



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane Sugimura, Director

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

Application Number: 3003455
Address: 6801 Greenwood Avenue North
Applicant Name Chris Snell for of the Snell Partnership

SUMMARY OF PROPOSED ACTION

Land Use Application to establish use for future construction of a four-story building containing 4,404 sq. ft. of retail at ground level and 51 residential units above. Parking for 73 vehicles to be provided in a partially above and partially below grade garage. Project includes 12,000 cubic yards of grading. Existing structures to be removed.

The following approvals are required:

Design Review – Chapter 23.41, Seattle Municipal Code (SMC).

SEPA – Environmental Determination pursuant to Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: Exempt DNS EIS
 DNS with conditions
 DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity

The proposal site is made up of six currently recognized parcels on the west side of Greenwood Ave. N. The southernmost of these parcels is improved with a wood frame, one-story building in commercial use addressed as 6725 Greenwood Ave. N. The largest parcel, addressed as 6803 Greenwood Ave. N. contains a large, one story building used as an auto repair, body shop. There is included on the parcel north of the auto body building a small wood frame building in commercial use and a surface parking lot. There are no existing residential units on the proposal site.

Across Greenwood Ave. N. from the proposal site, at a point just south of the midpoint is the intersection of N. 68th St. and Greenwood Ave. N. Greenwood Ave. N. follows the top of a ridge in this area with topography falling off to the west and to the east. Neighborhood Commercial Two (NC-2) zoning with 40 foot height limits is present on both sides of Greenwood present in this area at a half block depth. Zoning and use on the “other half” of these blocks is single family and, because Greenwood Ave N. follows the ridge line, they are at lower elevation.

At the north end of the block on which the subject site is located is a church on an “L” shaped site which occupies the full width of the block and wraps behind the proposal site with its education wing. “Behind” or west of the proposal site are the rear yards of five single family houses and a day care occupying the church education wing, all at elevations two to six feet below that of the subject site.

Proposal Description

The proposed project is a mixed use, residential and commercial building on the west side of Greenwood Ave. N. in the Phinney neighborhood of Seattle. The four story building would have 51 residential units, 4,404 sq. feet of street level retail and parking for 73 vehicles within the structure. A model of proposed structure was presented at the Design review Board meeting.

Along Greenwood Ave. N., commercial uses, a driveway and a residential entry are proposed. To the west the parking garage is below grade. The partially subterranean garage itself would be held back from the property line at a distance of approximately five (5) feet allowing trees to be planted. Above the garage structure building elements would be held back at varying distances, depending on modulation schemes adopted for the building. Distances of this western setback as shown at the meeting have an 18 foot average across the building with a ten foot minimum. A cross section drawing was shown of a typical condition across the west property line. It shows a new fence inside and up hill from an existing retaining wall and fence. Low trees and shrubs mixed with evergreen trees are planted in the open area between the proposed building and the property line.

DESIGN REVIEW BOARD – DESIGN PRIORITIES

First DRB Meeting – January 12, 2006

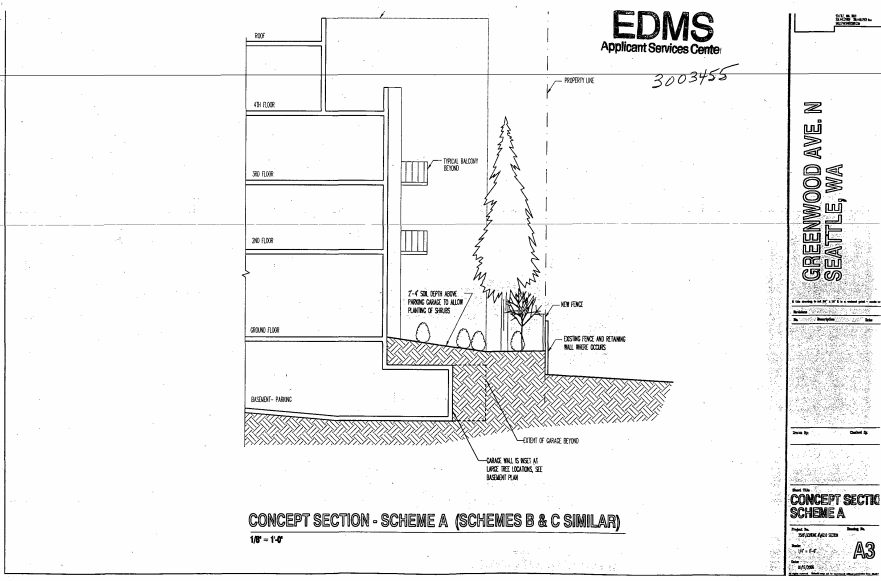
The purpose of this meeting was to receive community input, obtain approval of the general layout, and determine a preferred development option.

