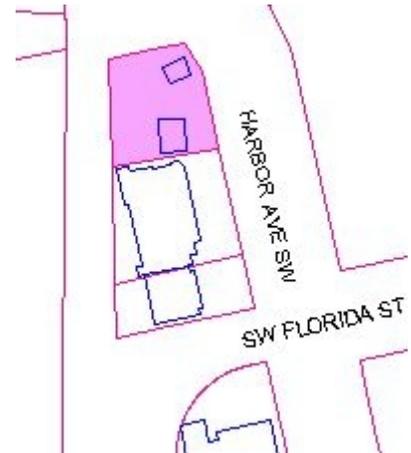


BACKGROUND INFORMATION

The site is located at 2411 Harbor Avenue SW and Fauntleroy Avenue SW. It is an irregular shaped corner lot. There is no alley in this block. The site is a somewhat wedged shaped site. Currently there is a single family house and garage on the site. The site drops about 6 feet west to east. The west and north property lines border unopened and partially improved right of way (Fauntleroy Avenue SW). The property is zoned Commercial 1 with a 40 foot height limit (C1-40). Across Harbor Avenue SW is the Alki Trail and beyond is Port of Seattle property. The zoning to the south is Commercial 1-40. Zoning to the north and east is General Industrial (IG2 U/85). To the west and up the hill is single family zoning (SF 7200).



AREA DEVELOPMENT

There is a multifamily development and a multi-purpose convenience store directly to the south of this project site. There are houses up the hill, to the west from the site whose residents will see over the site and see the rooftops of this new development. Commercial and Industrial activities dominate the landscape on the east side of Harbor Avenue SW.

PUBLIC COMMENT

Comment letters were received during the official comment period. The majority of the letters called out concerns regarding the intersection of harbor Avenue SW and Fauntleroy. The site lines will be designed and signed according to SDOT standards for intersection safety. Landscaping and street furniture will also follow SDOT guidelines. Other letters called for creative and pleasing rooftop treatments. Many of the rooftops will be garden roofs.

ANALYSIS – ADMINISTRATIVE CONDITIONAL USE

The proposed residences are a residential use as defined in SMC 23.47.004(chart A) and thus, are appropriate for consideration as an administrative conditional use within the C1-40 zone. All conditional uses shall be subject to the procedures described in Chapter 23.76, and shall meet the following criteria: (23.47.006A)

1. *The use shall not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located;*

The proposal appears to be a good fit at this location. The property up the hill from the proposal is a residential use, the City Lights on Harbor Condominiums with approximately 42 units. The abutting property to the south is a residential use of 27 units. There is a large right of way to the north and industrial uses across Harbor Avenue SW. This use will not create a condition that is materially detrimental to the public welfare or injurious to property in the zone or vicinity.

2. *In authorizing a conditional use, adverse impacts may be mitigated by imposing any conditions needed to protect other properties in the zone or vicinity and to protect the public interest. The Director shall deny or recommend denial of a conditional use if it is determined that adverse impacts cannot be mitigated satisfactorily.*

There are no adverse impacts expected to be associated with this proposal.

Where single-purpose residential structures may be permitted as an administrative conditional use, such a permit may be granted only when the following circumstances exist:

a. Due to location or parcel size, the proposed site is not suited for commercial development; or

The proposed site is in an area that is growing as a residential area and not a commercial area. The rear buildings are proposed to be residential while the building on Harbor is proposed to remain in commercial use. The site is between an industrial area and a residential area. There are no buildings north of the property for approximately 200 yards and the building directly south is a 4-story apartment building with no commercial component. Although the Alki trail is across the street, there is limited pedestrian traffic this far south down Harbor Avenue, in part, due to the lack of commercial buildings. The building to the south has no commercial component. The proposed site is therefore well-suited for commercial and residential development.

b. There is substantial excess supply of land available for commercial use near the proposed site, evidenced by such conditions as a lack of commercial activity in existing commercial structures for a sustained period, commercial structures in disrepair, and vacant or underused commercially zoned land; provided that single-purpose residential development shall not interrupt an established commercial street front.

There is substantial vacant property, both commercial and industrial, surrounding the project site to the north and south along Harbor Avenue SW. The street front of this proposal will have commercial uses, but the rear of the property will be residential. This suggests that there is an excess supply of land available for commercial use in the near area. The development will not interrupt an established commercial street front since the location and nature of the nearby development is more residential in character than commercial. The proposal is acceptable in light of this criteria.

