



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**

<b>Application Number:</b>	3003432
<b>Applicant Name:</b>	Sam Cameron, Streeter Architects for CADA, Developer
<b>Address:</b>	1700 South Jackson Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application for a four-story building containing 1,900 sq. ft. of Administrative office, 6,100 sq. ft. of retail space at ground level with 60 residential (formerly 68) and three live-work units. Parking for 78 (formerly 77) vehicles to be within the structure and below grade.

The following approvals are required:

**Design Review** - Chapter 23.41 Seattle Municipal Code (SMC). Design Departures are requested from the following Code sections: SMC 23.47.024.A (residential open space), SMC 23.47.008.D (residential lot coverage), SMC 23.54.030.D (driveway width), SMC 23.54.030.G (sight triangles), SMC 23.47.008.C.2 (height of non-residential space at street level), and SMC 23.47.008.B (depth of street level non-residential space).

**SEPA - Environmental Determination** - Chapter 25.05 SMC

**SEPA DETERMINATION:**       Exempt     DNS     MDNS     EIS

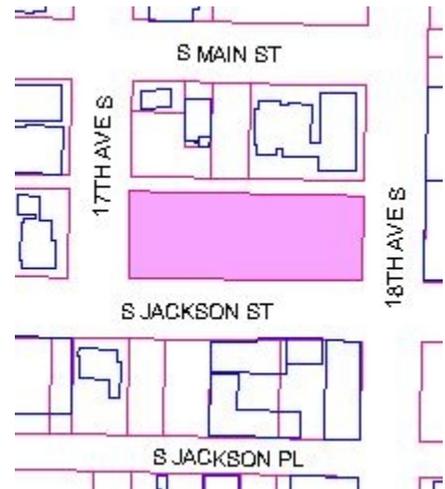
DNS with conditions

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

## **PROJECT AND SITE DESCRIPTION**

The project proposes a six story mixed-use structure with 60 residential units, three live-work units, 6,100 square feet of retail space, 1,900 square feet of administrative office, 350 square feet of community conference room, and approximately 79 parking spaces on a half-block site bordered by 17<sup>th</sup> and 18<sup>th</sup> Avenues South, South Jackson Street, and an east to west alley extending between 17<sup>th</sup> and 18<sup>th</sup> Avenues South.

The development proposes to place the storefront commercial spaces along South Jackson Street and the live-work units facing 17<sup>th</sup> Avenue South. Residential units and entries would front 18<sup>th</sup> Avenue and the alley. Parking access will be from the alley off of 17<sup>th</sup> Avenue South.



The project site is approximately 24,045 square feet in area with approximately 256 feet of frontage on South Jackson Street and approximately 92 feet of frontage on both 17<sup>th</sup> and 18<sup>th</sup> Avenues South. The site slopes downhill to the west from 18<sup>th</sup> Avenue South approximately 17 feet and from the alley to South Jackson Street approximately 7 feet. The greatest amount of slope is on the site's western half, resulting in the alley rising approximately 20 feet from 17<sup>th</sup> Avenue South to two-thirds across the site and then dropping approximately 2 feet to its intersection with 18<sup>th</sup> Avenue South.

The zoning is Neighborhood Commercial 3 with a forty-foot height limit (NC 3-40).

The surrounding zoning and land uses are as follows: On the north and south sides of South Jackson Street from 18<sup>th</sup> Avenue South westward and the south side of this street between 18<sup>th</sup> and 19<sup>th</sup> Avenue the zoning is also NC3-40. Land uses are a mixture of office, commercial and light industrial uses. To the east on the north side of South Jackson Street and on the south side, both extending to 23<sup>rd</sup> Avenue South, the zoning is Commercial 1 with a 65 foot height limit (C1-65). The land uses are a mixture of commercial uses, such as Gai's / Franz Bakery complex but also include the Pratt Institute of Fine Arts, the Seattle Vocational Institute, Washington Middle School, and, across 18<sup>th</sup> Avenue, the former Wonder Bread Bakery, which is currently in the Master Use Permit (MUP) and Design Review processes for a seven-story mixed use structure (MUP 2408988). To the north of the proposal site the zoning is Lowrise 3 (L3) and contains a variety of uses. Directly across the alley are older single-family structures and the Konko Church. Beyond these are Pratt Park to the northeast, Buddhist Park to the northwest and elsewhere a mixture of residential structures extending north to South Yesler Street.