Public Comment

Many public comments were received. There was concern about the proposal on the part of nearby residents. This concern is especially acute on the part of those in single family houses immediately adjacent to the west of the proposal site and by the owner and professional workers in the single story, wood frame building immediately to the north.



As stated in public design review and in writing, many citizens would like an entire story removed from the three story proposal. It was stated that if this cannot happen, a top floor stepback of the top story along the entire western façade is desired. An effective use of landscaping to the west would also be important. Pictures of two recently constructed mixed use buildings near by, the Ridgemont and the Roycraft, were shown and described as a negative addition to the community. It was commented that commercial spaces in these new buildings do not get rented.



Another commenter stated that there is a need for non-residential uses along Greenwood Ave. N. and that the vacancy rate comes down over time. Still another commenter endorsed the concept of retail uses on Greenwood Ave. N. It was stated that asymmetrical building massing would help to break down the appearance of bulk and scale. It was stated that the building would look tall from across the street to the east as well. Concern over privacy in the single family yards and homes to the west was expressed with a request that there not be balconies or open spaces with gathering areas in that direction. Many persons lamented in general the juxtaposition of NC2 zoning along Greenwood Ave. N. with SF zoning immediately adjacent and downhill.

PRIORITIES:

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. The recommendations made were agreed to by all of the Board members present, unless otherwise noted. While the notes below indicate the area the Board found most important, all of the Guidelines for Multifamily and Commercial Buildings continue to have application.

General Discussion

Of the three bulking schemes presented, Scheme A was preferred in its approach to fourth floor setbacks from the west. The Board felt the top floor as viewed from ground level from the west should "disappear" as much as possible. Setbacks of the top floor should average 32 feet from the west property line. Lot coverage for the fourth floor should not exceed 64%. A departure for increased lot coverage on floors two and three would be entertained by the Board for a scheme with increased setbacks on the fourth floor.

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.

Discussion

In relation to this guideline, the Board discussed:

- Setbacks and modulation of the west façade, similar to those shown in Scheme A:
 - A suggested depth for these setbacks was 10 feet minimum and an average 18 feet across the west façade.
 - No cornice line or other heavy expression of the top edge of the building should be incorporated on the west side.

- Whether building setbacks at the fourth floor would be necessary on the north or south sides of the proposal:
 - The Board opted not to incorporate this into the priority guidelines.
- The Board did not think additional setback of the fourth floor from those below it is necessary on the eastern façade.
- Landscaping elements along the west property line should be used as screening and buffering for properties immediately to the west.
- In order for this to be viably accomplished it is necessary to preserve planting area and depth in the western lot area.
- Both above and below grade structures should be setback at least five feet from the west property line.
- Subterranean structures in building setbacks to the west and to the north and south must have a minimum of four feet of soil cover.

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-4 Human Activity - New Development should be sited and designed to encourage human activity on the street.

Discussion

The Board felt Greenwood Ave. N. is an important commercial street with long-term potential to be a vibrant pedestrian corridor. It enjoys good bus service and several mixed-use structures have been built in the area and more are likely.

Store front architecture with high levels of glass transparency and overhead weather protection over the sidewalk is called for.

Brick is used in many of the existing commercial buildings in the area and should be incorporated into the base of the building and also drawn upward to create vertical elements “well connected” to the base element.

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.

Discussion

Outdoor spaces and decks should be designed and located in a manner which is respectful of the privacy of the single family uses immediately west. These decks should not encourage large gatherings of people. Garage openings should be screened from surrounding properties and venting should be located in a manner to avoid both noise and air pollution onto surrounding properties.

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.

Discussion

Use of a single curbcut and driveway for vehicle access is greatly preferred.

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.

Discussion

Quality materials which have texture and color which is pleasant and attractive is important in this mixed-use building which will be viewed at the pedestrian level as well as at greater distance.

D-6 Screening of Dumpsters, Utilities and Service Areas - Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters can not be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

Discussion.

