



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
Diane M. Sugimura, Director

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

Application Number: 2307013
Proponent Name: Pat Goins for Foss Home and Village
Address of Proposal: 13023 Greenwood Avenue North

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of a 208,000 square foot multifamily dwelling consisting of assisted living, nursing home and individual dwelling units. This project also includes future construction for a 15,750 square foot religious facility (minor institution). Parking for 235 vehicles to be provided in a below-grade structure. (12 existing parking spaces to remain.) Four structures to be removed under a separate permit.

The following approvals are required:

Design Review pursuant to Seattle Municipal Code (SMC) 23.41
Design Departures for lot coverage, structure width, and required setbacks for cluster developments (enclosed walkways at grade).

SEPA - Environmental Determination pursuant to 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

BACKGROUND & VICINITY INFORMATION:

The site is located on Greenwood Avenue North between NE 130th and NE 132nd Streets, and essentially occupies that entire block west to backs of the properties facing Palatine Avenue North and the balance of the Foss property west of an imaginary southerly extension of Palatine Avenue North. Existing Foss facilities and a Lutheran church, together with an 80-space surface parking lot occupy the subject area. North 130th Street is fully improved, but neither Greenwood nor 132nd is improved to current standards. Existing loading facilities for Foss are served in substandard fashion off 130th; they require backing onto North 130th, which is a principal arterial. The topography of the site is essentially

flat, but because it is so large, there is about a 3-foot grade difference running from north to south. Zoning for the site is Multifamily Residential Lowrise 3 (L3).

Neighboring development consists of the balance of Foss properties to the west, a half dozen of which along Palatine are developed with single family residences, the rest with Foss Village domiciles. Across 132nd to the north is a large multifamily condominium. There is a public elementary school across Greenwood to the east, and a public library across 130th to the south. A substantial number of large multifamily structures are developed along Greenwood. Small scale residential development prevails to the west.

The Proposal

The proposal includes the following components:

- Demolish 4 existing structures.
- Transfer 36 nursing beds to the ground floor of a new Building A and remove the original 1957 nursing building
- Provide 15 assisted living apartments of the second floor of the new Building A.
- Provide 123 independent living apartments (a combination of 1 and 2 bedroom units) arranged on the top two floors of building A, and on all four floors of the new Building B. These units are on a continuum of care with the licensed assisted living portion of the project, and are integrally related to that portion.
- Provide new food services facilities for residents including (a) a new dining room in the nursing wing, (b) a new kitchen-dining facility on the assisted living floor in Building A, (c) a new dining room for the Building A independent living residents, and (d) a new kitchen-dining facility for the Building B independent living residents.
- Provide other amenities like community spaces, shops, recreational/exercise spaces, etc. – in Buildings A and B.
- Construct a new Lutheran church to replace the existing Lutheran Memorial Church at the corner of North 132nd Street and Greenwood with a sanctuary accommodating up to 200 congregants.
- Provide underground parking for 235 cars and storage facilities on one level; total parking proposed: 247 spaces (12 existing surface parking spaces accessed directly off Greenwood).

The campus area will be comprised of the east campus nursing complex site and the Luther Memorial church site for combined campus size of 178,064 square feet. Building A will be a 4-story structure (approximately 67,390 square feet). Building B will be a 4-story structure (approximately 124,550 square feet). The new church will be a two-story structure and basement (approximately 15,440 square feet) with sanctuary, narthex, choir loft, meeting/education rooms, and office areas.

Public Comment, Design Review:

Two Design Review meetings were held on this proposal and each included opportunities for the public to comment. The Early Design Guidance meeting was held on 11 May 2004; the recommendation

meeting was on 25 April 2005. The public's comments focused on the location of the common open space, landscaping, bulk and scale of the buildings, exterior materials, vehicle access/location and the number of parking spaces to be provided. Refer to the Master Use Permit (MUP) file for details on these meetings.

ANALYSIS - DESIGN REVIEW

Design Guidelines

After visiting the site, considering the analysis of the site and context provided by the proponent, listening to public comments at the meeting on 10 May 2004, the Department presents the following siting and design guidance, identifying 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.

