



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

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

Application Number: 2407420 & 2402603

Applicant Name: Brian Palidar of Group Architect

Address of Proposal: 3257 & 3303 Harbor Av SW

SUMMARY OF PROPOSED ACTION

Land Use Application to establish use for two 6-story mixed-use buildings with underground parking, street level retail/commercial space, and apartment units. The north building (addressed as 3257 Harbor Avenue SW) includes 2,349 square feet of retail commercial space along Harbor Avenue SW, 37 residential units, and parking for of 45 vehicles. The south building (addressed as 3303 Harbor Avenue SW) includes 2,243 square feet of retail commercial space along Harbor Avenue SW, 43 residential units and parking for 64 vehicles. Access to the three levels of underground parking for each building is from Harbor Avenue SW.

The following approvals are required:

Design Review - Chapter 23.41 Seattle Municipal Code (SMC)

SEPA – to approve, condition or deny pursuant to 25.05.660 - Chapter 25.05, Seattle Municipal Code (SMC)

SEPA DETERMINATION:

Exempt DNS MDNS EIS

DNS with conditions

DNS involving non-exempt grading or demolition, or another agency with jurisdiction.

BACKGROUND DATA

The applicant is proposing future construction of two 6-story mixed-use buildings to include ground-level retail with residential units above. Parking to be provided below grade. The northernmost site (#2407420) is located on the west side of Harbor Avenue SW between unimproved SW City View Street and SW Porter Way. The second site (#2402603) is also located on west side of Harbor Avenue SW just south of SW City View Street. Both of the sites also have street frontage on 30th Avenue SW, which is at an elevation approximately 35' higher than the grade at Harbor Avenue SW. The subject sites are zoned Commercial 1-40 (C1-40) with a 40' height limit and are currently undeveloped. Immediately west of the sites is an area zoned Single Family 5000 (SF 5000), which is developed primarily with single family residences. Area to the east of the sites is zoned General Industrial 2-U/85 and is developed with industrial warehouse buildings. The site lies approximately 500 feet north of where Harbor Avenue SW joins SW Spokane Street and the approach to the West Seattle Bridge.



Public Comments

Public comment was invited at initial application and at four design review public meetings. Comments from the Design Review meetings are noted within the Design Review process summaries which follow. One written comment was received during the formal comment period for the project.

ANALYSIS - DESIGN REVIEW

Early Design Guidance Meeting, November 18, 2004

At an Early Design Guidance Meeting, attended by four of the Design Review Board members for Area 5 (West Seattle) and held on November 18, 2004, the development team presented preliminary conceptual plans for two six story mixed-use, residential and commercial buildings with combined totals of approximately 4,600 square feet of retail commercial space, 80 residential units on floors 2 through 6, and underground parking for approximately 110 vehicles to be located below ground.

ARCHITECT'S PRESENTATION

Brian Palidar of Group Architect presented aerial photos showing pedestrian circulation, a topographic survey, contextual photos, massing alternatives, and photos of other buildings in the City providing inspiration for the design. The architect explained, at that meeting, several issues with the design, most of which revolved around the steep topography of the sites. In order to navigate the elevation change, each of the massing proposals presented showed the buildings

cascading down the hillside in terraced steps. Given that SW City View Street and SW Porter Way are currently unimproved adjacent to the proposed sites, the architect discussed seeking to provide a public stairway in each of the streets according to Seattle Department of Transportation standards. Vehicular access to the northernmost structure was shown off of 30th Avenue SW while access to the other structure was shown from Harbor Avenue SW. Each of the proposed designs showed commercial use only on Harbor Avenue SW.

Public Comment

Attending the meeting were 15 members of the public, among whose expressed concerns were the following:

- *Views*-Several members of the public were concerned about view blockage towards the east and would prefer that the buildings be only one-story tall along 30th Avenue SW. Some residents also felt that the façades along 30th Avenue SW should provide for a view corridor.
- *Parking and Access*-The residents near the proposed sites are concerned about increased parking spillover, as they believe the existing condominium structure to the south has already decreased the availability of on-street parking along 30th Avenue SW.
- *Rezone*-One neighbor was concerned about the adjacent Commercial 1-40 zoning along 30th Avenue SW. He felt that his single family neighborhood should be “up-zoned” to allow for increased height to maintain views and property value.