## **ANALYSIS - DESIGN REVIEW**

### **DESIGN GUIDELINE PRIORITIES, EARLY DESIGN GUIDANCE MEETING OF DECEMBER 7, 2005 AND COMMENTS AND RECOMMENDATIONS FROM THE JUNE 21, 2006 RECOMMENDATION MEETING.**

The EDG Guidance is included below in *Italics*. The Board's June 21, 2006 Recommendation Meeting comments on the applicant's design response to this guidance follow this.

#### **A. Site Planning**

**A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.**

*The site has constraints and offers opportunities to which the building should respond:*

- 1. The lot is substantially longer than deep (252 feet along South Jackson Street and the alley and 92 feet deep). The long frontage is on a main arterial connecting downtown Seattle/ Pioneer Square and the Central District in a walkable neighborhood.*
- 2. South Jackson Street has a wide street width but narrow sidewalk area. A required two-foot building setback will increase the sidewalk width.*
  - a. The street level façade design, courtyard, and individual commercial entries should also assist in creating a more spacious and engaging pedestrian environment by including an entry courtyard off of Jackson Street and multiple smaller commercial entries with frequent entries.*

#### **Recommendation**

The proposed central courtyard and multiple commercial entries respond to this guidance.

A *design departure* request for a reduction in the required 30 foot average depth of the street level non-residential spaces was made due to the relatively shallow lot depth (relative to its length), 60 foot depth needed for below grade parking, and combined alley and sidewalk dedications. The Board reviewed this request and determined the 28 foot 10 inch average depth was unavoidable given these constraints and that the proposed commercial spaces meet the intent of the Code and previous guidance. The Board therefore ***recommended approval*** of this request.

- 3. Substantial slopes east to west and north to south.*
  - This requires a thoughtful approach to how the proposed residential units on both 18<sup>th</sup> Avenue South and the alley interact with each ROW.*

### Recommendation

The 18<sup>th</sup> Avenue residential spaces are close enough to the sidewalk level to minimize blank walls but create building to ROW interaction. The proposed residential decks, alley oriented central residential entry and accompanying landscaping, all close to the alley grade for almost three-fourths of the alley length responds to this guidance.

4. *Adjacency to Pratt Park.*

- *If residential use of the park is encouraged in lieu of some on-site open space, legible and convenient access points to the park should be provided.*

### Recommendation

Two residential entries are provided, one at the center of the building and one toward the northeast corner. This will provide convenient access to Pratt Park without the need to exit on to Jackson Street and the commercial area. The proposed pedestrian oriented character of the building's alley façade will support the use of these entries as more than "emergency" egress ways.

5. *Full southern exposure due to an orientation and position on the down-sloping south and west property boundaries.*

- *The commercial and residential units and open spaces should take advantage of the consequent light and view opportunities.*

### Recommendation

Both the commercial and residential spaces have extensive glazing for light penetration and views.

6. *The slope along South Jackson Street will be a challenge for designing commercial spaces and entries that engage and interact with the pedestrian realm.*

### Recommendation

The six proposed commercial spaces have been artfully stepped and modulated along Jackson Street. Two of the commercial spaces open onto the central plaza. This arrangement along with the extensive glazing, generous six-foot commercial door systems, and canopies meets this guidance.

**A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.**

*The Lowrise 3 zone to the north across the alley requires the proposed building's north façade be carefully designed to respect the privacy and scale of the L-3's current and future residential uses, and continued church use, of this area. Because the difference in the allowed heights between both zones is approximately 10 feet, this should be possible with thoughtful design.*

*The proposed residential units along the alley on all levels and the required minimum 15-foot set-back above 13 feet are opportunities to soften the transition between a commercial and residential zone. However, the required upper level set-back is only seven-feet because one-half of the alley width of 16 feet may be counted as part of the required set-back. Consequently:*

- *The minimum seven-foot set-back should assist in making a good transition across the alley. The design for the north façade and open areas should respect the privacy of spaces on either side and, at the same time, create a connection between the residential units.*
- *The alley should be treated as a subordinate, but important, public access for both zones and sides of the alley. The design should explore the provision of landscaping outside of individual units visible from the alley and pedestrian level lighting of the building and alley to support this.*
- *Explore providing open space in the building set-back and on individual unit balconies above, to achieve the above good transition.*

### Recommendation

The design of the alley façade includes a building set-back greater than seven feet, at-grade landscaped open space areas between the alley facing units and the alley, a landscaped courtyard entry with winding entry path leading to the main residential entry, and a well modulated façade that includes obliquely placed window bays. The windows are oriented toward views of the downtown skyline but will also direct sightlines from the upper story units away from a direct orientation to the residential lots to the north. Only two balconies have been provided, for sixth level units. However, a roof top open space is provided at the northwest corner. The alley design supportive of pedestrian use discussed previously and the above building design will therefore create the desired transition to the L-3 residential zone.