A. Site Planning

A-1 Responding to Site Characteristics

The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

The Board identified the exposure to Greenwood Avenue North as the key aspect of the site, and feels that there should not be any new vehicular access from Greenwood. The Board does not intend that access for the existing parking in front of the Foss Home be removed, but rather that access to the proposed underground garage should be taken from either of the two side streets.

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the street.

The Board was unanimously in favor of designing for a strong and distinct sense of entry along the north (132nd) side of the property, created more by treatment of vehicular access than by actual building entries, and preferably serving both the Foss expansion and the new church. The Board further articulated its direction to entail some sort of effective hybrid of the vehicular access shown in Options 2 and 3.

A-5 Respect for Adjacent Sites

Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

The Board gave high priority to respecting the single family residences along the east side of Palatine Avenue NW. Several factors were identified as warranting great sensitivity in this regard, including creating a good transition in building bulk and scale (see also B-1 below), and minimizing light/glare and shade/shadowing impacts. The Board called for detailed depictions of building elevations and perspectives, including colors and materials, along this stretch of the development in particular. (Other portions of the proposal must also be shown in similar detail.) The board asked for a lighting plan and specifications of external luminaires, and also for a shadow study showing impacts to the rear yards of

the single family properties on 21 December at least, and in particular identifying the time of day (morning) when sunlight finally climbs above the proposed structures and strikes the single family properties.

A-7 Residential Open Space

Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

The Board identified this as a priority, and commented that the concepts shown address it very well.

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 Board identified as a priority removing the loading dock from its presently nonconforming location along 130th and locating it under the proposed new structures, in the underground parking garage. This is the concept shown in Options 1 and 3, both of which were said to be acceptable to Foss.

B. Height, Bulk and Scale

B-1 Height, Bulk and Scale Compatibility

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

The Board identified this guideline to be of highest priority. It expressed great concern about effectively breaking up the proposed enormous bulk and scale of the residential structures (particular those toward the west). The Board wants the design to introduce strong visual cues indicative of residential qualities. The Board recommended emphasis on introducing variety on the facades, and expressed willingness to allow for increased lot coverage departure in order to achieve greater modulation. The Board identified the substantially varying roof planes in Building B1 (shown on a board) as a worthy approach, but one needing further expansion.

In terms of graphics desired at the next DRB meeting, the Board reminded the development team that presentation boards need to go well beyond elevation graphics. The Board called for highly developed graphics detailing shade and shadows, colors, and materials. Perspective drawings really are in order, especially depicting views from key locations such as the midpoint of the backyards along the east side of Palatine, from 130th near the library parking lot, and from Greenwood near the school district property.

C. Architectural Elements and Materials

C-1 Architectural Context

New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

The Board wants the design team to make reference to positive contextual elements, and to identify how they have done so at the next DRB meeting.

C-2 Architectural Concept and Consistency

Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.

Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its façade walls.

The Board identified this as a high priority, though relying on the development team to take the concept design “to the next level.” The Board re-iterated the need for markedly differentiating the building mass into small units, w/o creating a hodge-podge effect. Emphasis was placed on creating varying rooflines and on increasing modulation.

C-3 Human Scale

The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

The Board identified this as a priority without further articulating its guidance.

C-4 Exterior Finish Materials

Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

The Board identified this as a priority without further articulating its guidance.

D Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances

Convenient and attractive access to the building’s entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

The Board expressed concern about potential disruption of pedestrian circulation between the proposed open spaces by the proposed walkway connectors between many of the buildings, all of which are proposed to come down to the ground and be fully (albeit transparently) enclosed. The Board requested graphics demonstrating how pedestrians would make their ways between the open spaces, including both plan and elevation views.

D-6 Screening of Dumpsters, Utilities and Service Areas

Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located

away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

The Board recognized that design already contemplates locating these functions within the underground parking garage, and directed that that concept be maintained in final designs. In this case, this was regarded as more than ordinarily important because of the large food service component of the development.

D-7 Personal Safety and Security

Project design should consider opportunities for enhancing personal safety and security in the environment under review.

The Board requested a lighting plan/luminaire specifications, to address both respect for adjacent neighbors to west and north (see A5), and to assess site safety aspects.

