City of Seattle
Gregory Nickels, Mayor

Department of Planning and Development
D. Sugimura, Director

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

Application Number: 3003849

Applicant Name: Mark Knoll

Address of Proposal: 8111 Stone Ave N

SUMMARY OF PROPOSED ACTION

Land Use Application to allow an eight-unit Live Work development consisting of two buildings, one three-unit and one five-unit totaling 11,291 sq. ft.. Surface parking for eight vehicles to be provided. The following approvals are required:

Design Review – Chapter 23.41 Seattle Municipal Code.
Departures are requested for the following development standards:
- *Curbcut width*
- *Driveway width*

SEPA – Chapter 25.05 Seattle Municipal Code.

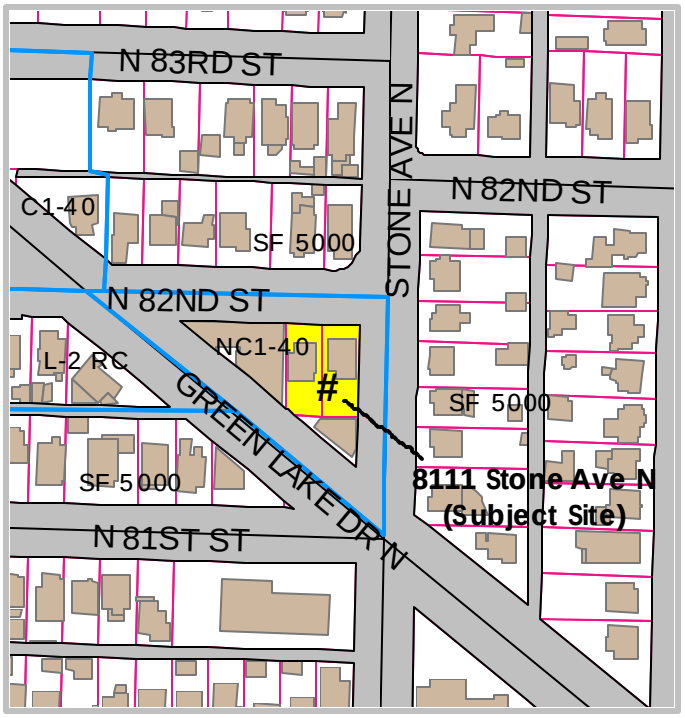
SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

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

BACKGROUND INFORMATION AND PROPOSAL

The proposed project site is rectangular and is located on a triangular shaped block zoned Neighborhood Commercial One (NC1-40) with a 40-foot height limit. The site is comprised of two parcels and is located at the southwest corner of the intersection of NE 82nd St and Stone Ave N, just north of and abutting Green Lake Dr N. The project site currently has two existing wood frame residences, one on each parcel.



The site is located just north of Green Lake, a large and popular City Park. Street improvements are present at the site with sidewalks and planter strips, but no street trees. Green Lake Dr N is located just south of the site and is a designated arterial street connecting Green Lake and Aurora Ave N. The area is mostly residential in character with some commercial zoning to the northwest and southeast.

The applicant proposes to build two live-work commercial buildings consisting of a total of eight live work units with rear surface parking. The east building is proposed with five live-work units and the west building with three.

SITE SPECIFICS & AREA DEVELOPMENT

The project site is a corner lot, with approximately 80 feet of street frontage on N 82nd St and 101 feet of street frontage on Stone Ave N. The proposal is located just southeast of the Aurora commercial corridor. The only abutting properties to the south and west, are also zoned NC1-40. Immediately to the east across Stone Ave N is a Single Family 5000 zone (SF 5000) constructed with single family residences. To the north, across N 82nd St, zoning is also SF 5000 zoning constructed with single family residences.

Abutting the west property line of the site is a two-story medical and dental commercial structure. Zoning across Green Lake Dr N to the west is Lowrise Two – Residential Commercial (L2-RC) and SF 5000 zones. Directly south of the project is an existing duplex structure, which has vehicle access from Green Lake Dr N. The site is not highly visible from Green Lake Dr N and is oriented towards the Single Family zones to the north and east.