### **A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.**

*The applicant presented the option of a design departure for a reduction in the required on-site open space because of the proximity of Pratt Park across 18<sup>th</sup> Avenue South. They feel that Pratt Park will more likely be used than on-site open space and that this usage should be encouraged for public safety and neighborhood resident meeting opportunities.*

*However, the proposed singular and centralized residential entry on South Jackson Street results in an approximately 120 foot one-half block distance that tenants would be required to travel within the building and then again out side of it in addition to the distance up 18<sup>th</sup> Avenue South to the park to reach the park; this will be inconvenient and likely discourage park usage.*

- *To support park usage and facilitate access, the project design must then create a successful connection(s) between the residential units on site and the park and should show egress / access entries that achieve this.*

### Recommendation

The on-site open space areas provide a well designed and usable variety of open space opportunities for residents and tenants. An inviting landscaped residential entry has been included from the third level to the alley; an additional stairwell reaching all levels is located between this entry and 18<sup>th</sup> Avenue. These entry points and the pedestrian oriented design of the alley façade will create a convenient connection between the site and Pratt Park to the northeast. Based on this design response, the four Board members unanimously **recommended approval** of the *design departure* request to reduce the quantity of open space.

### **B. Height, Bulk and Scale**

**B-1 Height, Bulk and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.**

*The design challenges for this site are to:*

- *Create appropriate scale along the alley and a good transition in height and bulk to the L-3 zone,*
- *Reduce the upper building bulk as perceived from South Jackson Street.*

*Consequently, the project design should break up the building into smaller masses.*

### Recommendation

The project design creates a good transition between the denser NC zone and the adjacent L-3 zone through placement of only residential uses in four story height along most of the alley façade, modulation and articulation of the façade by the angled window bays, change of materials and color, varied fenestration and human scaled decks and open space areas.

Similarly, the building reduces the upper level bulk along Jackson Street by a stepped massing that varies between one, four, five and six stories, extensive modulation from the central courtyard, and differentiation of the commercial versus the residential uses along with fine detail articulation through changes in material and color.

The *design departure* request to exceed the residential lot coverage was presented as necessary to achieve the high degree of modulation and staggered building massing. A *design departure* request to allow partial reduced floor to floor heights in commercial spaces two and four, and an overall reduction to 11 feet for commercial Space 5 is necessary due to the inclined topography of the site along Jackson Street. In response, the Board looked at the building massing as it responded to the previous guidance and felt that this request allows the project design to better meet that guidance. Consequently, the Board **recommends approval** of this *departure* request.

### **C. Architectural Elements and Materials**

**C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its façade walls.**

*The varied characters of the site's different frontages (residential on 18<sup>th</sup>, live-work on 17<sup>th</sup>, commercial on South Jackson Street and residential along the alley) require different street / alley level design responses, but all on one proposed building mass. The design should successfully weave together these responses.*

- *The alley façade should be treated as a residential area, not solely a service or vehicle area, and the transition between the alley façade and the L-3 zone should be integrated into the overall architectural concept.*

#### **Recommendation**

All façade designs, as analyzed above in this document, respond to this guidance.

**C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.**

*The choice and quality of the finish materials and colors are an important part of achieving architectural concept and consistency. Proposed material and color boards should be provided to the planner after MUP submittal and will be required at the next design meeting.*

### Recommendation

The Board is very supportive of the choice of finish materials, with the exception of the vinyl siding. There was extensive discussion about the use of this material, centered mainly on the deleterious visual affect it will have on the project design in contrast to the otherwise high quality materials and form. Consequently, the Board **recommends approval** of the project design with the use **Condition** that vinyl siding is not used.

