



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: 3004004 (formerly project # 2408239)
Applicant Name: Driscoll Architects for Trinity 43rd Avenue LLC
Address of Proposal: 4301 Roosevelt Way NE

SUMMARY OF PROPOSED ACTION

Land Use Application to approve a 6-story, 99 unit apartment building with 3,588 sq. ft. of retail on the ground floor and 4000 sq. ft. of residential recreation space. Parking for 111 vehicles will be located in a below grade and at grade parking garage. Project includes 25,200 sq. ft. demolition of existing auto repair and residential structures.¹

The following approvals are required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code (SMC)

Design Review, Chapter 23.41, Seattle Municipal Code (SMC) Development Standard Departures from the Land Use Code approved as follows:

1. Open Space for residential gross floor area - SMC 23.47.024
2. Non-residential façade at street level- SMC 23.47.008B
3. Sight Triangle- SMC 23.54.030G

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

¹Project originally noticed as; Land Use Permit to approve a six story, 105 unit apartment building with 3,133 sq. ft. of retail on the ground floor. Parking for 120 vehicles will be located in one and one-half levels of below grade garage. 2,550 sq. ft. of residential recreation space to be provided at street level. Project includes 25,200 sq. ft. demolition of existing auto repair and residential structures.

BACKGROUND DATA

Site & Vicinity Description

The existing 30,084 square foot site is currently occupied by three buildings; a 12,850 square foot auto repair facility, a 12 unit, 3 story apartment building and a 2 story triplex. The site topography consists of a slope which descends from the north to south from a high point of 172 feet at the NW corner to the low point of 158 feet at the SE corner. The site does not contain any significant vegetation in that it is almost completely covered with impervious surface. The site is located within the University District Northwest Urban Center Village.

The site is zoned Commercial 1 with a 65 foot height limit and is just outside the boundaries of the light rail station overlay. Surrounding property to the north is zoned C1-65 and developed with a surface parking lot, property to the south is zoned C1-65 and developed with a 3-story office building and a 37 unit, 3-story apartment (Carter Hall Apartments- circa 1926), property to the east is zoned C1-65 and developed with a 6-story hotel (Watertown Hotel), property to the west is zoned Lowrise 3 and developed with 3-story apartment buildings.

Project Description

The proposal is for the development of 99 apartment units, 3588 square feet of ground floor retail and 4000 square feet of residential amenity space. Parking for 111 vehicles will be provided in a below grade and at grade garage. The design features;

- Two building masses over a podium level.
- A 7 to 9 foot setback along 9th Avenue (required for future street improvements)
- A 3 foot setback along a portion of Roosevelt Way NE (required for future street improvements)
- 86% lot coverage on the ground floor
- 63% lot coverage above 13 feet, levels 2 through 6
- Open space located at grade in a south facing residential entry court and on level 2 between the two building masses.
- A retail arcade along Roosevelt Way NE and along a portion of NE 43rd Street
- A residential amenity space consisting of a fitness center, media and entertainment rooms for the residents.

Public Comment

Public notice was provided for the Design Review meetings that were held by the Northeast Seattle Design Review Board (DRB) for Early Design Guidance (EDG) on February 14, 2005; and for a Design Review Board Recommendation meeting on September 18, 2006. Additional comment opportunities were provided at the time of Master Use Permit application.

EDG: Five members of the public attended the meeting. The design-related comments expressed were that they liked the massing option showing two buildings so that there would not be a wall of building on NE 43rd Street. Another member of the public expressed that there was not enough green space in the area so they hoped the project would provide some and not contribute to stormwater runoff.

Notice of Application: further notice and public comment opportunity was provided as required with the Master Use Permit application. The comment period ended on February 1, 2006. DPD received one comment letter that raised concerns about traffic congestion, pedestrian safety and lack of parking.

DRB Recommendation meeting: One person made public comments expressing concerns about noise, vehicular access on Roosevelt, no setback on Roosevelt, lack of pedestrian amenities, height, bulk and scale and the project's relationship to the property on the north. Likes how the Watertown hotel relates to the street and thought this project could do something like that. Indicated that they heard there was going to be a park on the abutting property to the north.