Board Deliberations

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those siting and design guidelines found in the City of Seattle’s “*Design Review: Guidelines for Multifamily and Commercial Buildings*” of highest priority to this project.

DESIGN GUIDELINES

A. Site Planning

A-1 Responding to Site Characteristics

The siting of buildings should respond to specific site conditions and opportunities.

A-2 Streetscape Compatibility

The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the street.

A-5 Respect for Adjacent sites

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

A-7 Residential Open Space

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

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 design should employ the use of modulation and upper-level setbacks to maximize view potential to the east.
- Vehicular access to the site should be explored from Harbor Avenue SW rather than from 30th Avenue SW.
- The design should accommodate future street improvements on SW City View Street and allow for an opportunity to place upper-level open space adjacent to the public stairway to provide eyes on the space and increased sunlight exposure between the buildings.

B. Height, Bulk and Scale

B-1 Height, Bulk and Scale

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

The façades along 30th Avenue SW should respect the adjacent single family neighborhood to the west and diminish the scale of the structure by stepping back portions of the building, and utilize both vertical and horizontal modulation to reduce the perceived bulk. The Board noted that the design development should provide upper-level setbacks to maintain some views to the east while providing a transition to the Single Family 5000 zone to the west.

C. Architectural Elements and Materials

C-1 Architectural Context

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

C-3 Human Scale

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

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.

- Materials of human scale should be employed along the base of the structures to provide a better transition to the neighboring Single Family zone to the west and encourage pedestrian activity along Harbor Avenue SW.
- Given the adjacent single family structures to the west, the façades along 30th Avenue SW should provide design features which emulate the appearance of ground-related units.

D. Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances

Provide convenient, attractive and protected pedestrian entries. Opportunities for creating lively, pedestrian-oriented open space should be considered.

D-6 Screening of Dumpsters, Utilities and Services Areas

Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible.

D-7 Pedestrian Safety

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

- The designer should provide visible residential entries with adequate lighting while minimizing glare onto adjacent sites.

The base of the structures on Harbor Avenue SW should exhibit a commercial character to reflect the anticipated pedestrian and commercial nature of the street front. Examples of this include overhead weather protection, transparency, visible entries, signage and potential for outdoor seating. Wrapping the commercial uses around the corners of the structure(s) adjacent to the future public stairway(s) would also encourage pedestrian activity.

E. Landscaping

E-1 landscaping to Reinforce Design Continuity with Adjacent Sites

Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

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

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

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.

- Landscaping should create a transition from neighboring lots and the street by softening edge conditions and creating a green streetscape.

- Coordinate with Seattle Department of Transportation on the improvements of SW City View Street and SW Porter Way so that landscaping adjacent to the aforementioned rights-of-way can be integrated into the design of the sites.

DEPARTURES FROM DEVELOPMENT STANDARDS

At the time of the first Early Design Guidance meeting no departures were requested by the applicant.

Second EDG Meeting, February 10, 2005

At the November 18th meeting, due to extensive public comment and the complex nature of the proposed sites, the Design Review Board determined that the proposals needed further refinement before they would advise the applicant to apply for a Master Use Permit. Specifically, they requested that the architect should develop and bring the following items for review at the next Early Design Guidance meeting: massing alternatives; examples of proposed material and color pallet; view analyses that would represent the views that would be achieved through the various massing proposals; and a site plan demonstrating the required future street improvements adjacent to the sites, especially along 30th Avenue SW.

Architect's Presentation

The architect began his presentation by recounting and addressing concerns and issues raised by both the members of the Board and the public at the November 18, 2004 meeting. These included the following: views from single-family residences across 30th Avenue SW from the project; access to the proposed building off 30th Avenue SW; character of the proposed architecture and its fit with the existing community character. Specifically, the presentation included a sectional analysis of the proposed structure and a demonstration of how existing views in the single-family neighborhood across 30th Av SW were decreasingly less affected as one ascended the SW City View Street right-of-way. The architect clarified that the owner would not pursue a vacation of the right-of way where it dissected the two parcels that defined the development sites and, hence, the right-of-way would provide an unfilled opening and sight lines through the two proposed structures.