DESIGN REVIEW EDG & RECOMMENDATION MEETINGS

Architect's Presentation (EDG – 2.27.06)

The architect presented three possible schemes for the development including isometric massing diagrams and site/floor plans. Scheme A was an envelope study of what could be built under mixed use standards. This scheme showed a full build out of the site. Scheme B was also a mixed use development with two residential elements on the east and west sides of the site and a T shaped roof courtyard located above the 13' first floor. Scheme C, the applicant's preferred scheme, was for two live work commercial structures, one with five live work units and the other with three live work units. The applicant has no interest in constructing the two mixed use schemes and desires to build a live work commercial development.

The architect described the neighborhood context, zoning, existing structures and uses surrounding the site. Photos were provided in various directions to and from the site within one block of the site. Surrounding context photos from north and south were also provided showing both the commercial and residential context of the area. The applicant's preferred scheme proposes to remove the existing residences and construct two structures with a total of approximately 10,800 sq. ft of floor area. The applicant proposes a flat roof with an approximately 35' height (with parapet) which is less than the code maximum height limit of 40'. Surface parking is proposed on the southwest portion of the site away from the intersection of N 82nd and Stone Ave N.

Designated Priority Guidelines EDG

A-3	Entrances Visible from the Street
A-4	Human Activity
A-5	Respect for Adjacent Sites
A-6	Transition Between Residence and Street
A-7	Residential Open Space
A-8	Parking and Vehicle Access
A-10	Corner Lots
B-1	Height, Bulk and Scale Compatibility
C-2	Architectural Context & Consistency
C-3	Human Scale
C-4	Exterior Finished Materials
D-1	Pedestrian Open Spaces and Entrances
D-2	Blank Walls
D-6	Screening of Dumpsters, Utilities and Service Areas
D-7	Pedestrian Safety
E-2	Landscaping to Enhance the Building and/or Site

The preferred scheme has a strong commercial street presence along Stone Ave N with 75' feet of commercial live-work frontage. Along N 82nd St the design shows 60' of commercial frontage with a 15' wide central pedestrian courtyard (approx. 400 sq. ft.) that separates the two proposed structures. The design also proposes bay windows projecting 3' from the structures above the first floor along N 82nd St and Stone Ave N. Vehicle access is proposed from Stone Ave N at the southeast corner of the site. The 10' curbcut and driveway will require departures from the Land Use Code. The design locates the trash enclosure, masked by a wing wall, on the southeast portion of the site along Stone Ave N. A 6' setback is also proposed along the west property line to provide pedestrian access to the western three unit live-work structure. The Board identified the guidelines listed above as being the highest priority for the site.

Architect's Presentation (Recommendation – 8.14.06)

The applicant provided three alternatives of the design at the meeting. The preferred design was identical in mass structure placement as scheme "C" of the initial EDG packet described above as the preferred scheme. The two other alternatives showed similar structure placement but showed pitched roofs and less desirable finish materials. The elements of the applicant's preferred design are summarized in the *Recommendation Meeting Design Summary* to the right.

Recommendation Meeting Design Summary

- Roman Brick Base
- Hardi Panel Body
- White cedar horizontal trim
- Color elevations and landscape plan
- Porous asphalt paved parking area
- Internal courtyard with benches
- 18" paved pedestrian connections to street
- Individual commercial storefronts for each unit
- Eroded 4' high parapet on both buildings
- Metal marquees at appropriate locations
- Vinyl windows
- Juliet balconies facing Stone Ave N
- Weather protection at NE corner and at live-work street entrances
- Cedar fence with vines at S and W property lines
  Rod iron gates at N and S entrances into the interior court yard
- 15' separation between buildings
- Alternative (aggregate) scored paving in internal courtyard (2'x2')
- Enclosed trash area at se corner of 5-unit structure
- Chamfer corner at the base facing northeast

PUBLIC COMMENT

There were approximately nine public attendees at the EDG meeting and two gave comments. The comments were related to following:

- Parking location and number of spaces. The uses proposed and the parking they would generate.
- Closing curbcuts along N 82nd St and how that would make it more difficult to maneuver in the right of way because cars would park in those locations in the future.