ANALYSIS - DESIGN REVIEW

Early Design Guidance

PRIORITIES:

The Design Review Board members provided the siting and design guidance described below after visiting the site, considering the analysis of the site and context provided by the proponents and hearing public comment. The Design Guidelines of highest priority to this project are identified by letter and number below. The Design Review program and City-wide Guidelines are described in more detail in the City of Seattle's "Design Review: Guidelines for Multifamily and Commercial Buildings" and in the "University Community Neighborhood Design Guidelines". The University Community Neighborhood Design Guidelines are provided below in *italics*.

A. Site Planning

A-1 Responding to Site Characteristics

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

A-2 Streetscape Compatibility

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

The Board thought that scheme C, breaking the mass into two buildings was a better response to the site characteristics and was the appropriate scale for this site. The Board agreed that the SE and SW corners were important to the project considering the context and wants to see how these spaces meet the sidewalk. Additionally, the Board wants the design to respond to the site

condition on Roosevelt Way NE where NE 43rd Street terminates creating an axial vista of the proposed building. It was suggested by the Board that this unique opportunity be seized in the design by using special massing or design treatment at this location. The Board wants to see perspectives, landscape plans and vignettes of these areas of importance to demonstrate the pedestrian feel and scale.

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the street.

The Board wants the proposed retail space and retail entries maximized on Roosevelt Way NE since it is a major pedestrian street. The Board prefers the proposed residential entry to be on NE 43rd and not on Roosevelt Way NE to maximize retail opportunity. The Board wants to see an identifiable residential entry into the courtyard or roof deck between the two buildings.

A-7 Residential Open Space

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

The Board wants the ground level open space to be a genuine public amenity and was pleased to see a generous amount of setback proposed at the ground level. To demonstrate good quality open space, the Board wants to see detailed concept landscape plans of these areas. The Board feels that the interior courtyard or roof deck should be linked to the street.

A-8 Parking and Vehicle Access

Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

The Board wants the location of the parking entrance on NE 43rd Street to be explored with respect to a two building massing scheme since the presented location seemed to make the driveway a focal point contrary to the priority of minimizing driveways. The Board discussed how shifting the vehicle entry could minimize its impact and allow the open space between the buildings to better meet the street. Additionally, the Board asked that retail be maximized on Roosevelt; provide a special feature along Roosevelt Way NE at the NE 43rd Street vista, so therefore the vehicular entry on Roosevelt Way should be minimized. The Board indicated a willingness to entertain a reduction of curbcut width to minimize the impact of vehicular entry. The Board also indicated that eliminating the curbcut and commercial parking would be helpful in meeting the guidance to create a large retail space and special vista feature on Roosevelt.

A-9 Location of Parking on Commercial Street Fronts

Parking on a commercial street front should be minimized and where possible should be located behind a building.

See A-8

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.

See comments under A-1.

B-1 Height, Bulk and Scale Compatibility

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

The Board clearly stated that the ½ block building scale (alternative C) is appropriate, but asked for refinements. The Board thinks the design should create a difference in scale between the two building masses considering the need to create a good transition to the less intense Lowrise 3 zone and the park. The Board discussed the desirability of making the massing less symmetrical to achieve the goal of creating a larger mass on the Roosevelt side versus a smaller mass on the 9th Avenue side.

C. Architectural Elements and Materials

C-1 Architectural Context

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

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.

C-4 Exterior Finish Materials

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

The Board wants the live-work units on the 9th Avenue façade to have a more residential expression and scale. The Board noted that the presence of brick is prevalent in the

neighborhood so this material should be considered for the base of the building. The architect identified the Maxwell as an example of what type of finish materials could be used. These included metal elements, hardiplank and stained concrete. The Board wants to see finish material samples and a color palette at the next meeting.

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.

The interior courtyard as presented does not seem to relate well to the street. The Board wants this space to have a better connection to the street. See comments under A-7 and A-8.

The Board feels that the design should include overhead weather protection in that weather protection is important in creating a well designed pedestrian space.

