage social interaction with windows facing units and amenities to active use.

2. To allow alternatives to Landscaping standing (*SMC 23.47.016.B*)

Five (5) percent of the lot is required to be landscaped for new construction that is visible from the right-of-way. The development site comprises a land area of approximately 26,038 square feet that would require a set aside of 1,302 square feet for landscaping. The applicant has proposed 3.6% or 945 square feet for landscaping. The structure’s base occupies a significant portion of the development site that leaves little room to provide landscaping area between the structure and sidewalk. Where opportunities presented themselves the applicant has provided landscaping, primarily in a triangular shaped area adjacent to East Olive Street frontage. During the recommendation meeting, the Board accepted a suggestion from the architect that the street level frontage provides interest and the planting strip would help to assure a softer frame to the development proposal.

3. To allow modifications to *Site Triangle (SMC 23.54.030.G)*

The area between 32 inches and 82 inches is required to be kept clear of visual obstruction, ten (10) feet from the intersection of driveway with the sidewalk. The applicant proposes to locate street trees in the site triangle area to increase street landscaping presence if SDOT is willing to accept their proposal. The East Olive Street frontage is a minor residential street with moderate vehicle traffic in comparison to East Madison Street. Vehicle traffic moves slowly through this block front which would allow partial obstruction of the view area for exiting vehicles. The location of the curb cut serving ten tenant vehicles is not anticipated to create safety conflicts. However, there are other means of providing exiting visibility and/or warning systems to minimize the potential for pedestrian vehicle conflicts, available and often used Downtown. The architect will provide alternative means of warning pedestrians and vehicles, such as mirrors, warning lights and or buzzers.

Summary of Board's Decision

<i>Development Standard</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Comment/Rational</i>	<i>Board Recommendation</i>
<i>1. Open space quantity. 23.47.024.A</i>	<i>13,415 square feet (20% of 67,074 square feet, gross residential use) with minimum 10 foot horizontal dimension.</i>	<i>11,090 square feet (or 16.5%).</i>	<i>Majority of units have operable windows with views to bring the outdoors within each unit.</i>	<i>Board approved</i>
<i>2. Landscaping standing 23.47.016.B</i>	<i>1,302 square feet (5% of 26,038 square feet, lot area).</i>	<i>945 square feet (or 3.6%).</i>	<i>Structure built out to the property lines design to be sympathetic to abutting uses</i>	<i>Board approved</i>
<i>2. Site Triangle 23.54.030.G</i>	<i>The area between 32 inches and 82 inches shall be kept clear of visual obstruction 10 feet from the intersection of driveway with the sidewalk.</i>	<i>Less than 10 feet from the intersection of driveway with the sidewalk on the exit side.</i>	<i>To create a greater street presence by locating proposed structure along East Olive Street property line. build</i>	<i>Board approved</i>

The recommendations summarized below were based on the plans submitted at the January 4, 2006 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings submitted for review on December 30, 2005. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the three Design Review Board members who were present recommended approval of the subject design with conditions. Several departures were requested. The three Board members unanimously made the following recommendations. (Authority referred to in letter and numbers are in parenthesis):

1. Design and appoint a well defined commercial entrance with canopies and other amenities along the 17th Avenue street frontage subject to the approval by the DPD. *A-3, D-1 & D-7*
2. Design and install operable windows to open up the structure to the outside details to be reviewed and approved by the DPD planner. *A-1, A-6, C-1, C-3*
3. Along the East Olive Street the residential entry should be designed to be celebratory and distinctive from a distance. It should visually read residential using quality materials with a gabled canopy entry subject to approval by DPD planner. *A-3 C-4, D-1 & D-7*
4. Design upper level residential decks with a minimum horizontal depth of four feet to be approved by the DPD planner. *A-7, C-3, & C-4*
5. Design and use more intensive colors, rather than the bland washed out look as depicted in site illustration – staying away from beige tones subject to the approval by the DPD. *C-2, C-4*
6. Design and install roof edges to have parapet walls to accentuate a gabled canopy entry above the pedestrian doorways, details to be reviewed and approved by the DPD planner. *A-1, C-1, C-3, & D-7*
7. The glass windows at ground level should extend vertically up to the second level. The second level glass windows should create a loft appearance. Additional canopies should secure the pedestrian experience during inclement weather, details to be reviewed and approved by the DPD planner. *C-2, C-4, & D-7*
8. The lower level concrete base shall be sacked and sealed to be confirmed and approved by DPD planner. *A-10, C-1, & C-4*
9. An attractive screening system shall be employed to create translucency on the parking level but does not allow vehicle headlight to spill out onto adjacent street frontages subject to the approval by the DPD. *A-8, C-4*
10. The applicant was instructed to work with SDOT and DPD to introduce paving changes through color and texture at the vehicle access points along 17th Avenue and East Olive Street. The architect is encouraged to work with DPD and SDOT on the details for right-of-way improvements, details to be reviewed and approved by the DPD planner. *A-8, D-1 & D-7*
11. The Board recommended that the applicant use quality materials (planter boxes, plants, etc.) and durable lawn furniture on the roof top decks subject to the approval by the DPD. *A-7, E-1 & E-2*