### D. Pedestrian Environment

**D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.**

*The design of the alley façade by 17<sup>th</sup> Avenue South, because of the grade change, should include windows or door openings or wall articulation and landscaping.*

### Recommendation

The design proposes a two story high blank concrete wall along the alley at the intersection of the alley and 17<sup>th</sup> Avenue. Although it will be interrupted by the 16 foot garage opening, the wall will be visible from the sidewalk. The Board consequently **recommends approval** with the **Condition** that reveals, patterning, and / or the use of scoring or staining is included to achieve the guidance.

**D-5 Visual Impacts of Parking Structures. The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.**

*A possible departure request is to locate the garage opening on 17<sup>th</sup> Avenue South and not the alley. For this request to be considered, placement of the opening on the alley must be shown to have un-resolvable design consequences and show how its location on the street will be minimized.*

### Recommendation

The location of the parking entrances on the alley will only be possible with the reduction of the entrance widths from the required 22 feet to 16 feet, and continues the previously requested design departure.

The Board is supportive of the alley location and the reduction in entrance width that will make this location possible, based on the apparent feasibility of the turning and maneuvering areas presented. The Board also discussed the *departure* request from the dimensional requirements for sight triangles. Based on the substantially conforming site triangle area provided, and the addition of mirrors and signals, the Board also supports this request. Consequently, the Board **recommends approval** of these two *departure* requests.

**SUMMARY OF DEPARTURE REQUESTS**

<b>Land Use Code Standard</b>	<b>Proposed Amount of Departure</b>	<b>Rationale for Request</b>	<b>Board Recommendation</b>
<p><b>Residential Open Space</b> amounting to 20 percent of the structures gross floor area in residential use (SMC 23.47.024.A), or 11,233 SF for an expected residential gross floor area of approximately 56,163 SF.</p>	<p>Provide 8,277 SF for a 26 percent reduction of 2,956 SF.</p>	<p>The location of Pratt Park diagonally across 18<sup>th</sup> Avenue South will make provision of the Code required amount of open space redundant, since the park can provide a variety of passive and active recreational opportunities that would be difficult to replicate on site. Additionally, resident and tenant park use would support an around the clock presence to assist in reducing crime in the park. Open space will be provided in the entry courtyard facing South Jackson Street, Level 3 roof decks facing South Jackson Street, Level 5 and 6 roof decks, and the alley.</p>	<p>The Board <i>recommends approval</i> of this request. (Guidelines A-5, A-7)</p>
<p><b>Residential Lot Coverage.</b> SMC 23.47.008.D limits residential lot coverage to 64 percent of lot area. 15,389 SF is allowed.</p>	<p>Proposing 16,106 square feet, or 67 percent.</p>	<p>The site slope requires retail ceiling protrusion into the portions of the residential area above. An increase in lot coverage on these floors is necessary to provide for workable residential room sizes.</p>	<p>The increased residential lot coverage makes possible the extensive stepping and modulation of the upper building mass. Consequently, the Board <i>recommends approval</i> of this request. (Guidelines A-1, B-1, C-2)</p>
<p><b>Width of Two-Way Garage Opening.</b> SMC 23.54.030.D.2. The minimum width for two-way non-residential driveways shall be 22 feet and 20 feet for residential driveways.</p>	<p>Reduce the opening to 16 feet.</p>	<p>The reduction in width is necessary to accommodate alley access given the alley slope.</p>	<p>The Board <i>recommends approval</i> of this request. (Guideline D-5)</p>
<p><b>Sight Triangles.</b> SMC 23.54.030.G. Requires a 10 by 10 foot site triangle on each side for two-way driveways less than 22 feet in width.</p>	<p>Provide 10 foot site triangles at both openings but allow a reduction in area (along the hypotenuse) at the entry to Level 1 and exit from Level 2.</p>	<p>The placement of the required exit stairs along with the two-foot alley dedication in-between the two garage openings results in a small protrusion into the long sides of the two triangles. The full side lengths of the uninterrupted triangles would be 6 feet. In lieu of the full sized triangles the project will include exit mirrors and either audible or visible signals.</p>	<p>The Board <i>recommends approval</i> of this request. (Guideline D-5)</p>