The architect then presented a trio of massing and functional schemes. Each of the schemes showed a new pedestrian stair with a public outlook, located in the SW City View Street right-of-way and bisecting the development. Scheme A took vehicular access off both 30th Avenue SW and off Harbor Avenue SW. Options B and C took access of Harbor Avenue only. Each of the options included improvements along 30th Avenue SW, including additional roadway width, new sidewalk and street trees. Along Harbor Avenue SW, the first floor commercial level would provide a glazed storefront system within a concrete frame, with awnings at the tenant entries. The upper floors were proposed to be clad in metal siding to reinforce the commercial character of Harbor Avenue SW. The residential portions of the building at grade on 30th Avenue SW would, in contrast, be clad in wood to reinforce the residential character of that street.

Public Comment

Eleven members of the public filled in the sign-in sheet at the meeting. Several of the comments elicited from the public commended the architect on how he had addressed issues raised at the earlier Early Design Guidance meeting, even though concerns about height and bulk, view and traffic impacts remained.

Board Deliberations

Having listened to the architect's presentation, and having asked clarifying questions and elicited public comment on the proposal, the Board affirmed the selection of guidelines of highest priority from the City of Seattle's *Design Review Guidelines for Multifamily and Commercial Building* which had been identified at the first Early Design Guidance meeting (see above). In doing so, the Board offered these specific additions to the earlier identified guidelines:

- A-8 Parking and vehicle access—access should be from Harbor Avenue SW
- D-7 Pedestrian safety—the applicant should develop a clear external lighting plan, one that would provide glow but no glare detectable from the residential neighbors.

In addition, the Board offered this guidance for design development in keeping with the guidelines already cited:

- Develop a public stair along the SW City View right-of-way that achieves a balance that provides for both an inviting, comfortable public path and ensures a sense of well-being and privacy from those who dwell in the two new structures adjoining the path.
- Develop a public stair that engages and is engaged by the structures on either side (including the possibility of secondary entries).
- Explore with SDOT the potential for safe and attractive crosswalk connections from the public stair across 30th Av SW and Harbor AV SW.
- Explore decreasing the size of parking garage entrances and, at the south building especially, provide an entry that is designed in proportion and scale to other elements of the street-level façade.
- Don't think of the two upper masses of the individual structures requiring symmetry; rather, explore ways in which the upper levels might individually be eroded—through recesses and balconies, for instance—to respond to the particular demands of site lines, view corridors, etc., from both within and without the two sites.

In addition to materials illustrating the design development of the proposal, the architect should develop and bring the following items to the next, Recommendation meeting:

- A Departure list, indicating required and proposed departures (if any) from development standards;
- A detailed landscaping plan
- A detailed plan of the public stairway proposed for the right-of-way, illustrating in detail its relationship to the buildings on either side;
- Examples of proposed materials and a color pallet.

Recommendation Meeting, July 27, 2006

ARCHITECT'S PRESENTATION

The architect presented drawings and plans showing the design development that had transpired since the second Early Design Guidance meeting held on February 10, 2005. As explained to the Board, the significant interval of time that had elapsed since that last Board meeting was due, at least in part, to designing and modifying street improvements required in particular for the unopened right-of-way on SW City View Street and also for the unimproved SW Porter Way right-of way just to the north of the northernmost development site which runs diagonally between 30th Avenue SW and Harbor Avenue SW.

A fair amount of the presentation time was spent in presenting in broad perspective and in more detail the public stair running between the two structures which will provide a pedestrian pathway between 30th Avenue SW and Harbor Avenue SW. The design of the stair was presented as responding both to the requirements of SDOT for structures in the public right-of-way and to the Board's directives to develop a public stair between the proposed structures that struck a balance between the need for an inviting public pathway and the needs of privacy and security for the adjacent residents.

Mr. Palidar pointed out that SDOT also required improvements to the existing stairway within the SW Porter Way right-of-way. The new stairway was presented as much more strictly functional and minimalist in design. Pulled away from the north wall of the proposed new structure, the stair provided a straight-forward concrete connection up from Harbor Avenue SW to 30th Avenue SW. Because of the elaborate demands for other improvements in the SW Porter Way right-of-way contingent upon taking parking access off the undeveloped street (including a massive retaining wall), the project was now proposing access to and from parking for the north building directly from Harbor Avenue SW.