Trash dumpsters should be easily accessible to all tenants and to hauler vehicles. Recycling amenities should be similarly located. Provide dumpsters and locate with attention to personal security for users and isolation from surrounding properties.

D-7 Personal Safety and Security - Project design should consider opportunities for enhancing personal safety and security in the environment under review.

Discussion

Outdoor pedestrian areas need to be well-lit in a manner which also controls light trespass onto adjacent properties and glare as viewed from surrounding properties and sidewalks.

Departures

The Board expressed preliminary support for two departure requests.

1. Reduction of minimum rear yard setback from 15 feet to 10 feet in some areas as part of an extensive building modulation scheme wherein the average rear setback is at least 18 feet.
2. Increased lot coverage by residential uses on the second and third floors from 64% to 76% in conjunction with increased setbacks at the fourth floor level.

DESIGN REVIEW BOARD – RECOMMENDATION

Second DRB Meeting – May 8, 2006

On May 8, 2006 the Design Review Board convened for a Public Meeting regarding this Project to make a recommendation to the Director to approve, approve with conditions or deny the Project. At this meeting site, floor and elevation plans, landscape plans and a model of the proposed mixed-use building were presented.

PUBLIC COMMENT

Public comment received was largely from nearby neighbors of the proposal and focused largely on the height, bulk and scale aspect of the Project and the desire to protect the privacy of the single family residences on the west side to the greatest extent possible. Also, a desire to fully screen the western outlook from residential units with large evergreen trees was expressed. The proposed color scheme received positive comment, as did the design of the parking garage entrance. More overhead weather protection along the sidewalk was asked for as the proposed design had intermittent coverage. A public art Project underway was mentioned and it was suggested the applicants proposed art pieces on either side of the residential pedestrian entry should be coordinated with the neighborhood effort. A commenter reiterated a request at the EDG phase that there be a full fifteen feet of setback along all areas of the western façade and asked for more and large caliper trees in the western landscaping.

RECOMMENDATIONS:

After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, recommended conditions and departures, and reviewing the plans, drawings and model showing the proposed revisions, a quorum of the Design Review Board recommended **approval of the subject design and design departures** mentioned below as revised with the following **recommended conditions** (all recommendations were by all four members agreeing, unless otherwise indicated). The recommendations summarized below were based on the plans submitted at that meeting. Design, siting, or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans on file at DPD.

General Discussion

The Board agreed with public comment that the overhead weather protection measures along the Greenwood Ave. N. sidewalk should be effective. To this end the Board directed that the canopies along Greenwood Ave. N. be designed to be more continuous and in a form which in most areas extends at least six feet from the building. Canopies should continue to have a varied rhythm and relate to the modulation pattern of the building. Dark green is appropriate for the arched canopy with lighter shades for shed roof canopies.

Art pieces proposed at each side of the pedestrian entry point on Greenwood Ave. N. should be of a large enough scale to be compatible with the size of the building elements they are part of.

The Board suggested the implementation of the art elements be done in coordination with a community art Project disclosed in public comment. The Board directed that the applicants meet with the community art committee to discuss plans for art on the building and how it might be an extension of art elsewhere in the community.

The Board considered the extent of proposed landscaping on the western extent of the site in response to public comment suggesting it should be denser and exclusively evergreen. The Board directed that the landscape along the west extent of the proposal site continue to be varied, a mix of deciduous and evergreen trees and bushes, but, that it be intensified with additional trees added, especially in the north and southern extents of the rear setback area. At a minimum, six more trees, half evergreen and half deciduous, should be added. Trees planted should be at least 8 feet tall and 1/3 of the evergreen should be 12 feet tall at the time they are planted.

Along the south side the arborvitae proposed are a good screening solution and should be maintained.

On the outdoor western terrace one tree for each residential unit should be added.

Japanese Maples used through out the Project should be 2 to 3 inches in caliper.

The Board directs that the garage door should be a least 50% transparent.

The Board discussed the west façade at length, considering a reduction in the amount of steps of modulation and removal of gabled roof expressions. In the end it did not recommend either of these measures. Instead, the applicant is directed to take measures to simplify the western façade including a more basic use of colors to express a limited number of full height building elements. Siding changes too may be helpful in this effort as fewer changes would result in a more basic expression.

Garage exhaust fans are proposed to face south along the south façade. The Board directs that the fans be internal to the building at as great a distance as is practical from the property line and that no restaurant exhaust be directed out any side of the building. Any restaurant kitchen exhaust shall be routed to the roof level.