There were two attendees and one public comment made at the recommendations meeting. Several questions related to the weather protection, the plan for the retaining wall at the southwest corner of the site and maintenance of street landscaping.

Application for MUP was made to DPD on May 3rd 2006. During the MUP comment period which ended on June 7th, 2006 no written comments were received regarding the application.

EDG, RECOMMENDATIONS AND DPD ANALYSIS: DESIGN REVIEW

At the recommendation meeting the four (4) Board recommended approval of the development and the two departures with recommendations. The Board determined the proposal did address many but not all design guidelines identified during the EDG and as a result made recommendations to DPD.

Departures and Board Recommendation

Requested Departure Table

Development Standard Requirement	Proposed	Staff Notes/ Applicant's Rationale	Design Review Board Comment
Driveway width: 22' min and 25' max *SMC 23.54.030-D.2.a.(2)*	12' at its smallest dimension then meeting code as it moves west into the site.	The parking lot serves more as a residential parking lot with occasional commercial visitors. So providing for a 22' curbcut would be overkill.	The four members of the Board unanimously recommended approval of this departure as long as the recommendations are satisfied. ***(A4, A8, C3)***
Curbcut Width Requirements: 22' *SMC 23.54.030-F.2.b(2).*	12'	The curbcut will only be serving eight live-work units. This will provide a better connection with the street.	The four member of the Board unanimously recommended approval of this departure as long as the recommendations are satisfied. ***(A4, A8, C3)***

Below is a summary of the issued EDG guidelines and statements determined to be of highest priority for this project identified by letter and number (City of Seattle's *Design Review: Guidelines for Multifamily and Commercial Buildings*). Listed below the EDG guidelines and statements are the Northwest Board's recommendations based on the applicant's design response if applicable. These recommendations were transmitted to the applicant and parties of record following the recommendations meeting. The absence of Board recommendations below indicates the Board felt the design addressed the priority guidelines set during the EDG stage of the project. The applicant resubmitted the MUP plans for review to the Department on October 12th 2006 following the recommendations meeting. The Director's analysis is found below the Board's recommendations.

A. Site Planning

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.

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.

A-6 Transition Between Residence and Street

For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

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.

A-10 Corner Lots

Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

Early Design Guidance

The relationship of the each of the live-work and residential street facing entrances should be interesting and should create its own identity. The architect shouldn't try to be residential or commercial completely, but should create entrances that reflect the unique characteristics of the live-work use. Marquees were also discussed as a possible element to include that could accomplish this goal.

The design for the entrances and facades should promote interaction with the surrounding residential zone. The proposed bay windows should be clearly delineated; also the programming and function of the commercial base should be apparent. The corner should be accentuated and not turn the units' side (unit #4) to the street. Providing some relief of the corner was discussed. A detailed analysis of the proposed structural building overhang should be (SMC 23.53.035) incorporated into MUP plans.

The design should use landscaping to buffer the parking lot. The 6' walk on the west property line should be well designed and have character. The pedestrian entrances along the pedestrian path to the western building will be slightly visible from N 82nd St. Use of color and landscaping should be incorporated into that wall and walk.

Landscaping, lighting, and well designed entrances should design to provide security. The design between the resident and street should be sensitive to the social character of the single family zoning the project faces and promote interaction.

The courtyard needs to be developed to show how it will accomplish a community space. The courtyard should mask the parking lot from N 82nd St with elements of the designer's choosing.

The location of proposed landscaping should be used to avoid a completely paved parking and drive area. Colored or alternate paving should also be explored to minimize the impacts of the parking lot on the adjacent properties.