Except for the two vehicular access points along Harbor Avenue SW, one into each of the proposed structures, the new design showed commercial use on Harbor Avenue SW which wrapped around each structure to face a plaza area at the base of the City View r-o-w stair.

Public Comment

Public comment was generally favorable to the design development that was shown, particularly regarding the quality of the public stair and the way the stair opening lessened the potential view blockage from above which had been a concern when the project had originally been discussed with the possibility of an application for a street vacation for SW City View Street. Nearby residents were pleased with the parking access coming off Harbor Avenue SW and with street improvements that would be made along 30th Avenue SW, but continued to have apprehension that visitor parking could increase parking spillover along the street, as they believed believe the existing condominium to the south had already done.

Board Deliberations

The Board commended the design team on the responses to the guidelines they had identified as of highest priority for the project and to their earlier guidance. The Board acknowledged that the design team had made many of the right moves in the application of programmatic needs to a difficult and challenging site. The Board was particularly gratified by the quality of design and the care that had gone into developing the public stair within the City View Street right-of-way. The stair demonstrably met the Board's guidance to develop a public stair along SW City View Street "that achieves a balance that provides for both an inviting, comfortable public path and ensures a sense of well-being and privacy for those who dwell in the two structures adjoining the path." If the design of the stair and its adjacencies had one shortcoming, that was the lack of a totally convincing landscape plan, one that clearly integrated stair and building and didn't just fill in spaces.

Having heard the presentation and having heard the public comment that was offered, the Design Review Board members determined that the project should be returned for another Recommendation meeting, one that would be confined to addressing the following outstanding or unresolved issues regarding the design:

- Referring to the earlier guidance associated with Design Guidelines C-1, C-3 and C-4, the Board requested to see in further detail how materials of human scale were being employed along the base of the structures to provide a better transition to the neighboring Single Family zone to the west and how, given the adjacent single family structures to the west, the façades along 30th Avenue SW had been provided with "design features which emulate the appearance of ground-related units."
- Wrapping the commercial uses around the corners of the structure(s) adjacent to the future public stairway was regarded by the Board as a positive move and one to be applauded since it will contribute greatly to encourage pedestrian activity. The Board would like to see in more detail, however, the proposed commercial frontage, overhead weather protection, the commercial entries, signage and any pedestrian amenities proposed outside the commercial spaces, such as outdoor seating.
- The Board would like the applicant to show in greater detail a lighting plan that is integrated with the buildings and landscaping and enhances the quality of comfort and experience during non-daylight hours adjacent the public stairs and along the commercial and residential frontages of the structures
- The Board would like the design team to explore providing, where appropriate and feasible, even more sight lines through the opaque edges of deck areas of individual units, a move that would minimize even further view blockages from viewpoints above the project.

In addition to materials illustrating the design development of the proposal, the architect should develop and bring the following specific items to the next, Recommendation meeting:

- Plans that indicate in more detail the proposed external lighting for the project;

- Examples of proposed materials and a color pallet;
- A statement of the exact departures from development standards for each building.

For the sake of a clear presentation and to minimize the need for lengthy verbal explanations of spatial relationships which could be more effectively portrayed graphically, the Board asked the applicant to bring floor plans for reference and to clearly illustrate the relationships between elements inside and outside the specific areas of facades that will be under discussion.

Recommendation Meeting, September 14, 2006

The presentation of design development by the architect focused on those areas that had been identified at the interim recommendation meeting as needing further elaboration:

1. the 30th Avenue SW “residential” facade treatment as it related to the single-family structures up-hill and across the street from the project;
2. details of the Harbor Avenue street-level commercial facades;
3. sight lines through the project from up-hill;
4. lighting.

Departures from Development Standards:

Certain departures from Land Use Code requirements may be permitted as part of the design review process. Departures may be allowed if an applicant demonstrates that a requested departure would result in a development which better meets the intent of the adopted design guidelines (see SMC 23.41.012).

