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.

Meeting notes v2
June 3, 2020
April 1, 2020, 3:00 p.m. – 5:00 p.m.
Via Skype call
(206) 386-1200 or (206) 684-5900
Conference ID: 5556833

In-person attendance is currently prohibited per the Washington Governor's Proclamation No. 20-05
until April 23, 2020. Meeting participation is limited to access by telephone conference line.

Attending

Commissioners
Weston Brinkley – Chair
Sarah Rehder - Vice-Chair
Elby Jones
Jessica Jones
Josh Morris
Stuart Niven
Michael Walton
Steve Zemke

Staff
Sandra Pinto de Bader - OSE

Public
None

Absence- Excused
Whit Bouton
Neeyati Johnson
Shari Selch
Blake Voorhees

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
Weston called the meeting to order and did roll call.

Adoption of May 6 and May 13 meeting notes
ACTION: A motion to approve the May 6 meeting notes as written was made, seconded, and
approved.
ACTION: A motion to approve the May 13 meeting notes as amended was made, seconded, and approved.

Tree Regulations update presentation debriefing
It’s very encouraging that SDCI is moving forward. One thing that the UFC might look at is the fact that there is no urban forestry section in SDCI. There is not enough accountability. If there is a problem, who do you go to? Are regulations being faithfully applied and enforced? Where is the group of people monitoring the regulations enforcement?

The idea of having an organizational structure to support tree regulations was not in the ordinance recommendation the UFC moved forward last year. What’s the use of identifying all trees 6” and larger in permit drawings if there is not an organizational structure to ensure regulations are followed, then there is no follow through? The intention of protecting 24” trees would be clarified by updating the Exceptional Tree Director’s Rule. We are moving in the right direction but need to keep the pressure to update the ordinance.

Being that SDCI continues to move this process forward, does it make sense for the UFC to issue a letter with specific recommendations? There are these items to consider: Short platting; A designated section for urban forestry oversight within SDCI; Pushing permits within director’s rules instead of waiting for a new ordinance; Key points that Chanda presented last time to thank them for; Finding funding to plant trees in underserved communities would help with the current public health crisis. The UFC will consider sending a letter to deliver these recommendations and thank them for the continued deliberative sessions. Weston suggested drafting a letter with those components for the group to discuss in detail next week. Steve will put together a draft letter for discussion and Stuart will help.

SDCI TIPs letter – discussion continues
Sarah thinks the TIPs are more housekeeping. She would prioritize the ordinance update and the Director’s Rules. Sarah will incorporate comments and bring back the table to share with the group at the next meeting.

Encampment removal Bill – discussion: Sandra will monitor developments on the bill and share with the Commission.

2020 work plan review: Sandra will add a column to identify what workplan items have been affected by COVID-19. She will also highlight items that were assigned to Steven for people to consider taking on.

Public comment: None

Adjourn: Weston adjourned the meeting

Public input: (see next page and posted notes)
Dear PRC:

Thank you for taking comments regarding the proposed non-compliant developments in Fauntleroy.  
(RE: Non-compliant 5009 and 5011 FAUNTLEROY WAY SW / refer to bulletin description below for 5009 and 5011 FAUNTLEROY WAY SW )

Rowhouse Rules ***
Land use non-compliance was prevalent at 5015 - 5017 Fauntleroy, one lot south of this proposed repeat of market-rate dwellings being built behind row houses in Seattle. This development by Haberzetle Homes is also seeking to circumvention of density limits within LR1 lowrise multifamily.  
(Proposal and Built projects conflict with SMC 23.84A.032.R.21.f)

Exceptional Tree Removal
Unfortunately, the large and Exceptional trees near the street right-of-way were taken out at 5017 Fauntleroy next door. Per the attached, Chris Selle (a Certified Arborist) did a very very brief 1.5 page tree assessment - but incorrectly stated that in the apparent "$20 report" that the two massive White Oaks at about 28" DBH each were 'not Exceptional'. Seattle Director's Rule indicates these trees were indeed Exceptional - and they were Exceptional at 6-inch diameter some 20 to 25 years ago. Since, no trees have been replanted. Accordingly, the removed Exceptional trees need to be replaced by equitable tree canopy per Seattle code... at 5009 and 5011 if needed.
Per the Director's Rule, to the contrary, states that White Oak are Exceptional at just 6 inches DBH. **DR 16-2008, Designation of Exceptional Trees**