The corner should be celebrated. The applicant discussed possibly relieving or setting back the corner and the Board was amenable to entertaining that design concept.

Board Recommendations

- Continue the 1'x1' sidewalk scoring across the sidewalks to the street from each live-work street entrance for both buildings. This will better announce the live-work entrances. Add a note that SDOT approval is required.

- At the NE corner of the eastern building, continue the brick from the base up to the 2nd and 3rd floors terminating it at the cornice line below the parapet. From the northeast corner the brick should run southward along the east façade and terminate at the 1st bay projection. On the north façade, the brick should run westward to the beginning of the darker hardi panel shown on page 5 of the recommendation packet. The continuous weather protection at the corner should end at the same location of the brick at the 2nd and 3rd levels.

Director's Analysis & Decision

The Board's recommendation to continue the 1'x1'sidewalk scoring across the sidewalks to the street from each live-work street entrance for both buildings was not completed or shown in the recent MUP (landscape or site) plans, therefore conditioning is justified to ensure that this occurs. Brick was carried to the second and third floors in the updated MUP plans as recommended by the Board. The four Board members unanimously agreed on these recommendations and the requested departures, as a result, the design meets the above Site Planning guidelines with conditioning. The Board did not mis-apply the guidelines and therefore The Director concurs with these recommendations and approves the Design Review (Site Planning).

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.

Early Design Guidance

Due to the transition in zones to single family directly north and east, the Board felt this guideline applied but had no specific guidance statements.

Director's Analysis

The Board had no recommendations based upon Height Bulk and Scale issues and felt that the design meets guideline. The Board did not mis-apply the guidelines and therefore The Director concurs with the Board and approves the Design Review (Height Bulk and Scale).

C. Architectural Elements and Materials

C-2 Architectural Context & Consistency

Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural context.

C-3 Human Scale

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

C-4 Exterior Finished 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.

Early Design Guidance

The design should create its own identity considering the live work use. The building should relate to the residential character but still have the commercial feel with elements of the architect's choosing.

In post meeting discussions the Board and DPD felt it necessary to have the applicant show three different studies of the preferred scheme. These studies must be put into the MUP plans and shown at the recommendation meeting. The three studies of the preferred scheme must show alternative combinations of the finish material, colors, roof forms, entries, trim, window types, parking surfaces or landscaping between them. These variations are the choice of the architect.

The applicant should have one preferred study and include pros and cons for all three studies. These studies can be shown on a smaller scale on one MUP page if desired. The three studies must include three perspective drawings (from northeast) showing true color and material callouts. The applicant must provide a materials and color board showing the actual material and color for the applicant's preferred study.

Considering the residential character at this corner, the designer should incorporate elements such as inviting entrances and landscaping to enhance the human scale. It should relate to but not mimic the single family structure zoning and structures to the north and east. The Board did state the structure should be "hip."

The Board had no specific guidance related to this guideline. The applicant was thinking a stone base finish and a townhouse feel.

Board Recommendations

- Use a darker color than shown on the color board for the bays and the other application locations. The color elevation shown on sheet 5 of the recommendation packet was liked by the Board, but the true color sample was too light. Submit to the Planner new color hardi panel samples for the base, body and bays that provide a better contrast. The doors and metal guardrails of the Juliet balconies should pick up and relate to the darker color chosen. The proposed light sconces and signage must be shown and the detail provided on the MUP plans.

- Provide a darker soldier course of brick at the live-work pedestrian level window sills. Clearly call out on the MUP plans the soldier courses of brick for both the sills and at the header course at the top of the windows, to ensure it constructed this way.