The Board Recommended Approval of the Following Departures:

- 1. Rear Setback:** The amount of rear setback is reduced to a minimum of 10 feet and an average of 18 feet.

Rationale: While a large setback from the west property line is desirable to implement height, bulk and scale and respect for adjacent site guidelines, an architecturally varied expression can accomplish this more attractively. Stepping the fourth story would require that floor area in the lower floors be maintained.

- 2. Increased Residential Lot Coverage on Levels Two and Three:** The amount of residential lot coverage on levels two and three is increased from 64% to approximately 75%.

Rationale: Increased floor area in residential use is favored on levels two and three in return for additional setback from the west of the fourth level to better meet height, bulk and scale and respect for adjacent site design guidelines.

- 3. Reduced Non-Residential Street Frontage and Depth:** The amount of street frontage at sidewalk level required to be in non-residential use (SMC 23.47.008) is reduced from 80% to 72.5% and the required minimum and average depth of the smaller space south of the residential entry is reduced.

Rationale: Approximately 9% of the street frontage at sidewalk level is a fitness center accessory to the residential uses which will have a lively outlook at the sidewalk similar in effect to non-residential uses.

- 4. Reduced Aisle Width for Commercial Parking Spaces:** The vehicle aisle width for the commercial parking spaces within the parking garage is reduced to 20 feet.

Rationale: The three commercial spaces to be provided can best be incorporated within the predominantly residential parking garage. That garage is kept to a minimum depth in order to provide full depth tree planting areas of five feet depth along the rear property line.

- 5. Reduce Percentage of Large Parking Stalls:** The amount of large parking stalls is reduced to 20% of the total provided.

Rationale: Reducing the number of large parking stalls better enables the provision of parking in configurations which better fit in the constrained parking garage, which, in turn, is designed to provide an increased opportunity to plant trees along the west property line.

- 6. Reduce Setback Between Fence and Retaining Wall:** The setback between a retaining wall along the west property line (0 to 2 feet in height) required in order to measure the height of the wooden fence height separately is reduced to a minimal measurable amount greater than zero.

Rationale: Provision of a strip of dirt between the wooden fence and the short retaining wall would be located in an area difficult to access and maintain and would be of limited, even negative, utility.

- 7. Replace Sight Triangle on Driveway Exit With Mirrors:** An unobstructed sight triangle where the driveway and sidewalk meet is not required and can be substituted with mirrors instead. As a condition of this departure the sidewalk in front of the garage entry shall have a texture and possibly a color different from the remainder of the sidewalk in front of the project.

Rationale: Provision of wall lines along the sidewalk on both sides of the driveway will present an attractive urban appearance.

Summary Matrix

Development Standard Departures

Request	Standard	Proposal	Rationale
Reduce required rear setback (SMC 23.47.014.B.4.b)	15'-0" setback at floors 2-4	Floors 2-3: 10'-0" minimum, 18'-0" average Floor 4: 23'-1" minimum, 32'-0" average Balconies and overhangs Project up to 4'-0" into the setback area.	Allows for significant modulation of west facade to break up the apparent building mass as perceived from properties west of the site.
Increase allowable lot coverage at floors 2-3 (SMC 23.47.008.D)	100% lot coverage at floor 1 64% lot coverage at floors 2-4	Floor 1: 74.3% lot coverage Floors 2-3: 74.3% lot coverage Floor 4: 59.9% lot coverage	1. Allows for landscaping at grade at west property line to improve privacy and aesthetic experience of property owners west of the site. 2. Allows for upper level setback at floor 4 to decrease visibility and impact of building mass on properties west of site.
Reduce required driveway width serving non-residential parking stalls (SMC 23.54.030.D.2.a.(2))	22 feet	20 feet at access to (3) small retail stalls at basement	1. Allows overall east-west dimension of basement garage to be minimized to maintain 5'-0" clear area between the west wall of the basement and the west property line, for support of major landscaping in this area. 2. The code required backup aisle for the (3) non-residential stalls at the basement is 20'-0". There is no functional reason for a driveway wider than the aisle it serves.
Reduce the percentage of non-residential parking stalls striped for large vehicles (SMC 23.54.030.B.2.a)	75%	40% (2 of 5 stalls)	Allows overall east-west dimension of basement garage to be minimized to maintain 5'-0" clear area between the west wall of the basement and the west property line, for support of major landscaping in this area.

