

SEATTLE URBAN FORESTRY COMMISSION

Peg Staeheli, Chair • Tom Early, Vice-Chair
Gordon Bradley • Leif Fixen • Donna Kostka • Matt Mega • Jeff Reibman • Erik Rundell

The Urban Forestry Commission was established to advise the Mayor and City Council concerning the establishment of policy and regulations governing the protection, management, and conservation of trees and vegetation in the City of Seattle

January 8, 2014

Meeting Notes

Seattle Municipal Tower Room 2750
700 5th Avenue, Seattle
3:00 p.m. – 5:00 p.m.

Attending

Commissioners

Peg Staeheli (PS) - chair
Tom Early (TE) – vice-chair
Gordon Bradley (GB)
Tom Early (TE)
Leif Fixen (LF)
Donna Kostka (DK)
Matt Mega (MM)
Jeff Reibman (JR)
Erik Rundell (ER)

Staff

Sandra Pinto de Bader (SPdB) - OSE

Guests:

Darcy Edmunds
John Pehrson
Louise Miller
Helmut Golde

Public

Penny Kriese
Alan Humphrey
Steve Zemke
Paul Metzner

Absent- Excused

NOTE: Meeting notes are not exhaustive. For more details listen to the digital recording of the meeting at: <http://www.seattle.gov/urbanforestrycommission/meetingdocs.htm>

Call to Order

Peg – Introduce ourselves

Public comment

None

Approval of November 6, December 4, and December 11 meeting notes

ACTION: A motion was made to approve the November 6 meeting notes as written. The motion was seconded and carried.

ACTION: A motion was made to approve the December 4 meeting notes as amended. The motion was seconded and carried.

MM – add to key comments. Land use encroachment issue in industrial areas especially retail and residential.

Peg – there is no transition between mixed commercial/mixed use bldgs. and industrial areas.

ACTION: A motion was made to approve the December 11 meeting notes as written. The motion was seconded and carried.

Seattle Audubon tree map presentation

Darcy – introduce the Seattle tree map, which was started by Commissioner Matt Mega. Thank you for the support of our volunteers. Part of the canopy connections project. Foster a culture of tree stewardship in Seattle. Seattle Audubon Society’s mission is cultivating and leading a community that values and protects birds and the natural environment.

Seattle Audubon strives to connect people and birds. By building this connection we hope to promote an environmental ethic that we are part of nature, not separate from it. The more we understand our interconnections with the animals and the land around us the more willing we will be to make the tough decisions to restore damages of the past and create new interactions with the environment around us that are healthy and sustainable.

Canopy Connections:

Urban habitat provides the foundation for sustaining wildlife populations and creating healthy landscapes for people. Canopy Connections seeks to improve urban habitat and form critical connections between people, birds, and habitat. As we all know, the urban forest is a critical element of urban habitat, as well as being important to the health and wellbeing of our city.

The Seattle tree map is one part of Canopy Connections and seeks to:

- Foster a culture of urban tree stewardship in Seattle by engaging residents with their trees in a different way
- Inform others about the importance of our urban forest
- Contribute to the environmental health of the city and promote the City’s goal of reaching 30% canopy coverage
- Support local community efforts to better manage and care for Seattle’s trees
- Connect users to other existing efforts by the City and other organizations to care for and increase Seattle’s urban forest.

Website: <http://canopy.greymaple.org/>

Many options for searching. Easy to use. Data has 120,000 trees (started with SDOT information). Map will have export functions as well and give an opportunity for people to learn more about trees. Using i-Tree data for benefits. Working on localizing the data better. Once you do a search, you can zoom in and click on the specific tree for details. You can set up alerts for trees to be watered or pruned. There is also a section for ‘actions’ to capture work done and also a section to send alerts for whomever is the steward of that tree to know what’s needed.

Steve Zemke’s website: friendsoftheforest.org

The site gives links to many other tree maps. Some are open maps and others are not. When you log in (after registering) then you have more options to edit the information for a specific tree.

DK – what type of security do you have, so someone doesn't mess it up?

Darcy – we are not too concerned about that right now, would like to have the site working and people using it first.

Alan – there is a feature in the software where any edit gets into a 'pending' stage and it has to go through approval.

PS – is there a way to know what has changed?