Director's Analysis & Decision

The architect made the necessary adjustments, showing a darker color (smokehouse) for the bays windows and there parapets that provides a better contrast as the board recommended. Updated true color samples still need to be provided to DPD, conditioning is justified to ensure this occurs. The doors and Juliet balconies were also adjusted to the smokehouse color to tie together with the bays and parapets as the Board recommended. Signage and down lit sconces were added to the MUP drawings as requested and are appropriately placed and scaled, they will provided a great detail to the building. Lastly, the soldier courses of brick at the sills and header were adjusted and called out meeting the recommendations.

The Board did not mis-apply the guidelines and therefore The Director concurs with these recommendations and approves the Design Review (Architectural Elements and Materials) with conditions.

D. Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances
Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian oriented open space should be considered.

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.

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, utility meters, mechanical units and service areas cannot 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.

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

Early Design Guidance

The proposed wing wall on the southwest corner of the site along Stone Ave N should mask the proposed trash enclosure to the greatest extent possible. The wing wall shouldn't be one element and should be provided with another material or significant landscaping elements to break up its appearance. The south facing wall or gate entering the trash area should be high enough to obscure views heading north on Stone Ave N.

The use of lighting on the street facades and at the parking lot should be incorporated into the design to increase safety. The lighting in the parking lot should be baffled to prevent any light overspill onto the apartment structure directly south.

Board Recommendations

- Use an evergreen bush installed @ 6' in height along the south façade of the east building. This is for the area of landscaping shown to the west of the trash refuse access gate.

- *Staff note*
  Provide and show on the MUP plans a solid trash refuse entry gate and ensure the door blends with the architecture of the building and doesn't become a focal point.

Director's Analysis

The plant choice shown west of the trash refuse access gate Arbutus unedo 'Compacta' only grows to a 5' height and does not meet the Board's recommendation. Conditioning is justified to ensure that an evergreen bush (of the landscape architect's) is installed @ 6'. The trash refuse enclosure design was updated with a partial brick wall, wood gate with hardi panel above meeting the recommendation. The Board did not mis-apply the guidelines and therefore The Director concurs with these recommendations and approves the Design Review (Pedestrian Environment) with conditions.

E. Landscaping

E-2 Landscaping to Enhance the Building and/or Site
Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

Early Design Guidance

The landscaping for the entire site should be clearly shown in realistic graphics. Specific areas should be well planted with appropriate landscaping:

- South property line and vehicle access area
- 2' landscaping strip in front if the structures between N 82nd St and Stone Ave N
- property line abutting Green Lake Dr N
- 6' pedestrian path to residential entrances on the west property line
- The courtyard that separates the two structures.

Board Recommendations

Remove the plantings underneath the weather protection at the northeast corner to allow maximum use of the weather protected area. The landscaping between the building and sidewalk should continue at other locations out from under the corner weather protection.

Provide two street benches in the planter's strip near the northeast corner, one on N 82nd St and one on Stone Ave N. Add a note that this requires an SDOT permit.

Director's Analysis

Plantings were removed under the weather protected area at the northeast corner of site and two benches were added in the planter's strip at the northeast corner of the site meeting the Board's recommendation.

The Board did not mis-apply the guidelines and therefore The Director concurs with these recommendations and approves the Design Review (Pedestrian Environment).

DECISION: DESIGN REVIEW

After analyzing the site in its context, the permit plans, the recommendation packet, the recommendations of the Northwest Design Review Board, the requested departures and the applicant's design responses, the Director **conditionally approves** the Design Review of the proposal and the two departure requests. See the end of this decision for Design Review Conditions.

ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated May 3rd, 2006. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant with mitigating conditions of approval. A discussion of these impacts is warranted.