Oregon White or Garry OAK – Quercus garryana 6 in
Tree #1: 27.2” DBH White Oak tree
Tree #2: 28.6” DBH White Oak tree

Seattle needs a **stronger tree ordinance** (including scrutiny of arborist reports, and mandatory reports when significant trees are present). Seattle needs **enforcement of rowhouse development** rules on functionally-related lots.

=========

Dear Councilmember Strauss, these practices need your attention as the chair of the land use committee. If needed, ... please send me the documents for the forthcoming clarifications to the land use code. I understand that process has begun to make corrections to the code.

The address to mail: 3444B 23rd Ave W Seattle 98199

Thank you,
David Moehring

Image attached is from today's bulletin: Total 7 dwellings on one lot with Lowrise 1. 4-unit rowhouse buildings in front of single family residence and a 2-unit townhouse (all 3 -stories)

**Comments may be submitted through: 06/10/2020**
Application for project 3035699-LU
Address: 5009 FAUNTLEROY WAY SW
Project: 3035699-LU
Area: West Seattle
Notice Date: 5/28/2020
Project Description: Land Use Application to allow a 3-story single family residence and a 3-story, 2-unit townhouse building. Parking for 3 vehicles proposed. Existing buildings to be demolished. To be considered with 3035700-LU for shared access. Administrative Design Review conducted under 3033415-EG.

and same development lot:

Application for project 3035700-LU
Address: 5011 FAUNTLEROY WAY SW
Project: 3035700-LU
Project Description:
Land Use Application to allow a 3-story, 4-unit rowhouse building. Parking for 4 vehicles proposed. Existing buildings to be demolished. To be considered with 3035699-LU for shared access. Administrative Design Review conducted under 3034179-EG.

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Past land use abuse: **Address:** 5251 FAUNTLEROY WAY SW **Project:** 3034211-LU

***

**WHAT DOES THE CODE SAY:**
21. "Rowhouse development" means a multifamily residential use in which all principal dwelling units on the lot meet the following conditions:

a. Each dwelling unit occupies the space from the ground to the roof of the structure in which it is located;

b. No portion of a dwelling unit, except for an accessory dwelling unit or shared parking garage, occupies space above or below another dwelling unit;

c. Each dwelling unit is attached along at least one common wall to at least one other dwelling unit, with habitable interior space on both sides of the common wall, or abuts another dwelling unit on a common lot line;

d. The front of each dwelling unit faces a street lot line;

e. Each dwelling unit provides pedestrian access directly to the street that it faces; and

f. **No portion of any other dwelling unit, except for an attached accessory dwelling unit, is located between any dwelling unit and the street faced by the front of that unit.**

[https://library.municode.com/wa/seattle/codes/municipal_code?nodeId=TIT23LAUSCO_SUBTITLE_IVAD_CH23.84ADE_23.84A.032R](https://library.municode.com/wa/seattle/codes/municipal_code?nodeId=TIT23LAUSCO_SUBTITLE_IVAD_CH23.84ADE_23.84A.032R)

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**From:** Caitlin Wigre <info@email.actionnetwork.org>

**Sent:** Saturday, May 30, 2020 12:19 PM

**To:** Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>

**Subject:** Please Protect Seattle’s Trees

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CAUTION: External Email

Sandra Pinto de Bader,
Seattle’s trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

Seattle’s rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not replaced. It is urgent to act now to stop this continued loss of trees, particularly large mature trees and tree groves. It is important to promote environmental equity as trees are replaced.

Please update Seattle's Tree Protection Ordinance as recommended in the latest draft by the Seattle Urban Forestry Commission.