E. Landscaping

The Board identified all of the landscaping guidelines as priorities, because in its view landscaping must be more than ordinarily active in supporting the other bulk-and-scale reducing strategies for this large development. The Board identified the buffer areas along the streets, at vehicular entrance points, and at the single-family residential edge along the east side of Palatine as points where landscape design needs to be shown. The landscape plan to be presented at the next Board meeting should include specification of plant types and sizes, as well as locations, and should retain existing mature vegetation where possible. The Board would like to see an option including screening fencing might add to the privacy of and minimize appearances of bulk from the single family edge. The Board called for a detailed landscaping study of any proposed vehicular access ramp near the single family edge, including elevation views.

E-3 Landscape Design to Address Special Site Conditions

The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

E-2 Landscaping to Enhance the Building and/or Site

Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

E-3 Landscape Design to Address Special Site Conditions

The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

Design Departures

The design team is requesting least two departures, specifically lot coverage (up to 47% vs. code limit of 45%) and to enclose walkways between buildings at the ground level. Options 2 and 3 would require a design departure for building width as well. The Board was favorably inclined to continue entertaining these requests, depending upon demonstration of how the design better meets one or more of the priorities for each option. The Board was also inclined to continue entertaining the building width departures. The Board felt that equal values were pitted against each other with respect to closure of walkways at grade, because pedestrian movement to the wonderful outdoor courtyards could be eliminated, confused, or difficult. It expressed a willingness to continue entertaining this last departure if the connections between courtyards at grade are easy and well-marked.

Request	Standard	Proposal	Rationale	Recommendation
Increase lot coverage	45% of lot area 23.45.010.A.2	Up to 47% of lot area	Will allow for enclosed walkways to facilitate nursing services to not be counted against residential unit area	Grant
To enclose walkways at the ground level.	No enclosure at ground level 23.45.014.D.4	Enclose	Protects elderly and infirm patients from exposure to weather	Grant
Building width	75 feet 23.45.011.A	Hundreds of feet	Greatly reduces perceptions of building bulk from perspectives outside the site	Grant

BOARD RECOMMENDATIONS

After considering the proposed design and the project context, hearing public comment, and reconsidering the previously stated design priorities, the five Design Review Board members agree that the proponent addressed the design guidance provided in the EDG meeting. There was extensive Board discussion of five principal issues:

- The “roundabout”
- Pedestrian experience along Greenwood (fence, landscaping, building)
- Color palette
- Bulk and scale of building elements presenting directly to the street
- Design departures

The roundabout is the area off 132nd designed for surface-level drop-off of congregants and apartment-dwellers. It is approximately 75 feet in diameter, it is demarcated in its perimeter by curb and bollards, and it is surrounded by additional paved walk area. There is extensive landscaping between the roundabout and the proposed Building B. The roundabout is conceptualized more as a congregating space for church-related special events than for vehicular circulation. Nonetheless, the Board was concerned about circulation safety, as well as about the visual impact of the large paved area. The Board unanimously recommended that the pavement design incorporate both color and texture cues to facilitate vehicular circulation and, separately, pedestrian circulation. The Board recommended that at

least ½ of the surface area be distinguished by unit pavers, stamped concrete, or other textural treatment.

The Board recommended that the street frontage of the Foss properties be comprehensively designed to create a continuous pedestrian experience, as well as to satisfactorily respond to the neighborhood context, which includes busy public activity centers (library, school). Treatment of 132nd is straightforward enough – and very well handled. However, the other two streets contain the activity centers and more significant exposures. The proposal to retain most of the existing building at the corner of 130th and Greenwood without modification would substantially detract from the design goals on the south ½ of the Greenwood frontage and the east ½ of the 130th Street frontage. As one Board member stated, there is high risk of creating an obvious “forgotten, left-out area.” Competing with the Board vision along Greenwood, the development objective is to maintain the existing substandard parking; along 130th, the development objective is to maintain functionality of open space for the dementia unit. Acknowledging both of these goals, the Board – with 4 of 5 members concurring – nonetheless strongly recommended that the areas adjacent to the retained building, particularly along Greenlake but wrapping around 130th as well, be re-configured and augmented to a reasonable degree to achieve integration with the much more suitable landscape edge treatment proposed for the newly developed frontages of the site. The Board recommended going so far as to narrow the exit driveway onto 130th and to remove one or more of the most southeasterly surface parking spaces to achieve its design goals. Foss indicated a willingness to accommodate these recommendations, subject to maintaining adequate parking.