Conclusion

With an excess supply of vacant commercial space and existing commercial businesses available in the general vicinity, as well as the fact that the subject building does not interrupt an established commercial street front, it is the decision of the Director that the request for an Administrative Conditional Use permit shall be approved.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The Administrative Conditional Use permit to allow a residential use in a C1 zone is **GRANTED**.

ANALYSIS - DESIGN REVIEW

This project was subject to the City of Seattle design review program. The designers received early design guidance at a design review meeting January 26, 2006.

EARLY DESIGN GUIDANCE

Architect's presentation

Ms. Kovalchick of Nicholson Kovalchick Architects made the presentation. Three massing studies show different uses and their possible massing on the site. The applicant notes that the owner is undecided on the exact uses proposed for this site. There are two basic proposed uses; one is townhouses, the other is a mix of townhouses and live work units along Harbor Avenue SW. The buildings would fall under height restrictions of the zone and controlling land use code. Access to the site is via Harbor Avenue SW and Fauntleroy Avenue SW. Units would be double loaded on the site, that is, one row of uses along Harbor Avenue SW and a second row of townhouses along the back, or west, property line. Parking will be under the units and accessed from a common parking court. Most units would have a view to the port and some to the northwest to downtown Seattle. Full street improvements would be made to Harbor Avenue SW and discussions with SDOT will determine the improvements required for Fauntleroy Avenue SW and the nature of any access to that right of way.

Board Clarifying Questions and Comments

The Board determined that the larger massing and alternate uses would create more view blocking mass to the apartment building to the south. The Board confirmed with the applicant that the commercial depth requirement is 30 feet and any less would require a departure through this Board. The Board determined that the applicant prefers the live work and townhouse alternative over the other options. Proposed access to the site was reviewed after Board questions.

Public Comments

There were 8 members of the public present. Comments included the following:

- Please provide the required amount of parking.
- If all commercial is to be conglomerated at one time a change of use permit would be necessary.
- This is a difficult corner to negotiate safely. Work with SDOT to provide better site lines.
- Create interesting rooftops. Peaked at the rear and flat on Harbor Avenue could be one good solution.
- Keep the commercial in the front along Harbor Avenue.
- Neighbors living above will see the rooftops. Design high quality rooftops.
- Provide slope stabilization.
- Commercial setbacks for entries, landscaping, windows, or seating would be good.
- Option A (mix of live work and townhouses) is my preference.
- Keep transparency into the live work units. Provide 3 feet of transparency into the commercial area. Do not allow posters or blocked off windows in the commercial areas.
- I would like a somewhat traditional architectural concept to be developed for this development.

Board Deliberations

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

Board Discussion

The Board noted that the site as town houses and live work units is an interesting and appropriate mix of uses at this location. The Board noted they would entertain departures from commercial depth requirements. Roof treatment will be important due to its visibility from above. The roof profiles should be low where possible and residential in nature. Site lines should be discussed with SDOT along with all other access and improvement issues. Any rear walkway for the townhouse units should be well designed for safety, ecological interest, and accessibility.

DESIGN GUIDELINES.

A. Site Planning

A-1 Responding to Site Characteristics

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

The north façade is an important façade to design as a whole. It will be the visible "corner" as one is southbound on Harbor Ave SW. The building should acknowledge this corner in some way.

A-2 Streetscape Compatibility

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

The live work spaces should have a "relationship" to the street. There should be an attractive pedestrian walking space or central corridor. Treat the interior street as a place to walk and play and live.

A-3 Entrances Visible from the Street.

Entries should be clearly identifiable and visible from the street.

Quality commercial spaces should be designed to be easily identified and approached.

A-4 Human Activity

New development should be sited and designed to encourage human activity on the street.

The designer should consider the commercial street as a special place for the property tenants and pedestrians. There should be identifiable entrances with a pedestrian scale which would lend itself to sidewalk cafes, sidewalk tables, landscaping, areas for congregation and window display interest.

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 architect should study and show, at the next meeting, how the project sightlines can retain a sense of space and view for the neighboring residential building to the south. Roof treatment will be important due to its visibility from above. The roof profiles should be low where possible and residential in nature.

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.

This site has a strong corner presence and the design should be oriented to the northeast and northwest corners. Corner orientation can be a combination of architectural and site planning and landscape elements.

B. Height, Bulk and Scale

B-1 Height, Bulk and Scale

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

The Board agreed that successfully addressing height, bulk and scale issues at this site is key to creating a successful building. The Board requested further exploration of massing options that minimize the building mass and reinforce the corner presence and neighboring residential use.

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 Board requests that the development concepts reflect the residential and industrial contexts of the area. The concept should demonstrate a balance of style and materials for this Alki location.