Here are the key provisions that need to be in the updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6” and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
2. Require the replacement of all Significant Trees removed with trees that in 25 years will reach equivalent canopy volume – either on site or pay a replacement fee into a City Tree Replacement and Preservation Fund. Allow the Fund to also accept fines, donations, grants and set up easements.
3. Retain current protections for Exceptional Trees and reduce the upper threshold for Exceptional Trees to 24” DBH, protect tree groves and prohibit Significant Trees being removed on undeveloped lots.
4. Allow removal of no more than 2 Significant non-Exceptional Trees in 3 years per lot outside development
5. Establish one citywide database for applying for Tree Removal and Replacement Permits and to track changes in the tree canopy.
6. Post online all permit requests and permit approvals for public viewing.
7. Expand SDOT's existing tree service provider's registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Provide adequate funding in the budget to implement and enforce the updated ordinance.
CAUTION: External Email

Seattle PRC sent some guidance on when and what comments may be made for any given project. Interestingly, they indicate that design reviews are not the time to reference protection of Exceptional trees! From the message from PRC (of SDCI), they indicate that each comment period has points of relevance. Although the attitude is not to allow mentioning trees during Design Review... the Seattle Design Guidelines mention trees several times within the checklist. (Please refer to Tree Note at bottom of this message.)

We need a better tree ordinance, and compliance reviews which does not attempt to enforce tree protections only after the design is complete. In order to comment, proposed tree removals should also be indicated on the development (MUP) Notice Signs.

<table>
<thead>
<tr>
<th>Design Review</th>
<th>SEPA Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>ECA Variance</td>
<td>Variance (other)</td>
</tr>
<tr>
<td>Administrative Conditional Use</td>
<td>Rezone</td>
</tr>
</tbody>
</table>
TIPS TO COMMENT ON PROJECTS:
For email to PRC@seattle.gov --- Please make sure the comment is about an SDCI review of one project only, not multiple projects. For example, your email about SDOT projects is about a completely different department and not relevant to a project currently soliciting comments.

- SDCI oversees development of private property.
- SDOT manages city-owned public right-of-way, like roads, alleys, sidewalks, etc.

We have established two-week comment periods following Notices of Application, Notices of Decision, Notices of Design Review, SEPA, and others. While you can comment at any time, comments submitted outside of the comment period may not be considered for any decision or determination.

- Please also follow the purview of each review.
- If the review is Design Review, comments about exceptional trees, parking, or height are not items being reviewed and therefore not relevant.
- Highly recommend you familiarize yourself with the different types of reviews required for development projects.

How to Comment on a Project

https://www.seattle.gov/sdci/permits/comment-on-a-project

Thank you,

Public Resource Center
Land Use Division
City of Seattle Department of Construction and Inspections

Footnote from D. Moehring (May 31, 2020)

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

CS1-B-3. Managing Solar Gain: Manage direct sunlight falling on south and west facing facades through shading devices and existing or newly planted trees.

CS1-D-1. On-Site Features: Incorporate on-site natural habitats and landscape elements into project design and connect those features to existing networks of open spaces and natural habitats wherever possible. Consider relocating significant trees and vegetation if retention is not feasible.
CS1-D-2. Off-Site Features: Provide opportunities through design to connect to off-site habitats such as riparian corridors or existing urban forest corridors. Promote continuous habitat, where possible, and increase interconnected corridors of urban forest and habitat where possible.

DC4-D-4. Place Making: Create a landscape design that helps define spaces with significant elements such as trees.

From: David Moehring <dmoehring@consultant.com>
Sent: Monday, June 1, 2020 11:52 PM
To: Treepac <Treepac@groups.outlook.com>; Leman, Chris <cleman@oo.net>
Cc: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>
Subject: Support the 2020-2021 Comprehensive Plan tree protection amendments

CAUTION: External Email

Please convey your continued support for stronger tree retention policies within the Seattle Comprehensive Plan.
Refer to the link below for the 11th of the proposed amendments.
Chris Leman has also issued the 5th amendment titled Yards and Trees.

Support for these amendments may be asked from the City Council.