Short - term Impacts

Construction activities for the eight Live Work Units could result in the following adverse impacts: construction dust, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers' vehicles. Several construction related impacts are mitigated by existing City codes and ordinances applicable to the project, such as the Noise Ordinance, the Street Use Ordinance and the Building Code. Considering the residential

nature of the area and to minimize the impact of construction impact to the area, a construction management plan must be prepared for the building permit that includes street or sidewalk closures and construction staging areas. The plan must also provide a general timeline length of construction to include, grading, foundation, framing and finishing. This plan should use a combination of a written narrative and drawings to communicate how these issues are proposed to be mitigated. Conditioning is appropriate to ensure that this plan is part of the Building Permit plans. The following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The character of the area is residential in nature and as a result the construction-related noise will have an impact on the surrounding residents. The times allowed for construction per the Noise Ordinance (SMC 25.08) are found to be inadequate to mitigate the noise impacts on the residents in the neighborhood. Thus proper conditioning is warranted.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle's Department of Transportation, and no further SEPA conditioning is needed.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). The grading activities associated with the initial site work could add particulates to the air that can be mitigated by simply watering down the site during these grading activities. Conditioning authority is warranted to ensure the site is wet during grading activities, which should be short-lived, to reduce the amount and affect of air borne debris on the surrounding community.

The demolition of the two existing structures on site requires a permit from the Puget Sound Clean Air Agency (PSCAA). As a result, proper conditioning is warranted to ensure compliance with PSCAA requirements to mitigate any impacts as a result of the demolition.

Long - term Impacts

The following long-term or use-related impacts, increased demand on public services and utilities; increased light and glare; and increased energy consumption are not considered adverse, as other City Departments review the feasibility of these issues. Additional land use and parking/traffic impacts which may result in the long-term are discussed below.

Height Bulk and Scale

The 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."* Since the Design Review Board approved this project with conditions and there is no evidence that

height bulk and scale impacts have not been mitigated, no additional mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

Parking

Eight spaces parking spaces are required by the Land Use Code (SMC 23.54) and eight are proposed for the development. Analysis of the parking demand is necessary considering the context and scope of the project. According to the Institute of Transportation Engineers (ITE) 3rd Edition (2004), for residential condominium/townhouse land uses the average parking supply ratio is 0.98 spaces per dwelling unit or a 7.8 parking space demand for the residential portion of the project. The style of the proposed Live Work Units is traditional townhouse layouts with the exception of a commercial use that occurs on the bottom floor of each unit.

Absent of superior or more specific data for this new land use type, a reasonable comparison would be to use a combination of "office building" and "shopping center" using ITE data to measure probable parking demands for the "work" portion of the units. The "work" portion of the development totals 3,683.5 sq. ft. ITE 3rd Generation data shows that "shopping center" has a peak parking demand of 2.65 spaces per 1,000 sq. ft. and "office building" has a peak parking demand of 2.4 spaces per 1,000 sq. ft. Using an average of this data would give a ratio of 2.53 spaces per 1,000 sq ft of commercial or "work" use. This demand ratio would require 9.3 peak parking demand spaces for the "work" portion of the Live Work Units. Considering the above analysis, 17.1 total spaces would be required at peak demand. The table below summarizes the anticipated parking demand for the development considering both the Live and Work functions of the building type.

Parking Demand Analysis

For Urban Setting			
Structure Type	**# of Units / sq. ft.**	**ITE Demand**	**Total Demand**
Townhouse (not rented)	8	.98 / Unit	7.8
"Work" portion	3,685.5 sq. ft	2.65/2.4 = 2.53 / 1000 sq ft.	9.3
Total		**NA**	**17.1 spaces**

It should be noted that the above analysis does not take into consideration that the peak demand for the "work" portion would be significantly less during the night periods. The commercial portion of the structure would not likely be in high use and as a result parking demand would be less. The demand would then fall back to more along the lines of ITE's townhouse estimation in an urban setting of .98 spaces per unit or 7.8 for the development as a whole. In this case no spill over would occur from the development.

A correction was issued by the Department requesting the applicant provide an existing condition parking demand analysis. The area of analysis was within 800 feet of the site. The studies were

conducted by William Popp Associates after 9 pm on July 12th and 13th 2006. The parking utilization study is located in the project file. Out of the area studied a total area approximately 382 legal street parking spaces are available as a whole. The two counts showed that 166 and 160 spaces were used respectively at the two survey times. This yields an average parking utilization of 43% for the study area. Site visits were also conducted by the undersigned planner who observed that parking spaces were available in the study area during weekday evening times. Even if the development created the 9 spill over spaces during the peak demand times (day only), it is very reasonable to determine that it could be accommodated by available street parking. As a result of the analysis, no mitigation is required for the development for parking impacts.