Alan – there is an edit history function.

TE – have you coordinated with Seattle reLeaf?

Darcy – yes, I met with Jana. We would like to be able to show tree walks and use the events and news section to advertise events and support reLeaf.

ER – is one of the actions 'pruning'?

PS – I don't think SDOT will keep their maintenance logs on the site.

TE – does it allow you to enter private trees.

Darcy – you have a number for 'reputation' that you earn by adding trees. The site has an 'about' page with information. The profile section allows you to put in your photo and favorite trees. When someone signs up we only require e-mail, but we don't post the information. The only thing disclosed is the username with which you signed on.

MM – one of the features I was working on was to put in the neighborhood boundaries to see trees inside your neighborhood. It fits with ecohoods and gives you the eco-impact by neighborhoods.

Darcy – we want to develop an app for users to do this on the go. It's easier to be mapping on the go instead of writing it all down and then capture it on a computer. We are seeking funding for this.

PS – other cities have an app?

Darcy – Philadelphia has one. We would like to also develop a curriculum for highschoools to get involved and get involved with the capture of trees.

TE – To be able to locate a kind of tree on the neighborhood, for people to see examples of trees they might want to plant. An app would be helpful for the alerts.

DK – can you show us where the tallest trees are?

MM – I'm not sure SDOT collects that data. It's difficult to get height in urban settings.

ER – as SDOT updates their data does it update this site automatically?

Alan – they can provide updates of the file they gave us and we can then update our site.

TE – I wonder whether or not if the public gets a hold of it this database might be more current than SDOT's.

MM – SDOT is adding a lot of trees. There needs to be a comparison so that you don't automatically override the DB. SDOT still has concerns about accuracy of the data the public inputs. We could do data sharing once a year or so.

PS- where is the qualifier statement that this is information provided by volunteers?

Darcy – we are re-doing the about page.

PS – it would help on both sides. People would feel more comfortable that this is not a scientific DB and that some errors are expected.

Darcy – we are going to have a tree key so it's easier for people to determine species.

Seattle Times Park

Louise Miller, Helmut Golde, John Pehrson.

Louise – We are interested in saving this grove of in-city trees. We would like to hear about your ideas and your advice on how to move forward. We've been working on this for quite a long time. I live on South Lake Union. We've been working with the community on this. We put together a coalition when there was the most recent upzone. Seattle Times doesn't own the property any more. Go to 40 stories is a big change for this area (this is allowed under the new zoning). People from outside Mirabella residents are very interested. CM Bagshaw is very interested in what can be done.

Helmut Golde – have been living in Mirabella for five years. The brochure was put together for the rezone. There is a time capsule in the park to be open in 11/11/2089. The park is on the flight path of many urban birds. The park is about 13,500 sf. It's a great place for humans and animals. Intersection of John St. and Fairview. The Friends of Seattle Times Park include: American Lung Association of the Pacific, Cascade Neighborhood Council, Denis Hayes, Forterra, Mirabella Seattle Residents' Association, The Mountains to Sound Greenway, Mirabella Seattle Foundation, Seattle Audubon Society, Seattle Cycling Tours, Spruce Street School, The Washington Native Plant Society.

John Pehrson – supplementary materials. Map of the park with trees on it. Put together by an arborist

showing the size of the trees. The development proposal in these two blocks is huge. 3,000 people. 2M sf, garage for 1,900 cars. It's contiguous with Amazon buildings and in the neighborhood where 2-3,000 residential units are being built. Have hired Peter Steinbruek to advise them. Working with SDOT and DPD on this. Our aim is to try to save this mature park. We want to at least try. Unfortunately the canopy is in the periphery of the park if we are to save part of it. Can you support us in any way? Do you have suggestions on what to do?

PS – have they applied for a street vacation?

John – they didn't think it had to be vacated because John street was owned by the Seattle Times.

LF – on transfer of development rights, what has been proposed?

John – have not talked about this. They can provide incentives, to transfer development rights to King County farms.

Louise – we have met with the developer twice. Their plan is preliminary but the park cannot be saved. We believe it's possible. They have not talked about what they have to do in terms of mitigation. If they have to go through a vacation for John street it would change things.