C-3 Human Scale

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

The Board asked for more detail to show how the project will meet this guideline through architectural spaces, and circulation systems.

D. Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances

Convenient and attractive access to the building's entry should be provided.

Entries along Harbor Avenue SW should be convenient and should be recognizable as commercial entries. Open spaces or setbacks could be shared at entries.

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

The designer should integrate safety and security with the building and open space design. The security elements should not be visible as such, but integrated into the overall design concept. Security lighting should be an element of the design, but not noticeably so. Any rear walkway for the townhouse units should be well designed for safety, ecological interest, and accessibility.

E. Landscaping

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

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

Rooftop treatment will be very visible from neighboring sites, so special attention should be taken to ensure a full and striving landscape with maintenance options contemplated in advance. Landscaped private and public spaces and open spaces should be used to soften facades. The designer should bring landscape design concepts to the next meeting.

Summary of Requested Departures

Possible departures include depth of commercial space, open space quantity and dimensions, and residential lot coverage. The Board is willing to entertain these possible departures from the development standards after further information is provided by the architect.

RECOMMENDATION MEETING – August 24, 2006

ARCHITECTS PRESENTATION

Architect's presentation

Ms. Kovalchick of Nicholson Kovalchick Architects made the presentation. Three massing studies show different uses and their possible massing on the site. The applicant notes that the owner is undecided on the exact uses proposed for this site. There are two basic proposed uses; one is townhouses, the other is a mix of townhouses and live work units along Harbor Avenue SW. The buildings would fall under height restrictions of the zone and controlling land use code. Access to the site is via Harbor Avenue SW and Fauntleroy Avenue SW. Units would be double loaded on the site, that is, one row of uses along Harbor Avenue SW and a second row of townhouses along the back, or west, property line. Parking will be under the units and accessed

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RECOMMENDATION MEETING – August 24, 2006

ARCHITECTS PRESENTATION

The architect reviewed the site, neighboring sites and uses, topography and neighborhood concerns for an introduction to the project. He explained the building massing, open space, access and mixed uses for the board. The project is proposing several departures from the land use code for the Board's consideration. The architect presented some of the concerns of neighbors up the hill, to the west. The architect explained that Seattle Department of Transportation (SDOT) requires new projects to improve abutting rights-of-way. The project proponents are proposing to improve, in an alternative fashion, the Fauntleroy right of way acceptable by SDOT which would include a walk way, lighting and a seat wall. The project will provide the code required amount of parking on site. Roof conditions have been design to be pleasing for both the residents and as viewed from above. There will be planting, seating and low glare materials. Residents in the apartments to the south will also have some of their view lines maintained in this proposal. The large right of way to the north, between the project property line and the sidewalk, will be planted in a "park-like" fashion. The north façade expresses different forms and building uses, as do the south and west facades. The Harbor Avenue façade will be live work units with roll up doors at the ground level where the business may expand onto its entry patio or allow for an open air entry. The roof forms are graphic and recall the industrial uses nearby. The single access is proposed to be from Fauntleroy Way. A small garden area at grade, entry garden areas, green screen walls and rooftop gardens will be provided to encourage a sense of community.

Several departures are contemplated with this project proposal. Commercial space depth is proposed to be less, open space quantity, dimension, and location and floor to floor height. The departures are described in the table below.

BOARD CLARIFYING QUESTIONS

The Board asked for a walk through of the site to orient the user and visitor experience. The Board asked for more detailed explanation of the commercial spaces at grade on Harbor Avenue, entry, signage, patio, landscaping, roll up front wall.

PUBLIC COMMENTS

There were seven members of the public in attendance. Comments included concerns over noise and hours of commercial uses, light protection, built smart program participation.

BOARD DELIBERATIONS

The Board discussed prominent issues from the presentation and public comments. Points of discussion included the following:

- The proposal response to Board early design guidance is good.
- Right of way improvements are good as long as SDOT approves them.
- Wrap of the commercial space at the north end is a good design move.
- The rooftop treatment is an appropriate response to former comments and the site location.
- The materials proposed are good and relate to the industrial nature of the area. Keep the mix of wood, metal, etc.
- Bays presented in the drawings provide interest. They should be retained.
- Landscaping should be striving and irrigated to keep it alive and full.
- Provide a source of water for rooftop gardening.
- The departures are supported.