Design Review Board Final Recommendations

The applicant applied for the MUP (Master Use Permit) on December 13, 2005. After initial DPD design, zoning and SEPA review, the Design Review Board was reconvened on September 18, 2006 to review the project design and provide recommendations. The four Design Review Board members present considered the site and context, the previously identified design guideline priorities, and reviewed the drawings presented by the applicant.

The Board focused their deliberations on the departure requests, the Roosevelt façade treatment as viewed from the terminus of NE 43rd Street, the residential entry plaza and height, bulk and scale.

There was inconclusive discussion about the rhythm of columns on the east building along the Roosevelt Way façade, particularly on how the building turned the corner. The Board generally thought the column placement and articulation was not as consistent as it could be. No recommendations regarding this issue were provided in that any resolution would likely require a substantial redesign of the structure, and the Board could not reach a consensus on this matter.

The Board discussed the color and material proposed for the storefront glazing system in that the design consists of dark anodized bronze metal with transom. The Board had concerns that the material would be too dark for the arcade and suggested that different colors be considered to lighten the storefront. Additionally, the Board expressed some concern that the concrete façade would attract graffiti.

The Board recommended a condition for the Roosevelt façade at the terminus of NE 43rd Street. The design presented shows two joined bays in an asymmetrical configuration. At the roof line one bay is framed by a flat roof projection and the other bay topped with an aluminum trellis.

The Board recommended a stronger expression and recommended that the bays be treated the same by either designing both bays with trellis on the 6th floor or both bays with flat roofs.

The Board discussed the residential entry plaza and whether the stair should be removed to create more space around the water feature and integrate it into the entry. The present design shows the water feature off to the side and close to the sidewalk. The Board thought the stairs should be a seating or gathering amenity aside from its function as a stair. The Board was not unanimous about removing the stair, but did agree about creating a focal point with an architectural feature such as trellis, columns or water feature to denote the residential entry. The Board recommended that the residential entry plaza design be refined to better identify the residential entry and make the open space more appealing. The Board recommended two options; (1) remove the stairs connecting the plaza to the 2nd level courtyard open space and make the water feature and/or an architectural feature a focal point in the plaza or (2) redesign the stair/water feature so that the water feature becomes more of a focal point and minimize the stairs.

The Board recommended that a better transition from the subject site to the less intense Lowrise 3 zone west of the site is appropriate. The Board recommended that the west building be eroded on the north end similar to how this was accomplished on the south end. The design would need to be revised to omit the gable roof on the north side of the building. The Board also suggested this could be accomplished by using a flat roof instead of the hipped roof proposed. The Board felt the gable end on the north end of the building was not consistent with the design and that another hip roof that mirrors the roof form on the south end would be more appealing. In addition the design change would likely reduce the residential square footage, add deck area; thereby reducing the open space departure.

The Board recommended granting the site triangle departure to allow a 24 inch column in the site triangle; however, the Board recommended that any planters in the site triangle area be low in height and contain only ground cover so that site lines are not further affected.

The Board recommended approval of the proposed project and design departures with recommended conditions in that the project design successfully responded to the EDG.

Departure from Development Standards

The applicant requested departures from the following Land Use Code development standards:

<i>Requirement</i>	<i>Proposed</i>	<i>Applicant's Rationale</i>	<i>Board Recommendations</i>
SMC 23.47.024 Open Space for residential gross floor area, 16,096 S.F. (20% of 80,481 SF)	13,219 SF (16.4%)	95% of units have access to private decks which meet open space requirements. The 2 nd level courtyard provides extensive space with generous landscape elements. Overall quality of open areas meets and exceeds requirements.	The Board recommended approval of the departure based on their recommended conditions to strengthen the residential entry plaza and reducing the scale of the building as viewed from the west. (A-7 Residential Open Space; D-1 Pedestrian Open Spaces and Entrances)
SMC 23.47.008B Non-residential façade at street level must comprise 80% of the façade (233.6 feet)	55% (161 feet)	If counting the residential amenity space then the project would be providing about 94% non-residential façade at street level. The amenity space and the residential entry are designed to be a continuation of the commercial storefront aesthetic.	The Board recommended approval of the departure in that the residential amenity space along NE 43 rd Street is designed to enliven the street similar to how a non-residential space could. The space is designed for use as a fitness center for residents with transparent windows and roll up doors with adjacent patio at the corner. (A-4 Human Activity)
SMC 23.54.030G Sight Triangle required on the side of the driveway used as an exit and shall provide clear sight lines for a distance of 10 feet from the intersection of the driveway and sidewalk. The sight triangle shall be kept clear of obstructions in the vertical spaces between 32 and 82 inches.	One 2 foot wide column within the sight triangle	One column falls within the designated site triangle. The column is part of a colonnade defining the commercial frontage along Roosevelt Way NE. The purpose of the colonnade is to give a richer character to the building as appropriate to an arterial street and to signify and encourage pedestrian activity within the proposed commercial development. Alternative safety measures will be incorporated similar to methods used in Downtown Seattle.	The Board recommended approval of the departure agreeing with the applicant's rationale that the columns are an important feature for the arcade and base of the building. The Board recognized that the sight triangle could be provided using other means like mirrors or alerts. (D-1 Pedestrian Open Spaces and Entrances)

Board Recommendations

1. Explore the use of lighter colored and higher quality materials for the retail storefront to better enliven the arcade. (C-4 Exterior Finish Materials)
2. Along Roosevelt Way NE at the terminus of NE 43rd Street, the bays should be treated the same by either designing both bays with trellis on the 6th floor or both bays with flat roofs framed by columns. (A-1 Responding to Site Characteristics; C-2 Architectural Concept and Consistency).
3. The Board recommended two options to strengthen the residential entry plaza; (1) remove the stairs connecting the plaza to the 2nd level courtyard open space and make the water feature and/or an architectural feature a focal point in the plaza or (2) redesign the stair/water feature so that the water feature becomes more of a focal point and the stairs more of an architectural element. (A-7 Residential Open Space; D-1 Pedestrian Open Spaces and Entrances)
4. The façade on the west side of the west building should be eroded. The roof of the west building should be eroded on the north end mirroring the roof design on the south end. The design would need to be revised to omit the gable end on the north side of the building. It was also suggested this could be accomplished by using a flat roof instead of the hipped roof proposed (B-1 Height, Bulk and Scale; C-2 Architectural Concept and Consistency).
5. Any planters in the sight triangle area should be low in height and contain only ground cover so that site lines are not further effected (D-7 Pedestrian Safety).

Director's Analysis

The Director concurs with the Design Review Board's recommendation to approve the proposed design with the above conditions. The Design Review Board's recommendation does not conflict with applicable regulatory requirements and law, is within the authority of the Board and is consistent with the design review guidelines.

The applicant has refined the design pursuant to the Design Review Board recommendation and submitted a revised color and materials board (submitted on March 7, 2007). The color and material board shows the following;

West Building Scheme- composite shingle roofing, hardi horizontal siding and trim (creamy, cast iron, mannered gold, repose gray), metal deck rails and shed roof (cool weathered copper) and concrete base.

East Building Scheme- hardi horizontal siding (requisite gray and repose gray) and vertical metal siding (dark bronze, cool sierra tan, cool colonial red)

Retail storefront- ceramic tile (mosa global collection) on storefront and accent colored tile on planters. The columns in the retail arcade are shown with horizontal metal sewer pipes in a red colonial color terminating in a ceramic tile cladded planter.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY APPROVED** pursuant to project plans including revisions made on March 5, 2007 (revision 3).

CONDITIONS

Design Review conditions are listed at the end of this report.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklists submitted by the applicant dated December 13, 2005 and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 23.05.665) discusses the relationship between the City's code/policies and environmental review. 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 limitation*". The Overview Policy in SMC 23.05.665 D1-7, states that in limited circumstances it may be appropriate to deny or mitigate a project based on adverse environmental impacts.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the environment are subject to the Overview Policy (e.g., Traffic and Transportation, Plants and Animals and Shadows on Open Spaces). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; temporary soil erosion; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, noise, and construction traffic warrant further discussion.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos (if any) during demolition. The owner and/or responsible party (ies) are required to comply with the PSCAA rules pertaining to demolition of projects with or without asbestos. This will ensure proper handling and disposal of asbestos, as well as demolition of structures without asbestos. No further SEPA conditioning is necessary.