<p><b>Floor to Floor Height of Ground Level Spaces in Mixed-Use Buildings.</b> SMC 23.47.008.C.2 requires 13-foot floor to floor heights.</p>	<p>Reduce the floor to floor height a small amount in the rear of commercial Space Two to 12 feet 8 inches, Space Four to 9 feet 2 inches, and the entirety of Space Five to 11 feet.</p>	<p>The site topography impacts and stepping of the building floor plates prevent the full 13 foot height. The majority of Space Two will have a 22 foot height. The portion of the lower height in Space 4 is only 8 feet in depth. The reduction for Space 5 will allow it to have direct access to the sidewalk; otherwise only access from inside the building would be possible.</p>	<p>The Board <b>recommends approval</b> of this request. (Guideline A-1)</p>
<p><b>Depth of Street Level Non-Residential Use.</b> SMC 23.47.008.B requires a minimum 30 foot depth, which can be averaged, but with no depth less than 15 feet. Live-work units are a non-residential use but not required on 17<sup>th</sup> Avenue per SMC 23.47.008.B.4.</p>	<p>Provide a 29 foot 6 inch depth for commercial Spaces 1 through 3, a 19 foot 8 inch depth for the western 10 feet of Space 6 with the remainder at 30 feet, and a 30 foot depth for Spaces 4 and 5. This results in a 28.88 foot average for commercial Spaces 1 through 6.</p>	<p>The shallow depth of the lot (92 feet) relative to its width (256 feet), a two foot alley dedication and one and one-half foot Jackson Street sidewalk dedication along with the 60 feet depth needed for parking leave less than 30 feet for the street front non-residential spaces.</p>	<p>Based on the high quality of the non-residential spaces and their interaction with the street and courtyard the Board <b>recommends approval</b> of this request. (Guideline A-1)</p>

**Summary of Board Deliberations on the Departure Requests and Final Recommendation**

The four attending members of the Design Review Board ***Unanimously Recommended*** granting the departure requests discussed above. The Board ***Unanimously Recommended Approval of the presented project design*** with the following *Conditions*:

1. Do not use vinyl siding material. Metal or “Hardi-plank” type of material should be used (Guideline C-4).
2. Add reveals, patterning, and / or scoring or staining to the concrete base along the alley between 17<sup>th</sup> Avenue and where it meets alley grade (Guideline D-2).

**DIRECTOR’S ANALYSIS AND DECISION – DESIGN REVIEW**

The Director of DPD has reviewed the ***Unanimous Recommendations*** of the four Design Board members present at the final Design Review recommendation meeting and finds that the Board acted within its authority and the Board’s recommendations are consistent with the *City of Seattle Design Review: Guidelines for Downtown Development*.

Therefore, the proposed design and departures are **APPROVED** as presented at the June 21, 2006 Design Review Board meeting (subject to the above *Conditions* and found at the end of this decision).

## ANALYSIS - SEPA

The initial disclosure of the potential impacts of this project was made in the environmental checklist submitted by the applicant dated January 24, 2006 and annotated by the Department. The information in the checklist, supporting documents, project plans, and the experience of the lead agency with review of similar projects forms the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) 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 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 certain limitations or circumstances mitigation can be considered (SMC 25.05.665 D 1-7). Thus, a more detailed discussion of some of the impacts is appropriate.

### Short-term Construction Impacts

Demolition and construction activities could result in the following temporary or construction-related adverse impacts:

- Erosion from excavation and storm water impacts from site de-watering,
- Increased demand for parking from construction equipment and personnel,
- Increased noise levels,
- Disruption of adjacent vehicular and pedestrian traffic,
- Decreased air quality due to suspended particulates (construction dust) from excavation and construction and hydrocarbon emissions from construction vehicles and equipment.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts: The Stormwater Grading and Drainage Control Code, the Noise Ordinance, the Street Use Ordinance, and the air pollution standards of the Puget Sound Clean Air Agency (PSCAA). The Stormwater, Grading and Drainage Control Code regulates site excavation and shoring for foundation purposes, requires that soil erosion control techniques be initiated for the duration of construction, and regulates the capture and treatment of on-site ground and storm water. The Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. The Street Use Ordinance regulates use of the right of way for temporary construction purposes and regulates obstruction of the pedestrian right-of-way. The Puget Sound Clean Air Agency regulations require control of fugitive dust and construction machinery emissions in order to protect air quality. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, some impacts may not be entirely mitigated by existing codes and ordinances, such as construction noise and increased construction personal parking demand, and therefore warrant further analysis.

