

SUMMARY OF APPLICABLE CONDITIONS

A. HPC23-014

The COA issued by the PCD Director for HPC23-014 ,as required under PTMC 17.20.025.B, in conjunction with the HPC Board Recommendation required under PTMC 17.30 lists the following conditions:

On Sept. 5, 2023, after hearing from the Applicant's Agent and staff, HPC recommended (5-0 in favor) the following: Conditional project approval for the elevations and design shown in the August 30, 2023 submittal. The required conditions are:

- I. For the Applicant to work with staff on revisions to the ground floor windows to improve their symmetry. These symmetry revisions can be reviewed and approved by staff;
- II. Staff may also review and approve all remaining exterior details that have not been presented. These features will include, but are not limited to, light fixtures, materials and design for the rear retaining wall; the recycling/refuse enclosure; mechanical system screening, door hardware, etc.
- III. Staff is authorized, if needed, to bring back any detail to HPC for further review and recommendation;
- IV. Demolition of the existing Sanderling Building is acceptable as is will not be detrimental to the character of the adjacent NHLD; and,
- V. That code changes allowing improvements such as elevators to exceed height limits be explored.

Directors Conditions included in HPC23-014

The PCD Director concurs with HPC's recommendations in Finding and Conclusion #13, above, and supplements it with the following conditions:

- I. The Applicant shall obtain a city building permit that is consistent with the revised elevations submitted August 30, 2023 except for the ground floor window design. Revisions to the ground floor window scheme to achieve greater symmetry shall be submitted to PCD staff for review and approval prior to issuance of the building permit.
- II. Prior to issuance of any building permit for the project, the Applicant shall have completed review pursuant to the State Environmental Policy Act (SEPA). Any mitigation measures deemed necessary through the SEPA process shall be treated as additional conditions of project approval.
- III. The Applicant shall obtain a city Critical Area permit for any work done within the

adjacent steep slope buffer north of the site (as determined by a Washington State licensed engineering geologist (LEG) or it's 15' buffer setback. This can be a Type I-A review (Administrative w/o Notice) if prescriptive buffers and buffer setbacks as determined by the LEG are maintained or a Type II (Administrative w/ Notice) if reduced buffers are sought.

- IV. Submittal and approval of a city Street and Utility Development Permit (SDP) is required to address all right-of-way frontage improvements and/or repairs (i.e., to Filmore and/or Water Streets). All frontage improvements/repairs must be designed consistent with the city's 1996 Streetscape Design Manual, including but not limited to, the sidewalk scoring pattern.

B. LUP24-16

The MDNS issued by the PCD Director under LUP24-016 contained the following required mitigation measures:

- i. Applicants must submit construction staging plan(s) and have them approved by Planning, Building and Engineering divisions prior to issuance of demolition permit, street development, or building permit.
- ii. Applicant shall follow the report dated 5/24/24, and the addendum dated 12/4/24 for the Geologic Hazard Assessment signed, stamped and dated by Licensed Engineering Geologist Geoff Malick, L.E.G., M.Sc. with the Stratum Group.
- iii. Applicants must follow all conditions and criteria required from the HPC Review under file HPC23-014 and specifically note the one below regarding the formation of a parking and business improvement district.
- iv. Per #11 of Decision, "... city code specifically exempts properties in the C-III zone from all parking requirements. To qualify for the parking exemption, the owner must sign & record a No Protest Agreement to the formation of a Parking and Business Improvement District."
- v. All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from your local jurisdictional health department prior to fill.
- vi. All debris removed resulting from this project must be disposed of at an approved site. Contact the local jurisdictional health department or Department of Ecology for proper management of these materials.
- vii. In addition to any required asbestos abatement procedures, the applicant shall ensure that any other potentially dangerous or hazardous materials present, such as PCB-containing lamp ballasts, fluorescent lamps, and wall thermostats containing mercury, are removed prior to demolition. It is important that these materials and waste(s) are removed and appropriately managed prior to demolition. It is equally

important that demolition debris is also safely managed, especially if it contains painted wood or concrete, treated wood, or other possibly dangerous materials.

- viii. Due to the proximity of nearby underground storage tanks, the City will require a contaminated media management plan (CMMP) prior to issuance of breaking ground.
- ix. Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or storm drains that lead to waters of the state. Discharges must not cause or contribute to a violation of surface water quality standards, groundwater quality standards, sediment management standards, and human health-based criteria. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered pollutants.
- x. If there are known soil/ground water contaminants present on site, additional information will be required to be submitted. For contaminated construction sites, contact Evan Wood at evan.wood@ecy.wa.gov, or by phone at (360) 706-4599.