John – it would take City Council action to incentivize them sufficiently to save the park. In the legislation there is a significant incentive for a developer if they were building offices, but there were no incentives if they went residential.

DK – there are open space requirements... would John St. would represent the number of sf required.

John - What they are currently providing is more of a light well for the apartments. It's accessible by the public through a narrow walkway.

JR – height would take a DPD action. Design Review would help figuring out how to potentially salvage trees.

Louise – we've engaged with land conservation organizations in case we are wanting to purchase the park. They could place a value on the park. WE have not gone back to Forterra on this. This is a brand new rezone and change of ownership.

JR – they could go higher on the 204 ft towers. Instead of the TDRs get an incentive . Maybe a special structure incentive. Could there be some sort of a credit of the value of the park and deduct that from the affordable housing requirement.

PS – vacation under street has been done.

MM – tree canopy cover downtown goals could be tied to this issue. Conifers downtown is also important. Parks' gap analysis – to see that more park space is necessary if we are putting so much

density. There are precedents in the City.

PS– Landscape architecture foundation. – to do an analysis of cultural landscape. They are an advocate. The Cultural Landscape Foundation might be a good advocate.

JR – affordable housing was the victor in terms of why giving incentive zoning. The other 40% is food-shed. Do we think there is something to advise the Mayor and CC in terms of incentives for other things such as urban canopy. Create another TDR source (Forterra knows about this) the other would be to get open space preservation as alternate for affordable housing.

John – timing is key. There is only a preliminary design. They are hoping to get an early design guidance meeting in February. Then they will make an environmental review and a decision on the EIS to be done. Quite a few things would happen in the late February/March period. The Queen Anne board will be involved.

PS – tree preservation is not very advanced. Recommendation from UFC could be a letter to Design Review Board.

JR – there's the angle of just the trees. Then there is the angle of the park with great trees.

DK – who is currently maintaining the park?

TE – we could write a letter describing all the considerations that we discussed here. Gap analysis with proposed numbers.

**2013 Annual Report and 2014 Work Plan – continues and adoption
MOVE TO NEXT MONTH**

New business and announcements

Adjourn

Community input

From: Denise Dahn [denise@dahndesign.com]

Sent: Wednesday, January 08, 2014 3:46 PM

To: Bagshaw, Sally; Rasmussen, Tom; Godden, Jean; Murray, Ed; Acosta, Rachel; Pinto_de_Bader, Sandra; Graves, David

Subject: Oppose changes to Parks bike policy

Dear Policymakers,

Please find below our opposition to the proposed changes in Seattle Parks bike policy.

Thank you,

Denise Dahn
Alliance for Seattle Park Nature
denise@dahndesign.com

The Bicycle Use Policy for Seattle Parks should not be changed.

Natural Areas should not be opened for mountain bikes, and current restrictions for bikes on park trails should not be relaxed.

Summary:

Park natural areas should not be managed as active sports areas. They are our natural heritage, and should be preserved for future generations. In some cases they are remnants of old forests—highly complex living systems—and should be protected and nurtured. They should be used for education, fostering of preservation and stewardship ethics, scientific or artistic inquiry, and refuge from the cityscape for both people and wildlife.

Sustainability

Lifting the bicycle restrictions will add one more pressure to an already stressed system.

Our population is growing fast, but our natural areas are not—they must be protected and monitored against overuse. Active sports industries are growing, and new sports are demanding access to natural areas. If mountain bikes are allowed in forest natural areas, there will be other sports interests to follow. In Seattle, there are not enough natural areas remaining to accommodate what will become an ever-increasing demand.

Fairness and Safety

Lifting the bicycle restrictions will disproportionately affect pedestrians, the elderly, the less-abled, the lower-income, and people or wildlife seeking refuge from city life. “Walking in nature” was the highest-rated activity in a recent Parks Survey and is the single activity available to most people, yet there are few pedestrian-friendly places in the city.

In Seattle there are few places where people can walk without fear of vehicle traffic (either motorized or unmotorized). With population increases and worsening traffic, the problem is growing. Even city sidewalks are not safe zones—bicycles are legally allowed to ride on sidewalks.