Director's Analysis and Decision: Design Review

As only one of three Design Review Board members **participated** in this proposal from the early stages at the recommendation meeting, the Director must provide additional analysis and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F). The Design Review Board identified elements of the Design Guidelines (above) which are critical to the project's overall success.

The area of new development presents a unique design opportunity given its location at the development site that features a recently completed building (Trader Joe's), and corner lot location fronting the intersection of 17th avenue and East Olive Street. The architect has responded to the comments and concerns of both the public and the Design Review Board and has established a more residential character. To strengthen the streetscape experience parking access will need further refinement to lessen its impact. The building has been designed to functionally integrate into the existing building and respond to its corner location. The building facade has been broken down into elements which break up the bulk of the building, creating a distinctive residential and commercial presence with solar exposure and views.

The design of the proposed building (with 2,233 feet of ground level retail, and 20 residential units) has similar good overall scale and proportion of mixed use structures in the zone. The design has incorporated influences of the surrounding vernacular with modern touches to provide visual interest that creates a sense of individuality. As viewed from the 17th Avenue street frontage, the proposed structure will feature a strong commercial base with glazing carrying up to the second level and around the corner along East Olive Street. The 17th Avenue street level façade will include a concrete base in acknowledgement of nearby structures. A "gasket" horizontal belt-course will separate the commercial from the residential level. Above the third level, the building's character becomes more distinctly residential with its crowning gabled roofs, juxtaposed to the existing (Trader Joe's) flat rooftop. The shared residential open space will be more generously landscaped on the third level roof deck, set between the upper level new addition and the existing terraced structure, that helps to break down the building's mass. The two upper level residential towers are styled differently, but the composition will be held together with subtle manipulation of architectural features carried through both towers. One such example is the railing system for the new balconies will employ similar color and materials as found on the existing residential balconies.

As viewed from East Olive Street, the structure will have a more predominate residential feel. At street level, the concrete base will be similar to the 17th Avenue street frontage with the exception of increased landscaped presence. Along this frontage the proposed façade will be scaled to minimize the appearance of bulk. This will bring a portion of the structure within a human scale and open up the street to create a more pedestrian friendly environment that was enthusiastically supported by the Board. The pedestrian residential entry and exits are also featured along the East Olive Street frontage. Along this frontage, the applicant has designed a two-door vehicle entry which is incongruous to reinforcing the residential character along this street front therefore; the owners will be required to remove one access door to the right-of-way. An internal access door through the parking garage to the trash and recycling area will become its only access. This will result in a design more sympathetic to the adjacent properties, more in keeping with establishing a stronger pedestrian friendly street presence.

During the course of the Design Review process the applicant requested departures from development standards related to open space, landscaping, and site triangle requirements and the Board recommended approval. After evaluating DR approval, the Director has no objections and concurs with the Boards decisions. The assigned planner was given authorization to approve additional departures if any where uncovered during the final zoning review phase. The planner found no additional deviations from Land Use development standards. The Director has no further conditions to add other than reducing the two-door vehicle access along East Olive Street to one. The above stated Board conditions will be made a part of decision approval.

The Director of DPD has reviewed the recommendations and conditions of the Design Review Board. The Director finds that the proposal is consistent with the *City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings.*” The Director **APPROVES** the subject design consistent with the Board’s recommendations above. This decision is based on the Design Review Board’s final recommendations and on the plans submitted at the public meeting on January 6, 2006. Design, siting or architectural details not specifically identified or altered in this decision are expected to remain substantially as presented in the plans submitted to DPD on December 30, 2005 in response to the outcome of the January 6, 2006 meeting.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated July 26, 2004) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant 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 (SMC 25.05.665) mitigation can be considered.