Request	Standard	Proposal	Rationale
Reduce required non-residential use at street front facade (23.47.008.B.4)	80% of the length of the facade less 22' exemption for driveway access average depth 30', minimum depth 15'	72.5% including all retail 61.2% including all retail that exceeds 15' minimum depth Average depth of Retail #1 is 14'-5"; minimum depth is 11'-1". (Average depth of Retail #2 exceeds 30')	1. A fitness center accessory to the residential use occupies 92% of the facade. The fitness center has storefront windows identical to the retail spaces, and looks just like a commercial space from the street. If we count the fitness center as non-residential, we exceed 80% of the facade. 2. Increases the potential that the retail spaces will fill quickly and remain occupied.
Eliminate setback of fence from retaining wall at rear property line (west) (SMC 23.47.014.E)	3' from top of retaining wall, with landscaping in between	No setback	1. Landscaping between the fence and the retaining wall is difficult to access, monitor, and maintain; it is almost certain to look shabby. 2. The retaining wall varies in height to a maximum of about 2'. The combined height of the fence and retaining wall is considerably less than what's there now. 3. The fence is meant to improve privacy at the properties west of the site.
Provide mirrors in lieu of sight triangle at exit from garage (SMC 23.54.030.G)	10' x 10' sight triangle at exit lane	Convex mirrors suspended from canopy above parking entrance; lighting to enhance visibility	Mirrors are commonly used in lieu of sight triangles in the more urban parts of Seattle, where buildings are typically built to the property lines. Setting the building on the property line reinforces the existing desirable spatial characteristics of the right-of-way.

The Board Recommendation:

The Board recommended approval of the proposal and of the departures listed above with the following recommended conditions.

1. The high quality of materials and finely resolved architectural expression proposed at the May 8, 2006 meeting shall be incorporated, substantially as shown at that meeting, in the buildings as constructed.
2. The canopies along Greenwood Ave. N. should be redesigned to be more continuous and in a form which in most areas should extend at least six feet from the building. Canopies should continue to have a varied rhythm and relate to the modulation pattern of the building. Dark green is appropriate for the arched canopy with lighter shades for shed roof canopies.

3. Art pieces proposed at each side of the pedestrian entry point on Greenwood Ave. N. must be of a large enough scale to be compatible with the size of the building elements they are part of. The Board suggests the implementation of the art elements be done in coordination with a community art Project disclosed in public comment. The Board directs that the applicants meet with the community art committee to discuss plans for art on the building and how it might be an extension of art elsewhere in the community.
4. The landscape along the west extent of the proposal site continue to be varied, a mix of deciduous and evergreen trees and bushes, but, that it be intensified with additional trees added, especially in the north and southern extents of the rear setback area. At a minimum, six more trees, half evergreen and half deciduous, shall be added. Trees planted shall be at least 8 feet tall and 1/3 of the evergreen shall be 12 feet tall at the time they are planted. Japanese Maples used through out the Project shall be 2 to 3 inches in caliper.
5. Garage exhaust fans shall be internal to the building at as great a distance as is practical and no restaurant exhaust shall be directed out any side of the building. Any restaurant kitchen exhaust shall be routed to the roof level.
6. Along the south side the arborvitae proposed are a good screening solution and shall be maintained.
7. The sidewalk in front of the garage entry shall have a different texture and possibly a different color from the remainder of the sidewalk in front of the Project.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

The Director has analyzed the Board's recommendations pursuant to SMC 23.41.014.F.3. Based on the rationale provided in the foregoing discussion and review matrix, the Director agrees with the findings and recommendations of the Board concerning the project.

DECISION – DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED.**

ANALYSIS – STATE ENVIRONMENTAL POLICY ACT (SEPA)

The Seattle SEPA Ordinance provides substantive authority to require mitigation of adverse impacts resulting from a proposed Project (SMC 25.05.655 and 25.06.660). Mitigation, when required, must be related to specific environmental impacts identified in an environmental document and may be imposed to the extent that an impact is attributable to the proposal, and only to the extent the mitigation is reasonable and capable of being accomplished.

Additionally, mitigation may be required 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 regulatory requirements will provide sufficient mitigation of an impact and additional mitigation imposed through SEPA may be limited or unnecessary.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for specific elements 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 pertinent part that “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, mitigation may be required even when the Overview Policy is applicable (SMC 25.05.665(D)).