Summary of Requested Departures

DESIGN DEPARTURE MATRIX:

	COMMERCIAL			RESIDENTIAL			Board Action
Development Standard	Required	Proposed	Departure amount	Required	Proposed	Departure amount	
<i>Commercial Space Depth</i> SMC 23.47.008.B	30' Depth	18'- 7" to 16'- 3" each unit; <i>typical</i>	11'- 5" to 13'- 9" each unit; <i>typical</i>	None Required	N/A	N/A	Recommend approval
<i>Open Space (quantity)</i> SMC 23.47.024.A	None Required	1,473 SF	None	20% gross residential floor area (2,533 sf)	1,633 SF	900 SF	Recommend approval
<i>Open Space (dimension)</i> SMC 23.47.024.B.3	None Required (10' min. dimension)	Minimum 3' -2" (limited locations)	Up to 6' -10"	10' minimum dimension	Minimum 1' -0" (limited locations)	Up to 9' -0"	Recommend approval
<i>Open Space (location)</i> SMC 23.84.014 (Ground Related Dwelling Unit)	None Required	N/A	N/A	Ground Related (Town homes Only)	Mostly Roof Decks	Location	Recommend approval

If the Administrative Conditional Use for Single-Purpose Residential Use is NOT granted for this site, then an additional Departure will be requested for Commercial floor to floor height (Zoning Requires 13' – 0"; Project provides 10' – 6"). (23.47.008.C.2). The Board recommends the departure in advance, if needed.

BOARD RECOMMENDATION:

After considering the proposed design and the project context, hearing public comment, and reconsidering the previously stated design priorities, the Design Review Board members felt that all of the guidance they had given in their previous meetings had been addressed by the applicant. In addition, the full five (5) Board members supported the Departure requests and **recommended approval with conditions** to the design to the Director.

Recommended conditions are the following:

Planner note: The Design Review Board recommendation to the director is subject to outcomes of the archaeological study and state archaeologist. This may include, but not be limited to, reconfiguration of the buildings on site and other site changes.

1. Maintain a full and healthy landscape for the life of the project with special attention to green architecture including vines and landscape screening and plants that trail over walls.
2. Provide a source of water at upper level landscaping.
3. Retain the building colors and materials presented at the meeting.

ANALYSIS AND DECISION - DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the Design Review Board and finds that they are consistent with the City of Seattle Design Review *Guidelines for Multifamily & Commercial Buildings* and that the development standard departures present an improved design solution, better meeting the intent of the Design Guidelines, than would be obtained through strict application of the Seattle Land Use Code. Open space departures allow the project to make the best use of its setting at the base of a hill and to capture upper level opportunities for light and air. Commercial depth departures allow the live/work units to function on Harbor Avenue SW without compromising the usability of the commercial portion of the unit. Therefore, the Director **approves** the proposed design as presented in the official plan sets on file with DPD as of the December 29, 2006. The Design Review Board meeting and the recommended **development standard departures** described above are **approved**.

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 and dated July 5, 2006 and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC25.05.665) mitigation can be considered. Thus a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: minor decreased air quality due to suspended particulate from building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise, and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. Additionally, these impacts are minor in scope and are not expected to have significant adverse impacts (SMC 25.05. 794). However, due to the residential density and close proximity of neighboring businesses, further analysis of construction impacts is warranted.

Noise

Noise associated with construction could adversely affect the surrounding uses, thus the limitations of the Noise Ordinance are found to be inadequate. Pursuant to the SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B), additional mitigation is warranted. Thus, limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. Limited work on Saturdays between 9:00 a.m. and 6:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner at DPD. Such after-hours work would include emergency construction necessitated by safety or street use (traffic) concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Limited work at other times or on Sundays may also be allowed if necessary to align with SDOT or utility requirements. Such limited after-hours work may be authorized only if the owner(s) and or responsible party(s) provide 3-days prior notice to allow DPD to adequately evaluate the request pursuant to SEPA authority to mitigate construction impacts (SMC 25.05.675B).

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; 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 a mixed-use structure and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Storm water, Grading and Drainage Control Code (storm water runoff from additional site coverage by impervious surface); Land Use Code (height, setbacks, parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

Drainage and Water Quality

Rain water on roofs and roof decks are the major sources of water runoff on this site. The rainwater will be collected in gutters and connected to the storm drainage system. Oil/water separators will be installed at the parking garage level. Therefore, drainage will be directed away from adjoining residential properties. No additional mitigation measures will be required pursuant to SEPA.

Height, Bulk and Scale

Section 25.05.675G2c of the Seattle SEPA Ordinance provides the following: "The Citywide Design Guidelines (and any council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. 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. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project."