Noise

The project is expected to generate loud noise during demolition and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends. The surrounding properties are developed with housing and will be impacted by construction noise. The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7am to 6pm.

Traffic and Circulation

The project will consist of grading to accommodate the underground parking garage and building foundation. Approximately 12,500 cubic yards of material would be excavated and removed from the site. This activity would require 694 truck trips using a truck with a capacity of 18-cubic yards, which is a typical truck size. The importing of structural fill for the project might be necessary which would create additional truck trips.

Existing City code, Regulating the Kind and Classes of Traffic on Certain Streets (SMC 11.62) designates certain times of day when truck traffic is allowed on certain streets and designates major truck streets which must be used for hauling and otherwise regulates truck traffic in the city. The proposal site abuts arterial streets and is near major truck routes (Interstate 5), and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC 11.62.

Traffic control would be regulated through the City's street use permit system, and a requirement for the contractor to meet all City regulations pertaining to the same. Temporary sidewalk or lane closures may be required during construction. Any temporary closures of sidewalks would require the diversion of pedestrians to other sidewalks. The timing and duration of these closures would be coordinated with SDOT to ensure minimal disruptions.

Compliance with Seattle's Street Use Ordinance administered by Seattle Department of Transportation (SDOT) is expected to mitigate any adverse impacts to traffic which would be generated during construction of this proposal and no further conditioning is necessary.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires on site detention of stormwater with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term long term impacts, although some impacts warrant further discussion.

Height, Bulk and Scale

The SEPA Height, Bulk and Scale Policy (Section 25.06.675.G., SMC) states that *“the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section B of the land use element of the Seattle Comprehensive Plan regarding Land Use Categories, ...and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.”*

In addition, 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.”*

The proposed project will be located in a Commercial 1 zone with a 65 foot height limit (C1-65). Surrounding property to the north is zoned C1-65 and developed with a surface parking lot, property to the south is zoned C1-65 and developed with a 3-story office building and a 37 unit, 3-story apartment (Carter Hall Apartments- circa 1926), property to the east is zoned C1-65 and developed with a 6-story hotel (Watertown Hotel), property to the west is zoned Lowrise 3 and developed with 3-story apartment buildings. The proposal was reviewed and approved through the Design Review process and conforms to the Citywide and University Neighborhood Design Guidelines. The Design Review Board recognized that the site is adjacent to a less intensive zone and recommended that the mass of the west building be eroded to create a better transition between the C1-65 and L-3 zone. The recommendation asked the following;

The façade on the west side of the west building should be eroded. The roof of the west building should be eroded on the north end mirroring the roof design on the south end. The design would need to be revised to omit the gable end on the north side of the building. It was also suggested this could be accomplished by using a flat roof instead of the hipped roof proposed (B-1 Height, Bulk and Scale; C-2 Architectural Concept and Consistency).

The plans have been revised in response to the above recommendation and the proposed design will create an appropriate transition between the site and the properties to the west.

Additionally, design details, colors, landscaping and finish materials will contribute towards mitigating the perception of height, bulk and scale in that these elements will break down the overall scale of the building. No further mitigation of height, bulk and scale impacts is warranted pursuant to SEPA policy (SMC 25.06.675.G.).

Traffic

The applicant provided a trip generation, distribution and parking analysis prepared by Mirai Transportation Planning and Engineering dated May 25, 2006.

The study found that the project is expected to generate 670 average weekday trips, 44 AM peak hour trips and 62 PM peak hour trips. The existing apartment and auto repair shop will be demolished and currently generates vehicle trips. Accounting for the demolition of those uses, the net new vehicle trips associated with the proposed project is 292 average weekday trips, 5 AM peak hour trips and 12 PM peak hour trips.

The site is very well served by transit. Several Metro and Sound Transit bus routes operate along Roosevelt Way NE adjacent to the site, including routes 66, 67, 79, 355 and 556. Route 66 and 67 travels from the University district to Northgate with headways of less than 15 minutes. Route 79, 355 and 556 travels from the University to outlying areas during the peak commute hours. Many other routes can be accessed close by along NE 45th Street and NE Campus Parkway.