The proponent had earlier indicated departures from SMC 23.47.008B5, quantity of commercial frontage at street level and from SMC 23.47.008D, the amount of allowable residential coverage above 13 feet. The Board had earlier indicated its willingness to entertain recommending approval of the requested departures provided the final design better incorporated the Guidelines the Board had determined to be of highest priority for the project.

The applicant identified the following departures from development standards, each of which was recommended by the Board for approval:

- SMC 23.47.024: requires usable open space for residents in the amount of 20 percent of the gross floor area in residential use; for the proposed south building only, 20 percent of the area in residential use would require 6,506 square feet of open space, while 6,170 square feet is proposed, or 18 percent. .
- SMC 23.47.008D: limits residential lot coverage to 64 percent of lot above 13 feet; for the north building only, the applicant proposes 67.98 percent lot coverage. The departure will allow for a visually taller base at levels 1 and 2 that is more in scale with existing neighborhood buildings and the overall tower massing at 66 percent coverage provides a better perceived set of proportions for the proposed structure;

- SMC 23.47.008B5: requires 80 percent of a structures street front façade at street level to be occupied by nonresidential uses; the applicant requested that the requirement be waived from the SW 30th Street façade for both structures and from the facades facing the undeveloped rights-of-way of SW Porter Way and SW City View Street for the north building and from the façade facing SW City View Street for the south building.

Board Deliberations

The four members of the Board present were agreed that the structure proposed for the site had undergone design development in tune with the Early Design Guidance indicated by the Board and in keeping with the guidance that had been given. After hearing the development team's presentation and after asking clarifying questions and invoking public comment, the Board members present recommended **approval of the requested departures and approval of the design** as presented.

In consideration of the departures requested and granted, the Board requested minor changes in the design be made to provide mitigation for the height, bulk and scale of the two buildings and the impacts on view corridors on the single-family residences across 30th Avenue SW from the project. The following were the **recommended conditions** of the Board's approval.

1. provide thinner vertical members in association with the decks on the rear portion (as viewed from Harbor Av SW) of each structure.
2. provide, as noted in the notes from the July 27, 2006 interim recommendation meeting, openings through the currently opaque sides of decks in order to provide more sight lines from above the project.
3. wrap the glazing around the corner and along the driveway in the two retail spaces in the south building that abut the garage opening, provide additional lighting in these areas; and move the garage doors in each building closer to Harbor Avenue SW to provide safer and more seemly garage entrances.
4. provide, on the upper, metal-clad portions of the facades of each of the buildings facing onto 30th Avenue SW, recesses, relief and shadow lines to provide a break in plane at the center of each of these surfaces; provide enough of a matte finish on these metal surfaces so as to prevent any significant or untoward glare from affecting from the residences to the west across 30th Avenue SW.

In recommending approval of the project, the Board members further indicated that it was their understanding that the exterior colors and materials for the built project would be within the range of materials and colors presented to the Board at the meeting.

DECISION - DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the 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 and Commercial Buildings*.

Therefore, the proposed design is **approved** as are the recommended departures **approved** as presented at the September 14, 2006, Design Review Board meeting, with the **conditions** as noted below.

ANALYSIS - SEPA

This analysis relies on the SEPA checklists (one for each site) submitted by the applicant and signed on April 20, 2005. This decision also makes reference to and incorporates the project plans and other supporting documentation submitted with the project.

The Seattle SEPA ordinance provides substantive authority to require mitigation of adverse impacts resulting from a project (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific adverse environmental impacts identified in an environmental document and may be imposed only to the extent that an impact is attributable to the proposal. Additionally, mitigation may be required only when based on policies, plans, and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675, inclusive, (SEPA Overview Policy, SEPA Cumulative Impacts Policy, and SEPA Specific Environmental Policies). In some instances, local, state, or federal requirements will provide sufficient mitigation of a significant impact and the decision maker is required to consider the applicable requirement(s) and their effect on the impacts of the proposal.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,*" subject to some limitations. Under specific circumstances (SMC 25.05.665 D 1-7) mitigation can be required.

The project is expected to have both short and long term impacts.