The Board unanimously recommended that the color palette be better organized and simplified. There was general agreement that one of the four colors should “go,” and that DPD could negotiate with the designers as to a reasonable solution. In general, the Board stated that there were too many small areas of color, and that larger color masses better defining the set back and protruding building masses were in order. The Board concurred that the dark green color should be used for the receding areas of the structure.

Sparked by the discussion of color, but largely with respect to other considerations (bulk and scale; human scale, pedestrian environment), the Board recommended that fenestration be strengthened in appearance, whether by providing strong sills, bolder trim. This recommendation was framed more in terms of encouragement than mandate.

The building elements presenting directly to the streets are those portions of the structures that most closely approach the street, along the narrow dimensions of the buildings. Here the Board unanimously called for minor improvement in detailing (addition of so-called “belly boards”). However, the fenestration recommendation also applies to these crucial portions of the structure.

The Board unanimously approved the lot coverage and structure width departures with little discussion, the cases for them being so compelling. However, the Board approved the first floor walked enclosure conditionally, the condition being that the enclosures maximize transparency. This condition is most applicable to the 130th Street enclosure, where the visual experience is most important due to the high degree of visual access by pedestrians (associated with the public library) and vehicular passersby (due

to 130th being a minor arterial).

In short, the Design Review Board **recommends CONDITIONAL APPROVAL** of the design as shown in Master Use Permit plans as updated to 25 April 2005. Conditions are stated below, following the SEPA analysis and conditions.

ANALYSIS & DECISION - DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the five Design Review Board members present at the Design Review meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for multifamily dwelling unit buildings. The Director accepts the Design Review Board's recommendations based on the proposed design as presented at the 25 April 2005 meeting. The design review component is **CONDITIONALLY APPROVED**. Conditions are stated below, following the SEPA analysis and conditions.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the proponent's agent (dated 1 February 2005) and annotated by the Land Use Planner. The information in that checklist, supplemental information submitted by the proponent 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 23.05.665) 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. Thus, only under certain circumstances (SMC 25.05.665 D) can mitigation of adverse environmental impacts be considered. A more detailed discussion of some of the impacts is appropriate and is noted below.

Short - Term Impacts

The following temporary construction-related impacts are expected on this site and the site to the east: temporary soils erosion; increased noise from construction operations and equipment; increased traffic and parking demand from construction personnel; tracking of mud onto adjacent streets by construction vehicles; conflict with normal pedestrian movement adjacent to the site; and consumption of renewable and nonrenewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant. Although not significant, these impacts are adverse, and in some cases, mitigation is warranted.

City codes and/or ordinances apply to this proposal and the eastern proposal and will provide adequate mitigation for some of the identified impacts. Specifically these are: 1) Grading and Drainage Control Ordinance (storm water runoff, temporary soil erosion, and site excavation) and 2) Street Use Ordinance (tracking of mud onto public streets, and obstruction of rights-of-way during construction). Other impacts require additional mitigation.

Air Quality Impacts

Construction on this site will create dust, leading to an increase in the level of suspended air particulates, which could be carried by wind out of the construction area. Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency regulations will require activities which produce airborne materials or other pollutant elements to be contained with temporary enclosure. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne.

The Street Use Ordinance also requires the use of tarps to cover the excavation material while in transit, and the clean up of adjacent roadways and sidewalks periodically. Construction traffic and equipment are likely to produce carbon monoxide and other exhaust fumes. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency (“PSCAA”) prior to demolition. Thus, as a condition of approval prior to demolition, the proponent will be required to submit a copy of the required notice to PSCAA. If asbestos is present on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

Noise-Related Impacts

Residential and commercial uses in the vicinity of the proposal and the eastern proposal will experience increased noise impacts during the different phases of construction on this site and the eastern site (demolition, excavation, and shoring). Although compliance with the Noise Ordinance is required, due to the presence of some nearby residential uses and the scope of work proposed, additional measures to mitigate the anticipated noise impacts is necessary. The SEPA Policies at SMC 25.05.675.B and 25.05.665 allow the Director to require additional mitigating measures to further address adverse noise impacts during construction. Pursuant to these policies, it is Department’s conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is necessary. A Construction Phase Noise Mitigation Plan has been devised to provide adequate mitigation (see file). Project approval is conditioned upon observance of the plan during the construction phase.