In 2010 an 83 year-old woman was killed on a multi-use trail in Renton, (http://seattletimes.com/html/nicolebrodeur/2011679392_nicole23m.html) and last August a man received life-threatening injuries from a speeding cyclist. <http://www.seattlebikeblog.com/2013/08/28/vigil-walk-planned-for-man-seriously-injured-in-madison-park-crosswalk/>.

For an elderly or less-abled person, such dangers can be enough to keep them from walking at all. My 81-year old parents are not comfortable walking on any multi-use trails in Seattle Parks...and with good reason. I am a frequent walker on those trails, and am routinely overtaken by speeding bikes passing too close. For younger walkers this may not be a problem, but an older person with slower reflexes can easily be startled or confused and thrown off balance, which can result in a fall or in an actual collision (which, ironically, ends up being classified as a pedestrian-caused accident).

Rules of Etiquette do not work. Most people ignore speed limits. The traffic on freeways, highways, city streets, and bicycle trails is evidence of this.

Lifting the restrictions will reduce vehicle-free walking options in parks to only three locations: unpaved trails at Discovery Park, Schmitz Park, and the Arboretum. In other parks, only trails narrower than 60 inches will be vehicle-free—those that are typically too difficult for older or less-abled people. Even for

fitter walkers, a 60-inch trail is an uncomfortable place to meet a bicycle. (60 inches is less than an average person's width with outstretched arms).

The result is that virtually all trails will be pedestrian-unfriendly, even though "walking in nature" was by far (78%) the top-rated activity in a recent Parks Survey.

http://www.seattle.gov/parks/legacy/files/PLP_Draft_V2.pdf page 54, also 53, 62, 141). Even dogs have their own parks (15 of them, plus a swimming beach), but walkers are being squeezed out.

Appropriate Use

Forests, greenbelts and other natural areas are complex living systems, even if they are not in pristine condition. Natural areas are sensitive to human impact, and their value to Seattle citizens lies in what they contribute to biodiversity and the human need for daily contact with nature. They are our natural heritage, and we should be protecting them for future generations.

There is very little Urban Wild left in Seattle Parks (or elsewhere in the city), and what remains should be protected. Places like Seward Park or Lincoln Park have old forests that are complex living systems with millions of intricate and yet-to-be-understood interrelationships extending from the soil to the canopy. The main threat to these places (that we can control) is human disturbance.

These places should not be considered as a potential gymnasium. Although active sports are healthy, Seattle has already developed or landscaped 86% of its park land—much of it for active sports. Only 14% remains natural.

http://seattletimes.com/html/pacificnw/2014312829_pacificpparks06.html

That small remaining percentage should be reserved for low-impact, passive recreation or wildlife habitat. Access to nature is essential for all people, but meaningful connections to nature tend to be slow, quiet and reflective. If natural areas must be "used" at all, it should be in ways that are more in sync with the living system itself. We should focus on preserving, nurturing, and appreciating what we have left.

Sincerely,

Denise Dahn

Co-chair, Alliance for Seattle Park Nature

denise@dahndesign.com

www.dahndesign.com

January 8, 2014

From: Steve Zemke [mailto:stevezemke@msn.com]

Sent: Monday, January 06, 2014 2:18 PM

To: Pinto_de_Bader, Sandra

Subject: How Trees are Lost in Seattle - Case Study - 3636 Ashworth Ave N

Hi Sandra,

Happy New Year!

Could you please pass on the following to members of the Seattle Urban Forestry Commission. Thanks.

[How Trees are Lost in Seattle – Case Study – 3636 Ashworth Ave N](#)

posted on [Friends of Urban Forests](#)

Steve Zemke

From: Steve Zemke [mailto:stevezemke@msn.com]
Sent: Monday, January 06, 2014 10:21 PM
To: Pinto_de_Bader, Sandra
Subject: Please forward to UFC - Project 6376676 update

Hi Sandra.

Here is the updated e-mail thread from Nancy Rottle with DPD regarding Project 6376676 at 3636 Ashworth Ave N. Can you please forward this updated thread to the Urban Forestry Commission?
Thanks

It is interesting to note that the construction of the garage will create one on site parking space and eliminate two street parking spaces as well as remove the large Douglas fir tree. The result is a significant net loss of canopy and a net loss of one parking space. This makes no sense.

The e-mail I sent earlier connected to my post via the www.friends.urbanforests.org.