ENVIRONMENTAL IMPACTS

The information provided by the applicant and its consultants, the public comments received, and the experience of DPD with the review of similar proposals form the basis for conditioning the Project. The potential environmental impacts disclosed by the environmental checklist and the EIS and Addendum are discussed below. Where necessary, mitigation is called for under Seattle’s SEPA Ordinance (SMC 25.05).

Short-Term Impacts

Anticipated short-term impacts that could occur during demolition, excavation and construction include: increased noise from construction/demolition activities and equipment; decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by construction activities; potential soil erosion and potential disturbance to subsurface soils during grading, excavation, and general site work; increased traffic and demand for parking from construction equipment and personnel; conflicts with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794).

Many are mitigated or partially mitigated by compliance to existing codes and ordinances. Specifically these include the Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way); the Building Code (construction measures in general); and the Noise Ordinance (construction noise). The Department finds, however, that certain construction-related impacts may not be adequately mitigated by existing ordinances. Further discussion is set forth below.

Earth

The site is not mapped as an environmental critical area and according to the SEPA checklist, plans provided and a geotechnical report date 10/12/2005 by Terra Associates a limited shoring system will be required during construction. The Seattle Stormwater Grading and Drainage Control Code requires that earth be retained and all cuts and fills are supported during construction, water released from the site be clean and limits the amount of suspended particles in run off. No SEPA policy-based conditioning of earth impacts during construction is necessary.

Traffic and Parking

Traffic during some phases of construction, such as excavation and concrete pouring, will be expected to be great enough to warrant special consideration in order to control impacts on surrounding streets. For this reason it shall be required that a construction phase truck transportation plan be approved by the Seattle Transportation in consultation with DPD.

Air Quality

Construction activities associated with the Project could generate temporary, localized increases in ambient concentrations of suspended particulates, including fugitive dust and vehicular emissions. While adverse, these impacts are expected to be temporary in nature and largely controlled by existing laws and regulations. Dust is expected to be controlled by provisions of the Seattle Stormwater, Drainage and Grading Code and by the Seattle Street Use Code. Vehicular emissions are regulated by the Puget Sound Clean Air Agency.

Given the age and size of the existing building to be demolished, it appears possible that asbestos is present in some form and that this could become airborne, if not properly removed, causing a health risk in the area. If the regulations enforced by the Puget Sound Clean Air Agency are properly followed it is unlikely the presence of asbestos will create any harm. In order to help insure that these regulations are followed, the Project will be conditioned to require that a Notice of Intent be filed with the Puget Sound Clean Air Agency prior to the commencement of any demolition on the Project site.

Noise

The proposal site is located adjacent to a downtown/commercial area where construction of this scale could impact the noise levels. Several residential buildings exist abutting the property and in the nearby vicinity. The SEPA Noise Policy (SMC 25.05.675B) lists mitigation measures for construction noise impacts.

Most of the initial construction activities including excavation, foundation work, and framing will require loud equipment and will have adverse impacts on nearby residences. The protection levels of the Noise Ordinance are considered inadequate for the potential noise impacts on these nearby residential uses. The impacts upon residential uses would be especially adverse in the early morning, in the evening, and on weekends. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to limit the hours of construction in order to mitigate adverse noise impacts. Pursuant to this

policy, and because there are residences in the vicinity, the applicant will be required to limit periods of construction which involve excavation, concrete pouring, steel erection or framing carpentry to between the hours of 7:30 A.M. and 6:00 P.M. on weekdays and from 9:00 A.M. and 5:00 P.M. on Saturdays.

Long-Term Impacts

Long-term or use-related impacts could also include impacts such as but not limited to increased demand on public services and utilities, increased light and glare, and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of mixed use structure and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these include: Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). Potential environmental impacts which may result in the long-term impacts are discussed below. (With regard to the Stormwater, Grading and Drainage Control Code, stormwater runoff will be reduced from the site due to a decrease in impervious site coverage, from an existing 100% down to 77% when the Project is completed).

Land Use

Existing land uses in the Greenwood area were most recently addressed by the publication of the Greenwood Neighborhood Plan, elements of which are incorporated into the *Seattle Comprehensive Plan, Towards Sustainable Seattle* at Chapter 8.109.

The Project would be consistent with the pattern of land use change that is planned in the Master Plan Area. The Project would contribute to the residential growth targets of this neighborhood and would not eliminate or displace any existing housing units. The Project is within the zoning densities allowed on the site. No SEPA based mitigation of Land Use Policies is warranted.