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, and a small increase in traffic and parking impacts due to construction workers’ vehicles. Existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several construction-related impacts. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

Traffic

Construction of the project is proposed to last for several months. The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Transportation Department, and no further SEPA conditioning would be needed.

The hauling of excavated material will entail approximately 200 truck loads. The site is adjacent to East Madison Street, a principal arterial, which provides access to Interstate 5 and Interstate 90, 23rd Avenue East. Truck haul routes are available consistent with the existing City code provision (SMC 11.62) which requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with the hauling of debris will be of short duration and mitigated by enforcement of SMC 11.62.

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks, which minimizes the amount of spilled material and dust from the truck bed enroute to or from a site.

Noise

The development site is located adjacent to a residential area where construction of this scale would impact the noise levels. The SEPA Noise Policy (Section 25.05.675B SMC) lists mitigation measures for construction noise impacts. It is the department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is necessary to mitigate impacts that would result from the proposal on surrounding properties, because existing City ordinances do not adequately mitigate such impacts. This is due to the density of residential units in the area and the proximity of these structures to the subject site. The proposal is, therefore, conditioned to limit construction activity to non-holiday weekday hours between 7:30 A.M. and 6:00 P.M. and Saturdays between 9:00 A.M. and 6:00 P.M. After the structure is enclosed, interior construction may be done in compliance with the noise ordinance. The department may modify this condition to allow work of an emergency nature or which cannot otherwise be accomplished during these hours by prior written approval of the Land Use Planner.

Air and Environmental Health

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction 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). No unusual circumstances exist, which warrant additional mitigation, per the SEPA Overview Policy.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of mixed use structures (containing residential and commercial uses), and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

Height, Bulk, and Scale

The development area is located at the southeast corner of 17th Avenue and East Olive Street. Across each right-of way measuring 66 feet in width are structures of varying heights. The proposed six-story project will rise to approximately 65 feet to the top of the flat roof from the lowest elevation grade along the East Olive street frontage, with the stair and elevator penthouse extending an additional 9 feet. The development site is located within a Neighborhood Commercial Three zone with a height limit of 65 feet (NC3-65). Across the centerline of 17th Avenue and East Olive Street to the west and north (respectively) of the development site, the height limit decreases to 30 feet within a Multifamily Lowrise Three zone (L-3). There are a number of zoning anomalies in the area, one is a structure height anomaly located across East Olive to the north. An existing structure (Seattle Housing Authority's Olive Ridge) looms above other buildings in the immediate area, rising approximately 7 stories above street level. After proposal approval and completion Olive Ridge will remain the tallest building fronting the development site. The proposed project is being developed to NC3-65 standards, as allowed by the Land Use Code, and is thereby in keeping with the scale of the potential of the zone as well as that of several existing structures in the vicinity.

The SEPA Height, Bulk and Scale Policy (Sec. 25.05.675.G, SMC) states that *“the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section C of the land use element of the Seattle Comprehensive Plan for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.”*

In addition, the SEPA Height, Bulk and Scale Policy states that *“(a) project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated.”* Since the discussion in the previous paragraph indicates that there are no significant height, bulk and scale impacts as contemplated within this SEPA policy, and since the Design Review Board approved this project with conditions, no mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

Traffic

Reliance on vehicles is expected to be moderate. Circulation within the area includes two bus routes providing access to downtown and other employment destinations. There are also many dining, shopping, educational, medical and entertainment opportunities within walking/bicycling distance and along the public transit routes. The development site is expected to draw clientele from the surrounding neighborhood. It is anticipated that East Madison Street, a primary arterial, will handle the increase demand falling within its capacity. Secondary local streets which can be used to access the site will experience slight increased volumes.