The direct link to the post in my previous e-mail was broken. Here is the direct link [How Trees are Lost in Seattle - Case Study - 3636 Ashworth Ave N](#)

If you have any suggestions as to what Nancy can do to save this Douglas fir please contact her at nrottle@u.washington.edu
I urged her to attend Wednesday's meeting of the Urban Forestry Commission but unfortunately she said she wasn't able to be there. Time is short as this project is moving towards approval.

Steve Zemke

From: nrottle@u.washington.edu
Subject: Fwd: Project 6376676
Date: Mon, 6 Jan 2014 20:18:55 -0800
To: stevezemke@msn.com

Hi Steve,

Thanks so much for all your help on this issue. Here is the most recent string of correspondence with DPD. My reply to Andy will be to question why 7 legal spaces weren't counted as existing and therefore required to be replaced -- 5 for the parking lot, and 2 for the garage, which has a separate entrance.

I will also forward DPD's opinion letter on the boundary line adjustment and the site plan.

I am still unsure about how to at least delay the cutting of the tree while it is being evaluated as being part of a grove (interpreting the Director's rule, or appealing DPD's interpretation of it), so if you have any ideas about that I'd appreciate hearing them, as well as the names of attorneys who might consult.

With many thanks,

Nancy Rottle

Begin forwarded message:

From: "McKim, Andy" <Andy.McKim@seattle.gov>
Subject: RE: Project 6376676
Date: January 6, 2014 2:33:01 PM PST
To: Nancy Rottle <nrottle@u.washington.edu>
Cc: "Sugimura, Diane" <Diane.Sugimura@seattle.gov>, "Lofstedt, Emily" <Emily.Lofstedt@seattle.gov>, nancy rottle <olsonrottle@gmail.com>, "Amrhein, Seth" <Seth.Amrhein@seattle.gov>

Hello, Ms. Rottle.

We counted the garage spaces when we determined how many legal spaces could fit on the portion of the property that had been used for parking.

There have been specific code amendments eliminating parking requirements for residential uses in urban centers or station area overlay districts, and in commercial or multifamily zones in urban villages close to frequent transit (Section 23.54.015 Table B) and for single-family residences in Single Family zones on lots less than 30 feet wide or less than 3,000 square feet in area with no alley access (Section 23.54.015.B.1.5.) However, none of these circumstances apply to the property you have asked about.

Seth Amrhein is the staff member who will be visiting the site to observe the trees. It is possible that he will be there today. His number is 206-386-1981.

Andy McKim
Land Use Planner – Supervisor

From: Nancy Rottle [<mailto:nrottle@u.washington.edu>]
Sent: Monday, January 06, 2014 12:55 PM
To: McKim, Andy
Cc: Sugimura, Diane; Lofstedt, Emily; nancy rottle
Subject: Re: Project 6376676

Hello Andy,

Thanks for your response. I still have a few questions:

With regard to the code requirement for the number of parking spaces, as you indicate it is 8 spaces, which the apartment building now provides. Six (6) of these spaces are in the parking lot and are marked as such (and I have often observed seven cars parked in the lot.) There are six cars parked there right now, with plenty of room to spare. As you noted in your Opinion Letter of July 29, only five spaces in the parking lot would be legal based upon the need to back into the non-arterial of Carr Street. However, since there are also two spaces in the garage -- which is not served by the same drive as the parking lot -- why aren't these spaces required to also be replaced? Your letter states that these spaces would "need to be relocated to a legal space on Lot 22 in order for Lot 7 to be freed for separate development." If you are following the letter of the code, why aren't 7 spaces required?

On the other hand, many multi-family projects in Seattle these days are being exempted from providing parking. Can you tell me how this is made possible?

Also, can you please tell me when the staff member with tree expertise will be visiting, or put me in touch with that person, so that I can arrange to be there?

Thank you,

Nancy

On Jan 6, 2014, at 12:22 PM, McKim, Andy wrote:
Hello, Ms. Rottle.

Sorry for the delay; I have been waiting for additional information about the trees. A staff member with expertise in that area will visit the site this week.