Height, Bulk, and Scale

The height, bulk and scale measures were addressed in the MUP and Design Review process. Pursuant to the Height, Bulk and Scale Policy of SMC 25.05.675, a Project that is approved pursuant to the Design Review process shall be presumed to comply with the height, bulk and scale policies. There is no clear and convincing evidence that height bulk and scale impacts documented in the environmental review have not been adequately addressed. The proposed building scheme has been endorsed by the Design Review Board as appropriate in height, bulk and scale for the project.

Existing street trees across the street frontage of the site are fairly well established and of a mature scale. Staffs at the SDOT Urban Forestry Division have inspected these trees and are of the opinion that they can and should be preserved through the development process. The presence of mature street trees is a factor in the control of bulk and scale impacts of a building as viewed from the street side. The Design Review Board in deciding that height, bulk, and scale would be adequately controlled in the project assumed the presence of mature street trees. If the existing trees are not preserved, it will be many years before trees across the front of the site again reach a mature stature. In order to insure the street trees across the site remain, continuing

to provide the value the Board based its decision in part upon, it is necessary to condition the project pursuant to SEPA policy to require that the existing streets along site street frontages be preserved and protected in accordance with a plan approved by the Urban Forestry Division of SDOT. Any alternative plan approved by the SDOT Urban Forestry Division will be deemed to modify this condition.

Views

The Project does not propose any street vacations; views down these public rights-of-way would not be affected. Because of the amount of development that now exists on-site, no significant (e.g. Mount Rainier, Space Needle, Downtown, etc.) cross-site view opportunities currently exist. Some territorial views (e.g. view across the parking lot, or looking over the park) will be altered. There are no known view impacts which would coincide with SEPA protected views for locations identified in the Seattle SEPA Policies; hence, no SEPA conditioning for significant adverse view impacts is warranted.

Transportation

Minor traffic impacts are to be expected from the proposed. The Environmental Checklist indicates that project will generate approximately 100 total daily trips, with peak volume to be expected between 6 AM -9 AM and 4 PM to 6 PM most weekdays.

Project traffic would have a negligible effect on traffic operations at study intersections during the PM peak hour. Historic accident records at the study intersections do not identify any nearby intersections as meeting the City's criteria for a High Accident Location. In addition, the proposed Project is not expected to significantly impact traffic safety within the study area.

The mixed-use development would generate a peak parking demand of 70-80 vehicles. As a result, the proposed 73-stall parking garage is anticipated to handle the peak parking demand.

The Concurrency Analysis shows that City of Seattle concurrency standards would be met with the Project. This indicates adequate capacity exists to serve the increase in travel demand resulting from the proposed Project. Specific off-site mitigation measures are not recommended, nor required, to reduce/offset potential site-generated traffic impacts.

Parking

The proposal included parking for 73 vehicles, five of which are required for non-residential uses. The 68 spaces designated for 51 residential units provide of ration of 1.33 spaces per unit. This ratio of parking spaces has in DPD experience proved to be an adequate supply of parking in multi-family buildings with little or no spill over or residential parking. No SEPA conditioning of parking impacts is warranted.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a 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 requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of 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(2)(C).
- [] 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(2)(C).

Based on the above analysis, the Director has determined that the following conditions are reasonable and shall be imposed pursuant to SEPA and SMC Chapter 25.05 (Environmental Policies and Procedures).

SEPA CONDITIONS

Prior to Issuance of a Construction Permit

The owner(s) and/or responsible party(s) shall:

1. A construction phase truck transportation plan shall be developed and approved by Seattle Transportation in consultation with DPD.
2. A Notice of Intent shall be filed with the Puget Sound Clean Air Agency prior to the commencement of any demolition on the Project site.

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. If more than one street abuts the site, conditions shall be posted at each street. 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.

3. In order to further mitigate the noise impacts during construction, the owner(s) and/or responsible party(s) shall limit periods of construction which involves excavation, concrete pouring, steel erection or framing carpentry to between 7:30 A.M. and 6:00 P.M. on weekdays and to between 9:00 A.M. and 5:00 P.M. on Saturdays.

The Department recognizes there may be occasions when critical construction activities on a critical nature, related to safety or traffic or construction process issues, or which could substantially shorten the total construction time frame, may need to be completed