Thank you,
David Moehring
dmoehring@consultant.com
TreePAC

Sent: Monday, June 01, 2020 at 10:12 AM
From: "McConaghy, Eric" <Eric.McConaghy@seattle.gov>
To: "David Moehring" <dmoehring@consultant.com>
Subject: 2020-2021 Comprehensive Plan amendment application placed in Clerk File 321701

Hello:

I am writing to acknowledge that your 2020-2021 Comprehensive Plan amendment application was received and that your proposal is collected together with other amendment proposals in Clerk File 321701. The Clerk File is accessible online at:

http://clerk.seattle.gov/search/clerk-files/321701
The Office of the City Clerk keeps the records of the City Council and makes them available to the public. We also receive and maintain many different types of documents that must, by law or as a result of legislation, be filed with us. The databases contain full text or scanned copies of many of these documents, and descriptions of others along with information about how to get copies.

Under the usual annual Comprehensive Plan amendment process, the Council reviews the amendment applications and considers recommendations from the Office of Planning and Community Development (OPCD) and the Seattle Planning Commission in the summer. The Council then establishes by resolution a docket of the amendments the City will consider. This is often referred to as the “docket setting” resolution.

The COVID-19 emergency has affected the timing of all Council meetings and may impact the timeline of events in the annual amendment process. Please, revisit the Land Use and Neighborhoods web page in the coming weeks for updates.

Please, feel free to send me questions.

Best regards,

Eric McConaghy

Legislative Analyst
Thank you for allowing comment following the notices of Administrative Design Review for project 3032858-LU located at 7903 GREENWOOD AVE N. Notice Date: 6/1/2020.

Project Description: Land Use Application to allow a 6-story, 72-unit apartment building with retail. Parking for 8 vehicles proposed. Existing buildings to be demolished.

Comments may be submitted through: 06/15/2020

In consideration of the Seattle Design Guidelines, these concerns intend to reflect those guidelines (see below***) that address retention of trees (where possible), issues of vehicular access and connections, and height, bulk and scale as it pertains to the immediate surrounding lesser-intense single-family zoning.

Provide a complete assessment of the site - including an assessment of the existing trees - so that comments driven from the Seattle Design Guidelines are well measured and may be stated with relevance.

Lot-line to lot-line development does not work - in any city. Why justify the greed when being green has so many more benefits. https://www.greenwoodexceptionalcedar.com/

Is this application ready for review as there is Financial Commitments made by only one of the two owners on three lots:

Missing: MICHAEL J+SUZANNE WHALEN
7911 GREENWOOD AVE N 98103
3,520 SF

WOODLAND LIV LLC
7907 GREENWOOD AVE N 98103
4,000 SF

and

WOODLAND LIV LLC
7903 GREENWOOD AVE N 98103
4,800 SF

Address: 7903 GREENWOOD AVE N
Project: 3032858-LU
Area: North/Northwest
Notice Date: 6/1/2020
Project Description
Land Use Application to allow a 6-story, 72-unit apartment building with retail. Parking for 8 vehicles proposed. Existing buildings to be demolished.

*** DESIGN GUIDELINES:
3. Massing Choices: Strive for a successful transition between zones where a project abuts a less intense zone. In some areas, the best approach may be to lower the building height.

To clarify, SDCI should allow mentioning trees during Design Review... the Seattle Design Guidelines mention trees several times within the checklist. (Please refer to Tree Note at bottom of this message.) We need a better tree ordinance and better enforcement, and compliance reviews which does not attempt to enforce tree protections only after the design is complete.

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**How to Comment on a Project**
[https://www.seattle.gov/sdci/permits/comment-on-a-project](https://www.seattle.gov/sdci/permits/comment-on-a-project)

**Footnote from Seattle Design Guidelines:**
- **DC3-C-1. Reinforce Existing Open Space**: Where a strong open space concept exists in the neighborhood, [reinforce existing character and patterns of street tree planting], buffers or treatment of topographic changes. Where no strong patterns exist, initiate a strong open space concept that other projects can build upon in the future.
- **CS1-B-3. Managing Solar Gain**: Manage direct sunlight falling on south and west facing facades through shading [devices and existing or newly planted trees].
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**CS1-D-2. Off-Site Features:** Provide opportunities through design to connect to off-site habitats such as riparian corridors or existing urban forest corridors. Promote continuous habitat, where possible, and increase interconnected corridors of urban forest and habitat where possible.