Short-term Impacts

Construction-Related Impacts

Demolition and Excavation

Excavation of approximately 23,500 cubic yards of earth on the two sites will create potential earth-related impacts. A shoring system to retain the surrounding soils during excavation is proposed for the site. Compliance with the Stormwater, Grading, and Drainage Control Code (SMC 22.800) will require the proponent to identify a legal disposal site for excavation and demolition debris prior to commencement of demolition/construction. Cleanup actions and

disposal of any contaminated soils on site will be performed in compliance with the Model Toxics Control Act (MTCA; WAC 173-340). Compliance with the Uniform Building Code (or International Building Code) and the Stormwater Grading and Drainage Control Code will also require that Best Management Practices (BMPs) be employed during demolition/excavation/construction including that the soils be contained on-site and that the excavation slopes be suitably shored and retained in order to mitigate potential water runoff and erosion impacts during excavation and general site work.

Groundwater, if encountered, will be removed from the excavation by sump pumping or by dewatering system and routed to existing storm drain systems. A drainage control plan, including a temporary, erosion and sedimentation control plan and a detention with controlled release system will be required with the building permit application. In addition, a Shoring and Excavation Permit will be required by SDOT prior to issuance of a building permit. Compliance with the requirements described above will provide sufficient mitigation for the anticipated earth-related impacts.

Traffic

It is anticipated that the proposal would require excavation of approximately 23,500 cubic yards of material, none of which is to be stockpiled on site. The excavated material would be exported to an as yet undetermined site. Truck trips related to demolition, excavation and construction are expected to be spaced in time as they either load material and depart or arrive from various locations. These trips could have a negative affect upon transportation levels of service on the surrounding street and highway system unless carefully scheduled, however. Staging of trucks in immediate site proximity during excavation and concrete pouring has the potential for localized traffic disruptions. It is expected that existing regulatory authority in place with Seattle Department of Transportation (SDOT) would allow for control through permitting review of use of surrounding streets to mitigate these potential impacts.

Noise-Related Impacts

There is single-family zoning (SF 5000) and single-family residential structures across 30th Avenue SW from the proposal sites. There are multiple residential apartment units immediately to the south of the development site. These residential and other uses in the vicinity of the proposal will experience increased noise impacts during the different phases of construction (demolition, shoring, excavation). Compliance with the Noise Ordinance (SMC 22.08) is required and will limit the use of loud equipment registering 60 dBA or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays.

Although compliance with the Noise Ordinance is required, due to the presence of nearby residential uses, additional measures to mitigate the anticipated noise impacts may be 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 may be necessary. Therefore, as a condition of approval, the proponent will be required normally to limit the hours of construction activity not conducted

entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m. (Work would not be permitted on the following holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day; if the contractor chooses to work on the following holidays in the City of Seattle calendar, they may be treated as regular weekdays, with work restricted to the hours of 7:00AM to 6:00 PM: Martin Luther King, Jr. Birthday, Presidents' Day, Veterans' Day).

Air Quality

Excavation and construction 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. Construction traffic and equipment are likely to produce carbon monoxide and other exhaust fumes. 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. 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. No further conditioning is warranted.

Long-term Impacts — Use-Related Impacts

Land Use

The site lies just to the west of the designated Duwamish Manufacturing/Industrial Center which is bounded by Harbor Av SW. The proposed project, with its right-of-way improvements, street-level non-residential uses, entries along sidewalks, and residential use is consistent with the City of Seattle Comprehensive Plan (1994) and its annual amendments.

Traffic

The site is served by Harbor Avenue SW, a minor north/south arterial that connects to the West Seattle Freeway and becomes SW Avalon Way south of the West Seattle Bridge. It is a principal feeder/receptor for traffic off the Spokane Street/ West Seattle Bridge that lies a short distance south of the site. Vehicular access to both sites would occur from Harbor Avenue SW which provides good vehicle access to local designations as well as bridge access. 30th Avenue SW is a narrow local access street which connects to SW Admiral Way via and to Harbor Avenue SW SW City View Street and to Harbor Avenue SW opposite the West Seattle Freeway off-ramp.