In light of the existing mixed use development (retail use and residential apartments), the addition of 24 residential units and 2,233 square feet of retail use, it is estimated that the project, upon completion, will generate approximately 36% increase in residential traffic and 18% increase in commercial traffic - If we assume a corresponding increase based upon unit count and gross floor areas. When we apply the mid-rise apartment formula average total (80 units) daily trips are expected to reach, twenty-eight (28) AM and thirty-five (35) PM Peak Hour trips (*Institute of Transportation Engineers' [ITE] Trip Generation Manual, 7th Ed.*). These numbers reflect a modest increase in residential traffic with the majority of traffic accessing off East Madison Street. Eleven (11) residential parking stalls are proposed to take access off in approximately the same location as the existing surface parking lot. East Olive Street should not experience increased traffic solely based on the addition of one to two residential stalls from the previous approved permits.

Retail use is proposed to be increased by approximately 2,233 square feet at the corner of 17th Avenue and East Olive Street. The amount of traffic generated by this type of use within urban centers is anticipated to modestly increase traffic in association with Trader Joe's grocery store. The proposed use will share the same access with Trader Joe's near mid-block of 17th Avenue. Though traffic volumes are heavy during AM and PM Peak Hours, this increase will not have a significant impact, assuming similar sized commercial uses.

The applicant submitted a Traffic Analysis, prepared by Geralyn Reinart, P.E., to address on-site parking supply and demand. The report addressed current conditions and recommended potential solutions with the build-out of the new mixed-use addition. Due in part to the parking layout at the commercial level vehicles have a tough time maneuvering in and out of stalls. Congestion is an ongoing problem that has been mitigated by the owners hiring off-duty police officers to direct traffic within the parking level and at the street entrance. With the completion of the expansion the commercial parking level will be reconfigured to improve the flow of traffic on-site. Nine additional stalls will be available for both retail uses will further alleviate congestion. The report recommended that Trader Joe's continue their use of off-duty police officers for traffic control, until such a time they are no longer needed. Additional suggestions have been provided in the report that warrants consideration. A copy of this report shall be required to be submitted to the general manager of Trader Joe's for their use.

The location of the commercial access to the site has raised concerns, such that the larger volume of traffic generated by the retail uses may have an impact. Due in part to the anticipated increase of commercial traffic along 17th Avenue greater care and attention must be directed towards pedestrian safety. Therefore, the owners will be required to provide a detailed a vehicle entrance/exiting plan that provides attractive safety devices (including surface materials, sound, signs, light, etc.) that demarks the vehicle access, while protecting pedestrian safety within the right-of-way. The lower volume generated by the residential units, with vehicle access on East Olive Street, is not expected to have a significant impact on the traffic flow or pedestrian and vehicle safety on East Olive Street.

Parking

The project proposes a total of 143 parking stalls for the entire development site. On May 10, 2005 Mayor Nickels signed Ordinance 121792 adopting new minimum residential parking requirements for multifamily uses within Capitol Hill Urban Center Village, among other Centers, which reduced the required parking for residential uses to one (1) spaces per unit. This legislation is a manifestation of policy changes the City is implementing to encourage alternative modes of travel (i.e., public transit, bicycle) for urban city dwellers. The applicant has proposed to meet the Code required 1 stall per unit or 24 stalls for 24 units, for a total of 80 residential parking spaces at the development site. Additionally, the Ordinance modified SEPA Parking Policy (Sec. 25.05.674M, SMC) removing SEPA authority to mitigate residential parking impacts within the Capitol Hill Urban Center Village.

Peak parking demand for the retail use (we have assumed supermarket use to capture the entire development site) was based on empirical studies from the *ITE Trip Parking Generation Report, 3rd Edition*, with peak rates of 4.36 stalls/1,000 square feet on a weekday, and 4.75 stalls/1,000 square feet on a Saturday.

Based on these estimated rates, the peak retail parking demand would occur on Saturdays between 2 and 5 in the afternoon. The peak residential parking demand would occur in the evenings and early mornings (roughly between 10 PM and 7 AM). In general, the peak parking demand times of these uses complement each other, allowing for a sharing of parking spaces. The peak demand of commercial uses is roughly 71 spaces, which would occur from 2 to 5 on Saturday afternoons. Code required parking stalls for retail use is 35 spaces; the applicant is proposing nearly double that amount, to 63 stalls, which represents an 8 stall shortfall. This shortfall can be accommodated on the residential level or on-street. It is assumed approximately six parking spaces are available within the right-of-way abutting the site of the new development.