Traffic impacts

The proposed on-site excavation is controlled by an excavation permit. The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation (SDOT.) It is the City's policy to minimize or prevent adverse traffic impacts which

would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675 R).

This area of the City is known to have congested streets, especially during peak hour traffic periods. The necessary steady flow of large construction vehicle associated with demolition (55 truck trips), excavation (8300 truck trips) and materials delivery may adversely impact peak hour traffic. There are no City codes or ordinance to address the impact of large vehicles or highly congested streets. As a result, mitigation is warranted as described below.

Construction activities may result in sidewalk closures or other obstacles to pedestrians. Similarly, traffic lanes may be affected by construction staging, deliveries, etc. The impacts on pedestrians and traffic circulation could be intensified by the cumulative effects of the two projects. Adverse impacts are not adequately mitigated by existing City codes. Thus, additional mitigation is warranted pursuant to the Construction Impacts Policy (SMC 25.05.675B) and Cumulative Effects Policy (SMC 25.05.670). A construction-phase transportation plan addressing street and sidewalk closures, as well as truck routes and hours of truck traffic, will be required to mitigate identified impacts. These plans must be approved by DPD prior to issuance of any permit to demolish, excavate, or construct.

Long-Term Impacts

Potential long-term or use impacts anticipated by this proposal and the eastern proposal include: increased bulk on the site; increased ambient noise associated with increased human activity and vehicular movement; minor increase in light and glare from exterior lighting, light from windows and from vehicle traffic (headlights); increased traffic and parking demand due to employees and visitors; increased airborne emissions resulting from additional traffic; increased demand on public services and utilities; and increased energy consumption. These long-term impacts are not considered significant because they are minor in scope, but some warrant further discussion.

Parking

The Land Use Code required parking for the proposed use is for 190.5 parking spaces. The parking study provided by Transpo identifies peak parking demand as for 215 spaces. It is proposed to provide 238 spaces. So peak parking demand should be adequately met on site, and allow for a substantial cushion (23 spaces) for any unexpected overflow. Because projection of parking demand is an art and not a science, the provision of these overflow spaces is regarded as essential to ensure that there is no likelihood of adverse parking impacts in the immediate project neighborhood. Accordingly project approval is conditioned upon provision of the proposed number of spaces, and upon limitation of vehicles in the new so-called “independent” dwelling units to the 51 parking spaces identified in the Transpo analysis. Furthermore, this approval of parking shall obtain only for a multifamily use integrally connected with a licensed assisted living/continuing care facility such as presently operated by Foss. Any change to multifamily use not of the same nature and extent shall not qualify for this parking treatment.

Traffic and Transportation

The Transpo analysis contains projections of operations along Greenwood, at the signalized intersection, and along the east-west-running streets at the site entrances. Traffic increases associated with the project are negligible along Greenwood. Site access points would operate at LOS A at the 132nd Street access point and at LOS B at the 130th Street access point. In short, it appears highly unlikely that there would be any adverse traffic impacts of the proposal. Reduction of turning movements off Greenwood at the existing driveway, and elimination of loading movements onto 130th ought to significantly improve safety in those locations. No impacts warranting mitigation pursuant to SEPA authority have been identified

Other Impacts

Several codes adopted by the City will appropriately mitigate other long-term adverse impacts created by the proposal. Specifically these are: Grading and Drainage Control Ordinance (storm water runoff from additional site coverage by impervious surface); Puget Sound Air Pollution Control Agency regulations (increased airborne emissions); and the Seattle Energy Code (energy consumption in the long term).

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 requirements of the State Environmental Policy Act (RCW 43.21C), 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. An EIS is required under RCW 43.21C.030 (2) (c).

CONDITIONS – SEPA

Prior to the issuance of the Master Use Permit:

1. The owner(s) and/or responsible party(s) shall provide DPD with written assurance on the plans that the number of vehicles in the new so-called “independent” dwelling units shall be limited, for the life of the project, to the 51 parking spaces identified in the Transpo analysis.