As discussed in the Traffic Impact Study supplied by Gibson Traffic Consultants, dated February 8, 2005, the new residential units are expected to generate 550 daily trips, with 42 AM peak hour and 61 PM peak hour trips for an average weekday. The proposed retail space would generate 180 daily trips, with 11 PM peak-hour trips on an average weekday. With allowances for pass-by and internal trip credits, the entire proposed mixed-use development would generate 615 new daily trips, with 38 new AM peak-hour and 51 new PM peak-hour trips on an average weekday. During the critical PM peak period, the directional split for new site trips would be 31 inbound (61%) and 20 outbound (39%) (Gibson, p. 4).

According to the Gibson Traffic Impact Study, traffic flow conditions on Harbor Avenue SW, 30th Avenue SW, and SW City View Street would remain within acceptable City of Seattle standards. Peak-hour traffic operation at the signalized intersections of Harbor Avenue SW and West Seattle Freeway ramps would continue at LOB (Level of Service) B with the project traffic added. No off-site mitigation improvements are warranted or required.

In order to enhance traffic flow, vehicular safety, parking-access, and pedestrian accessibility, comfort and safety, however, the following improvements are proposed to be implemented immediately adjacent the sites:

- Dedication for right-of-way of a six-foot portion of each development site along 30th Avenue SW and widening of the City street, with sidewalk, curb and street trees according to City of Seattle standards and with plans to be approved by Seattle Department of Transportation (SDOT).
- Construction of pedestrian staircases in both the SW Porter Way and SW City View Street rights-of-way, according to plans to be submitted to and approved by SDOT.

These street-improvement requirements are mandated by existing policy and Code. Since convenient public pedestrian mobility adjacent the two sites is desirable between 30th Avenue SW and Harbor Avenue SW, as well as along both SW 30th Street and Harbor Avenue SW, a condition shall be imposed on the construction phase of the proposed project to provide completion of the public stairs/paved pathways before occupancy approval of the new structures is granted. (See below, under Conditions-SEPA).

Transportation Concurrency

The City of Seattle has implemented a Transportation Concurrency system to comply with one of the requirements of the Washington State Growth Management Act (GMA). The system, described in DPD's Director's Rule 4-99 and the City's Land Use Code is designed to provide a mechanism that determines whether adequate transportation facilities would be available "concurrent" with proposed development projects. The screen-lines relevant to this project would have v/c ratios less than the respective LOS standard and the addition of peak hour traffic generated by the proposal would meet the City's transportation concurrency requirements.

Parking

In conformance with the Land Use Code each of the proposed retail spaces is exempt from parking requirements. Parking will be provided on site for the residential uses in conformity with the Land Use Code. No further mitigation under SEPA authority is warranted.

DECISION-STATE ENVIRONMENTAL POLICY ACT

The proposed action is **APPROVED WITH CONDITIONS.**

CONDITIONS – SEPA

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. 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.

1. Unless modified in a Construction Impact Management Plan approved by DPD prior to the issuance of a construction permit, the applicant shall be required to limit periods of all construction to between the hours of 7:00 a.m. and 6:00 p.m. on non-holiday weekdays and between 9:00 a.m. and 6:00 p.m. on non-holiday Saturdays. The no-work holidays are the following: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. The following holidays in the City of Seattle calendar shall be treated as regular weekdays, should the contractor choose to perform construction-related activities on these days: Martin Luther King, Jr. Birthday, Presidents' Day, and Veteran's Day. Activities which will not generate sound audible at the property line such as work within enclosed areas, or which do not generate even moderate levels of sound, such as office or security functions, are not subject to this restriction.

Prior to Issuance of Any Certificate of Occupancy for Either of the Proposed Structures

2. Construction of the two public stair/pedestrian pathways in the SW City View Street and SW Porter Way rights-of-way, as well as improvements in the 30th Avenue SW and Harbor Avenue SW rights-of-way immediately adjacent the development sites shall be completed and have SDOT inspection and sign-off.

NON-APPEALABLE CONDITIONS-DESIGN REVIEW

Prior to Issuance of Certificate of Occupancy

3. Construct a building with siting, materials and architectural details substantially the same as those presented at the September 14, 2006, Design Review Board meeting and as may have been revised per recommended conditions of the Board at that meeting and with subsequent DPD staff approval.

Signature: (signature on file)
Michael Dorcy, Senior Land Use Planner
Department of Planning and Development

Date: December 21, 2006