There are no sensitive height, bulk or scale impact issues which have not been addressed during the Design Review process in the design of this project in a Commercial Zone 1 with a 40 foot height limit (C1 40'). Therefore, no additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Historic Preservation

Historic Buildings

As required under SMC 25.05.675, and the DPD-DON Interdepartmental agreement on review of historic buildings during SEPA review, a project that proposes the demolition of a structure or structures over 50 years old must be referred to the City of Seattle Department of Historic Preservation. After review the Department of Neighborhoods staff found that the buildings on this site did not meet the criteria for landmark status, as detailed in SMC 25.12. Accordingly, no further review is required.

Potential archaeological sites

For any projects located within 200 feet of the US Government Meander line or in other areas where information suggests potential for archeologically significant resources, DPD shall determine the adequacy of the information provided in the SEPA checklist. DPD may ask for additional information when appropriate. DPD has reviewed the proposed level of excavation and its relationship to the historical substrata, results of research of relevant literature on the site and environs and result of conversations or copies of written correspondence with the

Washington State Archaeologist. A research report by Northwest Archaeological Associated, Inc. (October 24, 2006) was ordered by the applicant to study the cultural resources of the site. The research does not identify the probable presence of archaeologically significant sites or resources as this site. The report is on file with the State Archaeologist office.

Even though research has not indicated the potential for archaeologically significant resources on the site, there still may be some potential for unknown resources to be discovered if the proposal site is located in an area characteristically similar to those where known resources do exist. Thus, in order to ensure that no adverse impact occur to an inadvertently discovered archaeologically significant resource, conditioning of permit approval shall be applied to the project to provide mitigation. Conditions are listed at the end of this document.

Traffic and Transportation

The West Seattle Bridge provides access to harbor Avenue from the south. This is the primary route leading to West Seattle from Interstate 5 and State route 99. Alki beach is located about 3 miles to the north of the site. Several bus routes serve the site and there are about three bus stops within a half mile of the site. Bus routes 53 and 37 serve the site. Vehicle access to the site will be from Fauntleroy Avenue SW which is accessible only from Harbor Avenue SW. There is an undeveloped right of way to the west of the site (continuation of Fauntleroy Avenue SW). The applicant is proposing an alternative development of the unopened right of way to allow pedestrian access to the site and the western townhouses. The project will not require any new roads or streets. The project is across the street from the Port of Seattle terminals. The project should not impact the Port, nor be impacted by the Port. The project meets the City's transportation concurrency (Level of Service) LOS Standards and indicates adequate capacity exists to serve the increase in project related vehicle trips.

The unopened right of way of Fauntleroy Avenue SW as shown on DPD maps is undersized for the zone. However, the Director may waive or modify the requirements in certain situations. SMC 23.53.015D3. Widening and/or improving the right of way is not necessary because in it's unopened state it is adequate for current and potential pedestrian and vehicular traffic. The eca hill slope, drainage and current access are proposed to be retained. Additional dedication and paving along with sidewalks are not necessary. Any street improvements or sidewalks proposed in the right of way will be open to the public.

Parking

Per the City's parking code, the site would be required to provide approximately 18 parking stalls.

The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to 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).
- [] 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.

CONDITIONS – ADMINSTRATVIE CONDITIONAL USE

None.

CONDITIONS – DESIGN REVIEW

For the Life of the Project

1. Maintain a full and healthy landscape for the life of the project with special attention to small areas including vines and landscape screening and plants that trail over walls.

Non-Appealable Conditions

2. 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 (Holly Godard 206-615-1254). 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.
3. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Holly Godard 206-615-1254), 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.
4. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings and embed the colored MUP recommendation drawings in the building permit plan sets.

CONDITIONS – SEPA

Prior to Issuance of Demolition Permits

5. The applicant shall submit to DPD a copy of the PSCAA Notice of Intent to Demolish prior to issuance of the DPD demolition permit.

Prior to Issuance of Master Use Permits

6. The owner and/or responsible parties shall provide DPD with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 26.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.

During Building Demolition, Site Work and Building Construction

7. 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.

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

8. Limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. Limited work on Saturdays between 9:00 a.m. and 6:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner at DPD. Such after-hours work would include emergency construction necessitated by safety or street use (traffic) concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Limited work at other times or on Sundays may also be allowed if necessary to align with SDOT or utility requirements. Such limited after-hours work may be authorized only if the owner(s) and or responsible party(s) provide 3-days prior notice to allow DPD (holly.godard@seattle.gov) to adequately evaluate the request.
9. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:
10. Stop work immediately and notify DPD (Holly Godard 206-615-1254) and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP). The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.

11. Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

Signature: (signature on file)
Holly J. Godard, Land Use Planner
Department of Planning and Development

Date: January 15, 2007

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