Our maps of steep-slope Environmentally Critical Areas are advisory, and we rely on additional topographic information that is available to us. Although there is a steep slope mapped in the vicinity of this site, our geotechnical engineer has evaluated the proposal and determined that the work is not in a steep-slope ECA. From looking at our maps, it appears to me that the steep slope on this property is minor and likely the result of grading for the street, in which case it would likely be exempt from steep-slope ECA standards under Seattle Municipal Code Section 25.09.180.B.2.b.

Regarding the number of parking spaces required to be provided on the site of the building: We determined that the east portion of the property, fronting on Carr Place N, could qualify as a separate legal building site and be separately developed in accordance with a lot area exception provided at SMC 23.44.010.B.1.d. However, under that section, if a parcel has been used to meet the legal parking requirement for a building on a neighboring parcel, that parking must be replaced on the same parcel as the building it serves in order to free the other lot up for separate development. The general code requirement for an eight-unit building would be eight spaces. The parcel fronting on Carr Place is developed with a garage and a surface parking area. At times it appears that more than five cars have

been parked there, but we determined that the area could accommodate only five spaces meeting code standards. For that reason the legal building site approval was conditioned on the relocation of five parking spaces.

Although I understand your point that provision of a new curb cut from Ashworth Avenue effectively eliminates street parking, we cannot prevent the applicant from taking access to parking in that manner, so long as code development standards are met. There also is no means, under the code, for us to waive a portion of the parking requirement in order to prevent such a curb cut. The applicants could seek a variance from the parking requirement, but we cannot compel them to do so, and there is no assurance that a variance would be granted if applied for. In recent years the City has reevaluated some of its parking requirements, and I anticipate that this will continue to be a subject of discussion. I will pass the points you have made along to our code development staff for their consideration as codes are revised. However, our review of this individual project must be based on whether it complies with the standards that are now in the code.

Andy McKim
Land Use Planner – Supervisor

From: Nancy Rottle [<mailto:nrottle@u.washington.edu>]
Sent: Monday, January 06, 2014 10:12 AM
To: McKim, Andy
Cc: Sugimura, Diane
Subject: Fwd: Project 6376676

Hello Andy,

I know the last two weeks have been holiday, but I haven't heard back from you and would still like to discuss the City's requirement that a single car garage be built in an Environmental Critical Area, which will remove parking spaces from the street (which I've just had confirmed is **two spaces** rather than one) and require the removal of a large (25" DBH) Douglas Fir. I've also gotten an opinion that the removal of the fir and construction of the parking garage will jeopardize my adjacent 24" fir. There is also the likelihood that the 25" fir that would need to be removed would be considered an Exceptional Tree as it is part of a connected group of trees greater than 12" DBH.

Is there some recourse to this requirement by the City that there be a single car bunker garage constructed, which is counter to City policies regarding walkability, housing affordability, and urban forest stewardship?

Can we please discuss the possibility of relieving this requirement?

Thank you for your consideration,

Nancy Rottle, RLA

Begin forwarded message:

From: Nancy Rottle <nrottle@u.washington.edu>

Subject: Re: Project 6376676

Date: December 23, 2013 1:07:24 PM PST

To: "McKim, Andy" <Andy.McKim@seattle.gov>

Cc: "Lofstedt, Emily" <Emily.Lofstedt@seattle.gov>

Hello Andy,

Thanks for your response. I do have several questions that I would love to discuss with you, but first it would help me to understand the basis of the 5 "code-required parking spaces." If the existing code were applied without any discretion, wouldn't DPD have needed to require 8 parking spaces for the 8-unit apartment? How was the opinion rendered that 5 spaces were adequate, if not at the discretion of DPD? Why 5 and not 4, or 7, or 8?

Secondly, the site with the proposed location of the garage is in approximately the center a mapped critical area, and the garage would need to be built upon that steep slope, so I do not understand how the geotech could have reasonably made the decision that the proposed work (of the garage) is "far enough away from the ECA" -- this is simply impossible.

Also, there are indeed (8) 12" diameter trees within a connected canopy of trees, including the Douglas fir in question, and there are significant trees missing on the applicant's survey even adjacent the property line. What would be required to verify this possibility? Do I need to go to the expense of hiring a licensed surveyor, or can I map them myself? (I am a licensed landscape architect).