Additionally, the site will be located about 3 blocks west of the North Link Light Rail Brooklyn station which is proposed at Brooklyn Avenue NE between NE 43rd Street and NE 45th Street.

The project is expected to be marketed as rental units with likely tenants being students, Faculty or employees of the University. In light of that, vehicle trips are expected to be less than the typical multifamily housing in the city.

The trip generation from the proposed project is not expected to have a significant adverse impact on traffic conditions or reduce the level of service at nearby intersections. Therefore, no mitigation of traffic impacts under SEPA is necessary for this project.

Parking

The proposed project is providing parking for 111 vehicles and the Land Use Code requires parking for 99 vehicles. Because the site is located in an Urban Center and well served by transit, parking quantity is expected to meet demand. The project will be providing bicycle parking in the parking garage pursuant to code, and to acknowledge that many of the potential tenants will likely use bicycles. No adverse parking impacts are anticipated and no conditions are necessary under SEPA policy.

Other Impacts

The other impacts such as but not limited to, increased ambient noise, and increased demand on public services and utilities are mitigated by codes and are not sufficiently adverse to warrant further mitigation by condition.

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 requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

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

CONDITIONS - DESIGN REVIEW

Prior to Issuance of Master Use Permit

Revise Plans to show compliance with the following:

1. The use of lighter colored and higher quality materials for the retail storefront to better enliven the arcade. (C-4 Exterior Finish Materials)
2. Along Roosevelt Way NE at the terminus of NE 43rd Street, the bays should be treated the same by either designing both bays with trellis on the 6th floor or both bays with flat roofs framed by columns. (A-1 Responding to Site Characteristics; C-2 Architectural Concept and Consistency).
3. Show either option to strengthen the residential entry plaza; (1) remove the stairs connecting the plaza to the 2nd level courtyard open space and make the water feature and/or an architectural feature a focal point in the plaza or (2) redesign the stair/water feature so that the water feature becomes more of a focal point and the stairs more of an architectural element. (A-7 Residential Open Space; D-1 Pedestrian Open Spaces and Entrances).
4. The façade on the west side of the west building should be eroded. The roof of the west building should be eroded on the north end mirroring the roof design on the south end. The design would need to be revised to omit the gable end on the north side of the building. It was also suggested this could be accomplished by using a flat roof instead of the hipped roof proposed (B-1 Height, Bulk and Scale; C-2 Architectural Concept and Consistency).
5. Any planters in the sight triangle area should be low in height and contain only ground cover so that site lines are not further effected (D-7 Pedestrian Safety).

Prior to the Final Certificate of Occupancy

6. Install the features and/or provide applicable documents demonstrating compliance with above conditions.

NON-APPEALABLE CONDITIONS - DESIGN REVIEW

During Construction

7. All changes to approved plans with respect to the exterior façade of the building, finish materials and landscaping on site and in the right of way must be reviewed by a Land Use Planner prior to proceeding with any proposed changes.

Prior to Issuance of Certificate of Occupancy

8. Compliance with the approved design features and elements, including exterior materials, roof pitches, façade colors, landscaping and right of way improvements, shall be verified by the DPD Land Use Planner assigned to this project (Jess Harris- 206-684-7744) or by a Land Use Planner Supervisor (Bob McElhose 206-386-9745). Inspection appointments must be made at least three working days in advance of the inspection.

CONDITIONS SEPA

Prior to Issuance of any Construction Permit

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.

9. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays¹ from 7am to 6pm. Interior work using equipment within a completely enclosed structure, such as but not limited to compressors, portable-powered and pneumatic powered equipment may be allowed on Saturdays between 9am and 6pm, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three days in advance of the requested dates in order to allow DPD to evaluate the request.

¹ New Year's Day, Martin Luther King Junior's Birthday, President's Day, Memorial Day, July 4, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day.

Signature: _____ (signature on file) _____ Date: April 19, 2007
Jess E. Harris, AICP, Senior Land Use Planner
Department of Planning and Development

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