Prior to the issuance of any Building Permit

2. The owner(s) and/or responsible party(s) shall provide DPD with
 - A. A copy of the Puget Sound Clean Air Agency notice of construction, and abide by any PSCAA rules or directives applicable at that point in time.

- B. A construction-phase transportation plan to address street and sidewalk closures, as well as truck routes and hours of truck traffic for further mitigation of their identified impacts.

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 construction phase lead contact name and phone number shall be clearly identifiable on the document. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

The owner(s) and/or responsible parties shall ensure that:

3. The Construction Phase Noise Mitigation Plan is provided to all contractors on the site, and shall provide written documentation that the on-site supervisor of construction has assumed additional responsibility that it be closely observed.
4. Sidewalks along the project site(s) are kept open and safely passable throughout the construction period; particular attention shall be paid to Greenwood Avenue North and North 130th Street. A determination by SDOT that closure of this sidewalk is temporarily necessary, for structural modification or other purposes, shall overrule this condition.

For the Life of the Project

5. Any change from the multifamily use integrally connected with a licensed assisted living/continuing care facility such as presently operated by Foss shall activate parking requirements applicable to the new multifamily use. The existing parking treatment shall not transfer to any substantially different multifamily use.

CONDITIONS – DESIGN REVIEW

Prior to the issuance of the MUP:

1. The owner(s) and/or responsible party(s) shall ensure that MUP plans are revised to show the following:
 - A. Pavement in the roundabout areas shall incorporate both color and texture cues to facilitate vehicular circulation and, separately, pedestrian circulation. At least ½ of the surface area be distinguished by unit pavers, stamped concrete, or other textural treatment.
 - B. Areas adjacent to the retained Foss building, particularly along Greenwood but wrapping around 130th as well, shall be re-configured and augmented to a reasonable degree to achieve

integration with the landscape edge treatment proposed for the newly developed frontages of the site. The exit driveway onto 130th shall be narrowed, and one or more of the most southeasterly surface parking spaces removed if necessary.

- C. The color palette shall be better organized and simplified to DPD's satisfaction. One of the four colors should be eliminated. There should be larger color masses better defining the set back and protruding building masses. Dark green color should be used for the receding areas of the structure.
- D. Fenestration be strengthened in appearance, whether by providing strong sills or bolder trim.
- E. The at-grade walkway connectors/enclosures shall maximize transparency, particularly the one facing N 130th Street.

CONDITIONS – DESIGN REVIEW (non-appealable)

The owner(s) and/or responsible party(s) shall also ensure that the following non-appealable Design Review conditions are shown on the cover sheet of all building permits.

The owner(s) and/or responsible party(s) shall:

1. Embed all of the design review conditions above onto the cover sheet for the MUP permit and onto all subsequent permits including updated or revised MUP Plans, and all building permit application and field plans.
2. Secure approval from the responsible DPD planner for any and all proposed changes to the exterior of the building or in configuration of the site.
3. Secure DPD and SDOT approval for any proposed changes to the improvements in the public right-of-way.
4. Schedule a pre-construction meeting with the construction contract lead and the responsible planner (Paul Janos, Land Use Planner, 206-233-7195 or by Vincent T. Lyons, Design Review Manager, 206-233-3823) to verify and approved consistency with the Design Review requirement. at a Pre-construction meeting. The purpose of the meeting will be to review the working drawing and to inform the contractor that any changes to the exterior of the building or to the site configuration must be reviewed and approved by the Land Use Planner prior to proceeding beginning any work on such changes. This appointment must be made at least three working days in advance.
5. Communicate sufficiently with the planner during the construction phase to ensure that consistency with design review approval is maintained.
6. Prior to any certificate of occupancy, a field inspection appointment with the assigned Land Use Planner shall be made to ensure that compliance with the design review conditions have been achieved. The Land Use Planner will determine whether revised plans are required to be submitted following the inspection. You must make an appointment with the assigned Land Use Planner or Design Review Manager at least three working days in advance of scheduling a field inspection appointment.

Signature: (signature on file) Date: July 25, 2005
Paul Janos, Land Use Planner
Department of Planning and Development

PMJ: ga
Janos/design review/projects/2307013 Foss Home/2307103 Foss Home Janos.doc