Thank you for your assistance and I do apologize for causing you any trouble -- I'm sure you are quite busy. However, this issue of codes and interpretation of codes that are counter to adopted policies (and with good planning principles) should be of concern to all in DPD and to our elected leaders. I am grateful that you will forward this example of Seattle's codes being essentially out of compliance with City policies to code development staff.

I would appreciate a response from you with regard to my above questions, and I would also still like to talk with you via a phone call if you can be available.

Respectfully,

Nancy Rottle

Nancy D. Rottle, RLA, ASLA

Associate Professor, Department of Landscape Architecture
Director, Green Futures Research and Design Lab
ScanlDesign Endowed Chair in Built Environments
Adjunct Associate Professor, Departments of Architecture and Urban Design and Planning
College of Built Environments
Box 355734 University of Washington
Seattle, WA 98195-5734
voice 206.685.0521

On Dec 17, 2013, at 2:55 PM, McKim, Andy wrote:

Hello, Ms. Rottle.

I have received your messages, but needed to look into your questions before getting back to you.

In this case, we determined that the east portion of the property, fronting on Carr Place N, could qualify for development as a separate building site under the lot area exceptions provided in the Land Use Code for Single Family zones (Seattle Municipal Code Section 23.44.010.B), so long as five parking spaces legally provided on that property for the existing building could continue to be provided on the site of that building. An application for a lot boundary adjustment was submitted, applying our Director's Rule 13-97 which allows the adjustment of a lot line between two legal, undersized lots, so long as their sizes remain the same. The applicant has proposed to relocate the parking spaces so that they will be on the same lot as the existing building after the lot boundary adjustment. As you note, one of the proposed spaces will be a bunker garage accessed off of Ashworth Avenue North.

The zoning approvals that are required for this – approval of a lot boundary adjustment and zoning review of the relocated parking and the new garage – all are “Type I” approvals under our Land Use Code, meaning they involve little discretion. In the case of Type I reviews, we have no authority to impose conditions to address impacts, or to consider whether the proposed development is consistent either with adopted policies or with good planning principles. If the proposal meets the standards of the code, we are legally obliged to approve it. Although the points you raise, for example about costs and visual impacts associated with the garage and the importance of retaining mature trees, may well be valid, we are not able to condition or reject a permit application on these bases if the proposal meets the letter of the code. Also, even if the applicant wished to voluntarily pursue one of the alternatives you suggest (payment towards an RPZ, bicycles or bus passes) we have no authority to accept one of these in lieu of a code-required parking space.

I will share your message with code development staff as you raise points I think they may want to take into consideration as they prepare future amendments to the Land Use Code. However, any changes made could not be applied retroactively to this project.

I have checked into a few of the specific questions you have raised. You are correct that a small portion of the property is mapped as an Environmentally Critical Area due to steep slope, however, one of our geotechnical experts has concluded that the proposed work is far enough away from the ECA that the ECA is not of concern for our review. I have also checked with our tree expert. Based on the information available to us, including the site plan submitted and our aerial photos, there does not appear to be a grove within the meaning of our standards (our Director's Rule 16-2008). Additional information has been requested from the applicant regarding the individual Douglas fir tree you have asked about.

I know this isn't the answer you hope for, but I hope it helps to clarify the scope of our review. You may view the Land Use Code provisions and Director's Rules mentioned in this message online at <http://clerk.ci.seattle.wa.us/~public/code1.htm> and <http://web6.seattle.gov/dpd/dirrulesviewer/default.aspx>.

Andy McKim
Land Use Planner – Supervisor

From: Nancy Rottle [<mailto:nrottle@u.washington.edu>]
Sent: Tuesday, December 17, 2013 12:59 PM
To: McKim, Andy
Cc: Lofstedt, Emily
Subject: Fwd: Project 6376676

Hello Andy,

I wanted to check back to ensure that you received my message below and to arrange a time to talk with you about this project. Is there a time that I could talk with you this week? Please let me know the best time/number to call. I have spoken with several neighbors who are concerned about the guidance that DPD is giving the applicant.

Thank you for your consideration and service,

Nancy Rottle, RLA, ASLA

Begin forwarded message:

From: Nancy Rottle <nrottle@u.washington.edu>

Subject: Project 6376676

Date: December 12, 2013 11:17:49 AM PST

To: Andy.McKim@seattle.gov

Cc: Emily.Lofstedt@seattle.gov

Hello Andy,

I am a neighbor of this project and I also teach urban design at the UW. I am dismayed at the some of the guidance that the applicant has gotten for this project as I believe that it is actually counter to the current goals of DPD and the City's Comprehensive Plan and am hoping that there might be some recourse to the applicant's current plan.