**DC4-D-4. Place Making:** Create a landscape design that helps define spaces with significant elements such as trees.

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From: Bruce Dear <info@email.actionnetwork.org>
Sent: Tuesday, June 2, 2020 8:38 AM
To: Pinto de Bader, Sandra <Sandra.Pinto_de_Bader@Seattle.gov>
Subject: Please Update Seattle’s Tree Ordinance

CAUTION: External Email

Sandra Pinto de Bader,

Hello,

Seattle’s trees and urban forest are vital to keeping our city healthy and livable. Trees and the urban forest comprise a vital green infrastructure. Trees reduce air pollution, storm water runoff and climate impacts like heat island effects, while providing essential habitat for birds and other wildlife. They are important for the physical and mental health of our residents.

Seattle’s rapid growth and an outdated tree ordinance are reducing these beneficial effects as trees are removed and not replaced. It is urgent to act now to stop this continued loss of trees, particularly large mature trees and tree groves. It is important to promote environmental equity as trees are replaced.

Please update Seattle’s Tree Protection Ordinance as recommended in the latest draft by the Seattle Urban Forestry Commission.

Here are the key provisions that need to be in the updated tree ordinance:

1. Expand the existing Tree Removal and Replacement Permit Program, including 2-week public notice and posting on-site, as used by the Seattle Department of Transportation (SDOT) – to cover all Significant Trees (6” and larger diameter at breast height (DBH)) on private property in all land use zones, both during development and outside development.
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6. Post online all permit requests and permit approvals for public viewing.
7. Expand SDOT’s existing tree service provider’s registration and certification to register all Tree Service Providers (arborists) working on trees in Seattle.
8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Thank you for your time in reading this letter. With so much going on in the world, helping to keep our Tree residents of Seattle safe, seems more important than ever to know they will be here for our future generations.

Bruce Dear
brucedear@gmail.com
7009 26th Ave NE
Seattle, Washington 98115
Nathan Torgelson, Director  
Seattle Department of Construction and Inspections  
PO Box 34019  
Seattle, WA 98124-4019

Dear Director Torgelson:

Thornton Creek Alliance (TCA) is an all-volunteer organization dedicated to restoring an ecological balance to the Thornton Creek watershed (in northeast Seattle and Shoreline). We wish to express our desires regarding CB 119769, recently passed. Now that CB 119769 has become ORD 126072, despite legitimate concerns expressed by constituents, we understand that there will be limited citizen review of new construction projects for 180 days following passage. We understand that now written comments may be sent in for administrative design review, but the Design Review Board is suspended, and citizen oversight is reduced in the effort to push projects through. From news sources we have learned that well over 60 projects are likely to move forward during this window. Although we strongly support the development of affordable housing, especially if it will help transition homeless people out of parks and green spaces and thus reduce environmental and public-health impacts there, we also feel that new housing should not itself be an unwarranted source of environmental impacts (we refer to Section 1.O of the ordinance).

Thus, TCA is especially concerned about any loss of public input concerning environmental standards. We are particularly interested in environmentally critical areas, impervious surfaces, and tree removals, and we would like to track projects being processed during this time. Is there a portal, e-list, or other method we could take advantage of?

Thank you for your consideration.

Sincerely,

Ruth Williams  
Acting President

THORNTON CREEK ALLIANCE (TCA), founded in 1993, is an all-volunteer, grassroots, nonprofit organization of over 100 members from Shoreline and Seattle dedicated to preserving and restoring an ecological balance throughout the Thornton Creek watershed. Our goal is to benefit the watershed by encouraging individuals, neighborhoods, schools, groups, businesses, agencies, and government to work together in addressing the environmental restoration of the creek system including: water quality, stabilization of water flow, flood prevention, and habitat improvement through education, collaboration, and community involvement.

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www.thornton-creek-alliance.org
www.facebook.com/Thornton.Creek.Alliance
Sandra Pinto de Bader,

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outside development
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8. Provide adequate funding in the budget to implement and enforce the updated ordinance.

Renee Martin
reneelouisemartin@gmail.com
6008 11th Ave NW
Seattle, Washington 98107