### Noise

To the north and extending to the northeast and northwest is a residential neighborhood. Due to the proximity of these residential dwellings, further **Conditioning** is required to address noise impacts during construction. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. (minor work between the hours of 7 and 7:30 may be allowed with the submittal and approval of a noise mitigation plan that would then be posted on the site perimeter, both street and alley sides, for public view). In addition, only low noise impact work such as that listed below shall be permitted on Saturdays from 9:00 a.m. to 6:00 p.m. and on Sundays from 10:00 a.m. to 6:00 p.m.:

1. Surveying and layout;
2. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule, thus the duration of associated noise impacts. DPD recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction time frame if conducted during these hours. To this end, the hours may be extended and/or specific types of construction activities may be permitted on a case-by-case basis by approval of the Land Use Planner prior to each occurrence. Periodic monitoring of work activity and noise levels may be conducted by DPD Construction Inspections.

As **Conditioned**, noise impacts to nearby residential uses are considered adequately mitigated.

### Parking

Construction of the project is proposed to last for several months. Due to the limitations of on-street parking north of Jackson Street, parking impacts from construction are likely. Demand for parking by construction workers during construction is likely to exacerbate the demand for on-street parking and result in an adverse impact on surrounding residential properties. However, once the parking garage phase is completed it is anticipated that some workers will be able to park on-site and for the remaining duration of construction activity. To mitigate the anticipated parking impact the project is **Conditioned** as follows:

- The owner and/or responsible party along with the general contractor shall direct the expected construction personnel (employees and subcontractor employees) to park along South Jackson Street and/or the perimeter of the project site and not to the north in the residential neighborhood. The general contractor shall notify all sub-contractors of this requirement and also post this requirement on the site perimeter (street and alley sides) for public view.

### Transportation

Truck traffic for hauling excavation materials and deliveries of new materials will be necessary during construction. Anticipated impacts from this traffic are short-term impacts to traffic flow and circulation. Consequently a truck routing and transportation plan will be required. A truck routing plan shall be submitted by the project contractor and approved by SDOT prior to issuance of the building permit. Wheel washing capability shall be available at the site during the excavation phase of the project to be used as necessary before trucks leave the loading site. To mitigate anticipated construction transportation impacts the project is **Conditioned** as follows:

- The owner, responsible party, or general contractor shall submit construction phase transportation / parking plan to SDOT, with a copy to the project planner, for review and approval before issuance of project building permits. Following approval of the plan, the plan requirements shall be posted at the construction site (street and alley sides) for public view for the duration of construction activity.

### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased demand for public services and utilities; increased height, bulk, and scale on the site; and increased area traffic and demand for parking. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use, parking requirements, shielding of light and glare reduction, and contains other development and use regulations to assure compatible development.

### Height, Bulk, and Scale

The City's SEPA Height, Bulk and Scale Policy states that "*(a) project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated.*" The discussion above in the Design Review portion of this decision regarding the Director's Design Review decision indicates that there are no significant height, bulk and scale impacts as contemplated within this SEPA policy. Since the Design Review Board recommended approval of this project with conditions, and the Director agrees, no mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

### Traffic, Transportation and Parking

The project will create 60 new dwelling units, three live-work units and approximately 8,000 square feet of commercial space. An analysis of the expected trip generation and distribution of project traffic was conducted by the applicant's transportation consultants, Mirai, dated May 26, 2006, and submitted to DPD. The report used data for these types of uses by Institute for Transportation Engineers (ITE) and analyzed a project of the above description. That report

estimated that the project would generate an average of 726 weekday vehicular trips, with 62 of those trips occurring during the PM peak hour. Because traffic on adjacent streets is greatest during the PM peak hour, the impacts from the project would be greatest during the PM peak hour. However, this report did not include a PM peak hour operational analysis for the intersection of South Jackson Street / 17<sup>th</sup> Avenue and South Jackson Street / Rainier Avenue South / Boren Avenue / 14<sup>th</sup> Avenue, a likely peak parking demand from the project, or a transportation concurrency analysis. Consequently, DPD's transportation planner requested a more detailed Traffic Impact Analysis.