The project is a lot boundary adjustment to a property that has historically been an 8-dwelling apartment building in a single family zone. The through-lots face Ashworth Avenue and Carr Street, with the Carr Street lot serving as the parking lot for the apartment which fronts onto Ashworth. The property was recently sold and the applicant plans to build a house on the parking lot site and therefore requested the lot boundary adjustment in order to have a lot large enough to allow construction of the additional house. In order to compensate for the parking loss, DPD required the applicant to provide a minimum number of off-street parking spaces. To make this work, the applicant is proposing four parking spaces on the existing parking lot, and a single space in a bunker garage constructed on Ashworth Ave.

My concern is with the proposed construction of the parking bunker on Ashworth Avenue. My concerns are:

1) The proposed garage location is in an **Environmentally Critical Area** (I believe) and **will necessitate the removal of a large Douglas fir tree** which is growing above the proposed garage location. This tree is a keystone in a grove of trees* which provides valuable bird habitat in the neighborhood, and may legally constitute a "grove" under the City's definition. The tree provides additional benefits of stormwater control (we are in a combined sewer neighborhood), heat island mitigation, air purification and carbon sequestration, as well as contributes to neighborhood aesthetics.

2) With the construction of the single car garage, a **parking spot on the street will be lost, so there would be no net gain of parking in the neighborhood**. This is an RPZ zone where there is neighborhood concern about loss of parking spaces. (Ironically, the proposed bunker location will require the removal of the RPZ sign for the curb cut).

3) The **snout garage will undoubtedly degrade the character of the street**; neighborhood design guidelines have discouraged use of these garages as they make the street less attractive and less pedestrian-friendly.

4) The substantial cost of installing the parking garage will undoubtedly be borne by the apartment dwellers, **increasing housing costs**. This apartment complex has been an affordably priced alternative in a central neighborhood and it would be a shame to lose this resource. Again, there is irony in that the approval of small lots in traditional single family zones is done in part in the assumption that creating more housing will keep it more affordable -- **yet this requirement would likely raise the cost of**

the apartment rental (and certainly the new house that the applicant will build will not be "affordable" - but that is another issue).

While the City, and specifically DPD, are promoting walkable, affordable neighborhoods and stewardship of the public-private urban forest -- I could point out policy documents but I'm sure you're aware of these -- the developer's proposal to construct this garage is in response to DPD's requirement for a minimum number of parking space, which however does not actually create any additional parking space in the neighborhood, but does have other significant adverse effects that are counter to the City's goals.

I wonder if there might be other solutions that could be suggested to the developer, who I'm guessing would prefer to avoid the considerable expense and bother to construct this garage. For example, in lieu of constructing the off-street space, the developer could be required to provide:

- Payment for residents' permanent use of the RPZ zone;
- Purchase of bus passes for apartment residents; and/or
- Purchase of electric bicycles and provision of bike parking.

These options would address all four of the concerns listed above. (If the cost of constructing the garage is \$40k, that could be \$5k allocated per unit, which spread over 20 years would be \$500 per year.) You would probably have additional good ideas for how to actually achieve DPD's and other City agencies' common and multiple goals.

Another option would be to require or at least suggest the garage be built on the north side of the lot, where it wouldn't require the removal of the Douglas fir and wouldn't adversely affect the on-street parking loss (since there is fire hydrant just to the north that currently prevents on-street parking in this location). That solution would address concerns 1 and 2 above.

I would love to discuss this with you but thought it would be most efficient to send this mail first. I did speak with Emily Lofstedt and since she is just following the letter of the code and not in a position to creatively address the bigger picture she recommend that I talk with you. **Is there a good time and phone number that I can reach you?**

Thank you for your consideration of my request,

Nancy Rottle, RLA
3632 Ashworth Avenue North
Seattle, WA 98103

*** This tree may qualify as Exceptional as it is part of a continuous canopy of trees larger than 12" dbh. These trees are not represented on the applicant's survey.**