Proposed total parking supply on the development site is 143 spaces, with 63 stalls marked for commercial use, the peak demand would not be equal to supply. During weekday evenings and Saturday afternoons, it is expected brief periods of over-saturation could occur, when an incoming vehicle might need to wait for a parking stall to open up. As turnover at retail (and grocery) stores is fairly rapid, it is not expected that drivers would have to wait long in such circumstances. In addition, the peak grocery parking demand has been reported by Trader Joe's to occur on weekends from 10 AM to 6 PM. The expanded peak hours may necessitate Trader

Joe's to adopt a valet service during peak hours, as recommended in the traffic analysis. On balance, the adverse parking impacts of the project are likely to be infrequent and transitory, and no mitigation of parking impacts is required pursuant to SMC 25.05.675.M. Compliance with all applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA.

CONCLUSION - SEPA

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the 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.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment with respect to transportation, circulation, and parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

CONDITIONS – DESIGN REVIEW

Non-Appealable Conditions

1. Embed all conditions of approval into the cover sheet on the updated MUP plan set and all subsequent building permit drawings.
2. Embed colored elevation and landscape drawings into the MUP and building permit drawings.
3. Any proposed changes to the external design of the building, landscaping or improvements in the public right-of-way must first be reviewed and approved by the DPD planner prior to construction.

Prior to Issuance of MUP

The owner/applicant shall update plans to show:

4. Design and appoint a well defined commercial entrance with canopies and other amenities along the 17th Avenue street frontage subject to the approval by the assigned DPD planner.
5. Design and install operable windows to open up the structure to the outside details to be reviewed and approved by the assigned DPD planner.
6. Along the East Olive Street the residential entry should be designed to be celebratory and distinctive from a distance. It should visually read residential using quality materials with a gabled canopy entry subject to approval by assigned DPD planner.
7. Design upper level residential decks with a minimum horizontal depth of four feet to be approved by the assigned DPD planner.
8. Design and use more intensive colors, rather than the bland washed out look as depicted in site illustration – staying away from beige tones subject to the approval by the assigned DPD planner.
9. Design and install roof edges to have parapet walls to accentuate a gabled canopy entry above the pedestrian doorways, details to be reviewed and approved by the assigned DPD planner.
10. The glass windows at ground level should extend vertically up to the second level. The second level glass windows should create a loft appearance. Additional canopies should secure the pedestrian experience during inclement weather, details to be reviewed and approved by the assigned DPD planner.
11. The lower level concrete base shall be sacked and sealed to be confirmed and approved by assigned DPD planner.
12. An attractive screening system shall be employed to create translucency on the parking level but does not allow vehicle headlight to spill out onto adjacent street frontages subject to the approval by the assigned DPD planner.
13. Revise vehicle access width and entry door from two to one vehicle off East Olive Street.
14. The applicant was instructed to work with SDOT and DPD to introduce paving changes through color and texture at the vehicle access points along 17th Avenue and East Olive Street. The architect is encouraged to work with DPD and SDOT on the details for right-of-way improvements, details to be reviewed and approved by the assigned DPD planner.
15. The Board recommended that the applicant use quality materials (planter boxes, plants, etc.) and durable lawn furniture on the roof top decks subject to the approval by the assigned DPD planner.

After Issuance of Building Permit and Prior to Groundbreaking

16. Arrange a pre-construction meeting with the building contractor, building inspector, and land use planner to discuss expectations and details of the Design Review component of the project.

SEPA CONDITIONS

Prior to Issuance of MUP

The owner/applicant shall update plans to show:

17. Submit a detailed a vehicle entrance/exiting plan that provides attractive safety devices (including surface materials, sound, signs, light, etc.) that demarks the vehicle access to secure pedestrian safety within the right-of-way.

During Construction

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

18. In order to further mitigate the noise impacts during construction, the owner(s) and/or responsible party(s) shall limit the hours of construction to non-holiday weekdays between 7:30 AM and 6:00 PM and Saturdays between 9:00 AM and 6:00 PM. This condition may be modified by the Department to permit work of an emergency nature to allow low noise exterior work (e.g., installation of landscaping) or to allow work which cannot otherwise be accomplished during the above hours upon submittal of a noise mitigation plan and after approval from the Land Use Planner. After the structures are enclosed, interior work may proceed at any time in compliance with the Noise Ordinance.

Signature: (signature on file)
Bradley Wilburn, Land Use Planner
Department of Planning and Development
Land Use Services

Date: July 27, 2006