A Traffic Impact Analysis by Mirai, dated August 8, 2006, was submitted in response to this request. The report concluded: 1) the South Jackson Street / Rainier Avenue South / Boren Avenue / 14<sup>th</sup> Avenue intersection, which currently operates at level of service (LOS) F will continue to operate at the same LOS in 2009 (the expected year of project occupancy) with or without the project; 2) the South Jackson Street / 17<sup>th</sup> Avenue intersection is expected to operate at LOS B for the southbound approach and LOS A for the other approaches in 2009 with the project; the proposed 79 parking stalls (63 for the 60 residential units, 3 for the 3 live-work units, and 16 for the commercial spaces) will not only meet the City's , adjusted minimum parking requirements of 74 spaces but also the expected parking demand in this area with the capacity for high pedestrian activity and transit use. Additionally, there is ample on-street parking to accommodate and potential excess parking demand; and 3) the expected P.M. directional traffic volumes at the designated arterial screen-lines appropriate for project impact analysis will continue to have sufficient capacity following the addition of anticipated project generated trips.

This additional information was reviewed by DPD's transportation planner and, based on this information, no SEPA mitigation for project traffic or parking impacts is warranted.

### **DECISION - STATE ENVIRONMENTAL POLICY ACT**

This decision was made after review by the responsible official on behalf of the lead agency of completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030.2C.
  
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

## **DESIGN REVIEW CONDITIONS**

### *Non-Appealable Design Review Conditions*

1. Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval by the Land Use Planner (Art Pederson, 733-9074). Any proposed changes to the design of improvements in the public right-of-way must be submitted to DPD, SDOT, or SPU for review and final approval.
2. The building constructed shall comply with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and SDOT ROW and SPU required utility improvements). This shall be verified by the DPD planner assigned to this project (Art Pederson, 733-9074), or by the Design Review Manager, before the issuance of the Certificate of Occupancy. An appointment with the assigned Land Use Planner must be made at least three working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
3. Embed all conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.
4. Call out all departures on relevant updated MUP plan sheets and building permit plan sheets.

### *Prior to Issuance of the MUP Permit*

5. Insert final revised plan sheets as reviewed and approved by the project planner.

### *Prior to Issuance of the Building Permit*

6. The design shown in the building permit plans must be reviewed and approved by the project planner to verify conformance with the approved MUP design. The building constructed shall comply with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and SDOT ROW and SPU required utility improvements).

### *Prior to Issuance of the Certificate of Occupancy*

7. On-site verification of conformance with the approved building and site design as shown in the building permit plans and conforming to the approved MUP design, or subsequently revised and approved by the DPD planner assigned to this project (Art Pederson, 733-9074), or by the Design Review Manager, shall occur before issuance of the *Certificate of Occupancy*. An appointment with the assigned Land Use Planner must be made at least three working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

Appealable Design Review Conditions

Prior to Issuance of the MUP Permit

8. Update the MUP plans to remove references to vinyl siding and replace with metal, “Hardi-plank” or other material (approved in advance by the project planner).
9. Include either reveals, patterning, and / or the use of scoring or staining on the concrete alley wall between 17<sup>th</sup> Avenue and the point where the wall meet alley grade to the east in order to create a visually interesting wall.

**CONDITIONS – SEPA**

Prior to Issuance of Construction Permit

10. The owner, responsible party, or general contractor shall submit construction phase transportation / parking plan to SDOT, with a copy to the project planner, for review and approval before issuance of project building permits. Following approval of the plan, the plan requirements shall be posted at the construction site (street and alley sides) for public view for the duration of construction activity.

During Construction

11. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. (minor work between the hours of 7 and 7:30 may be allowed with the submittal and approval of a noise mitigation plan that would then be posted on site for public view). In addition, only low noise impact work such as that listed below shall be permitted on Saturdays from 9:00 a.m. to 6:00 p.m. and on Sundays from 10:00 a.m. to 6:00 p.m.:

- Surveying and layout;
- Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. DPD recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction time frame if conducted during these hours. Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case-by-case basis by approval of the Land Use Planner prior to each occurrence. Periodic monitoring of work activity and noise levels will be conducted by DPD Construction Inspections.

12. The owner and/or responsible party along with the general contractor shall direct the construction personnel (employees and subcontractor employees) to park along South Jackson Street and/or the perimeter of the project site and not to the north in the residential neighborhood. The general contractor shall notify all sub-contractors of this requirement and also post this requirement on the site perimeter (street and alley sides) for employee and public view.

Signature:           (signature on file)            
Art Pederson, Land Use Planner  
Department of Planning and Development

Date: November 16, 2006