Traffic and Transportation

This surrounding area is served by transit with 15 minute headways along Aurora Ave N and East Greenlake Dr N. The amount of traffic expected to be generated by this proposal is within the capacity of the streets in the immediate area and therefore, no SEPA mitigation is warranted for traffic impacts.

Summary

In conclusion, adverse effects on the environment resulting from the proposal are anticipated to be non-significant. Meeting the conditions found at the end of this document pursuant to SEPA policies will mitigate adverse impacts identified from the development.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

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 43.21.030(2) (C).

CONDITIONS - DESIGN REVIEW

Non-Appealable Conditions

1. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Lucas DeHerrera, 206.615.0724). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

2. Embed all of these conditions on the cover sheet of the MUP permit sets 1 and 2 and all Building Permit drawings prior to issuance.

Prior to Issuance of the Master Use Permit

3. The applicant shall submit to DPD a new or update the existing color and materials composition board to show any changes required in this document. This board will be used during the Design Review inspection of the building.

Appealable Conditions

Prior to Issuance
Include in the Building Permit

4. Continue the 1'x1'sidewalk scoring across the sidewalks to the street from each live-work street entrance for both buildings. Add a note that SDOT approval is required.

5. Update the landscape plan to show and call out an evergreen bush must be installed @ 6' west of the trash refuse access gate along the south façade of the eastern building.

6. Include updated color drawings for the north, south and east facades as part of the building permit sets (1 and 2) of record and include all the required changes noted above.

Prior to Certificate of Occupancy

7. Compliance with all images and text on the MUP drawings, design review meeting guidelines, approved design features and elements (including exterior materials, landscaping and ROW improvements) and as conditioned hereto in shall be verified by the DPD planner assigned to this project (Lucas DeHerrera, 206.615.0724), or by the Design Review Manager. 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.

During Construction

8. All changes to the exterior facades of the building and landscaping on site and in the R.O.W. must be submitted as a revision to the building permit and reviewed by a Land Use Planner prior to proceeding with any proposed changes.

CONDITIONS - SEPA

Prior to Issuance of the Building Permit Plans

9. Include a construction management plan that includes street or sidewalk closures and construction staging areas. The plan must also provide a general timeline length of construction to include, grading, foundation, framing and finishing.

Prior to Issuance of any Demolition Permit (non-appealable)

10. The owner(s) and/or responsible party(s) shall provide documentation to DPD that Puget Sound Clear Air Agency (PSCAA) has received all information necessary to assess and mitigate likely air impacts at least 10 days in advance of the demolition of any structures on site greater than 120 sq. ft.

During Construction

The following conditions to be enforced during construction shall be posted at each street abutting 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 shall 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.

11. All construction activities shall be limited to non-holiday weekdays from 7:00 a.m. and 6:00 p.m. and Saturdays from 9:00 a.m. to 6:00 p.m. Other than surveying, surveillance and securing the site (no grading), construction work on Sundays is not permitted. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residential units, no major noise creating work such as those listed below, is permitted on Saturdays from 9:00 a.m. to 5:00 p.m.:

    - Grading with heavy machinery.
    - Concrete pouring.
    - Jack hammering.
    - Use of gas generators without the use of hay bales to baffle noise.

12. After the rear parking area is completed worker parking and all related vehicles shall use it for off site parking to relief parking congestion from the street.

13. During grading activities, watering of the site shall be required to reduce construction dust.

Signature: (signature on file) Date: February 1, 2007
Lucas DeHerrera, Land Use Planner
Department of Planning and Development

LD:bg
Location:
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