



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

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

Application Number: 3004550

Applicant Name: Tom Wines

Address of Proposal: 424 N 130th St

SUMMARY OF PROPOSED ACTION

Land Use Application to allow 36 townhouse units within 13, 3-story structures. Surface parking for 20 vehicles and 31 within garage spaces to be provided. Existing 10,400 sq. ft. structure to be demolished.

This review contemplates a future subdivision.

The Seattle Municipal Code (SMC) requires the following approvals:

Design Review pursuant to SMC 23.41

Departures for Structure Depth, Front & Rear Setbacks (refer to SMC 23.45.011 and 23.45.014)

SEPA - Environmental Determination pursuant to SMC 25.05.

SEPA DETERMINATION:

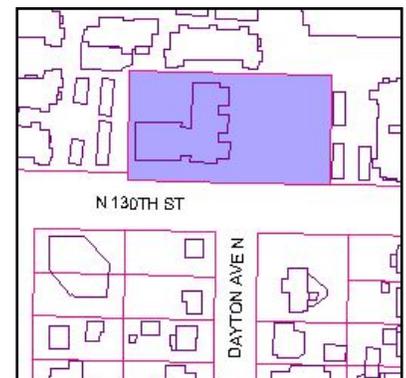
Exempt DNS MDNS EIS

DNS with conditions

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

BACKGROUND AND VICINITY INFORMATION

The applicant has applied for Design Review to develop 36 townhouses in a unit-lot subdivision development. The townhomes are all three stories and range in size from about 1,000 to 1,400 square feet, with an average unit size of 1,214 s.f. The townhomes are arranged in a combination of 2, 3, 4 and 5 unit buildings. The project will include one parking space for each unit plus 12 additional parking spaces, with a total of 48 spaces. Thirty-one (31) of the units will have enclosed ground floor parking; five of the units are “walk-ins” with surface parking nearby. Guest parking is distributed throughout the site. Parking and service access via two 10-foot curb cuts on 130th Street.



The 43,330 s.f. development site is zoned L-3 and is bordered on three sides by a planned unit apartment development, The Club at Bitter Lake. The site is also within the Bitter Lake/Haller Lake Urban Village. Across 130th St to the south, the zoning changes from multi-family to single-family. Lowrise zoning continues to the north, east and west from the site.

The topography for the development site is a relatively flat parcel along N 130th St. The site contains a vacant one story commercial building and a surface parking lot, which will be removed for this project. There are several trees on the site; the largest is a 24' deciduous tree situated in the northwest corner of the property, as well as existing street trees.

There is some commercial development further north and south on Greenwood Ave west of the site and on Aurora Ave east of the site. However, the immediate neighborhood is predominately residential. The Bitter Lake lies northeast of the site, but is not visible from the property. The Bitter Lake community center is located to the east on N 130th St. There are some views to the south and east from the southeast corner of the site. Architectural styles in the area cover a wide range from some older modest single-family homes in the neighborhood to the south, to conventional contemporary apartment and townhouse development.

Public Review and Comment Periods

An Early Design Guidance meeting was held on the proposal that included an opportunity for public to comment, on May 22, 2006. Approximately four members of the public attended this meeting and offered the following comments:

- The project would be a good addition to the neighborhood.
- The neighborhood needs more development that is residential.
- The northern adjacent neighbor expressed concern about the height and bulk of the buildings, as well as construction disruption.
- How will the project encourage sustainability?
- How will parking be provided for?

The Design Review Recommendation meeting was held on January 8, 2007. Refer to the Master Use Permit (MUP) file for details on these meetings.

Public notice of the Master Use Permit (MUP) project application was given on July 20, 2006. The public comment periods ended on August 2, 2006. Any comment letters received by DPD are available for review in the Land Use Application file at the Public Resource Center, 700 5th Ave, Ste 2000 (<http://www.seattle.gov/dpd/prc/location.htm>).

ANALYSIS - DESIGN REVIEW

After considering the analysis of the site and context provided by the proponents, and hearing public comment; the Design Review Board (DRB) member provided guidance described below and identified by letter and number those siting and design guideline found in the City of Seattle's "Design Review: Guidelines for Multi-family and Commercial Buildings," November 1998, of highest priority to this project.

ARCHITECTURE PRESENTATION

At the Early Design Guidance Meeting, architect Dan Umbach presented the vicinity's architectural context, the site's challenges and opportunities and development schemes as noted below:

Option 1A — proposes six duplexes and eight triplexes, for a total of 36 units; with six structures fronting on N 130th St and six structures on the northern portion of the site, between the western structures and eastern structures are two additional duplex structures (see plan diagram — option 1A in the project file).

Option 1B — alternative proposes ten duplexes and four quadplexes, for a total of 36 units; with four structures fronting on N 130th St, four structures on the central portion of the site, and four structures on the northern portion of the site (see plan diagram — option 1B in the project file).

Option 2A — alternative proposes eight duplexes, four triplex, and two quadplexes, for a total of 36 units; with four structures fronting on N 130th St, six structures on the central portion of the site, and four structures on the northern portion of the site (see plan diagram — option 2A in the project file).

Option 2B — alternative proposes eight duplexes, four triplex, and two quadplexes, for a total of 36 units; with four structures fronting on N 130th St, six structures on the central portion of the site, and four structures on the northern portion of the site (see plan diagram — option 2B in the project file).

Option 3A — alternative proposes fourteen duplexes and two quadplexes, for a total of 36 units; with six structures fronting on N 130th St, six structures on the central portion of the site, and six structures on the northern portion of the site¹ (see plan diagram — option 3A in the project file).

Option 3B — alternative proposes eight duplexes, one triplex, three quadplexes, and one 5-plex, for a total of 36 units; with five structures fronting on N 130th St, four structures on the central portion of the site, and four structures on the northern portion of the site² (see plan diagram — option 3B in the project file).

The goal of the “B” options in each alternative is to allow more flexibility in the form and layout of the buildings and to open up the interior of the site with common walkways. Departures are requested for structural depth and rear yards to further that intent. Total lot coverage could be compared with a code compliant development to ensure that the total bulk of the development does not increase with the depth and setback departures. In some cases, a reduction in the average area of open space per unit may be needed and would be compensated for with additional common open space of walkways, which are designated by easements. Specific departures are listed with the “B” options of each plan in the project file.

¹ Two of the structures noted fall within the central and northern portions of the site.

² Two of the structures noted fall within the southern and central portions of the site.

DESIGN GUIDANCE PRIORITIES

After visiting the site, considering the analysis of the site and context provided by the proponents and hearing public comment, the Design Review Board members provide the siting and design guidance described below and identified by letter and number those siting and guidelines found in the City of Seattle's "*Design Review: Guidelines for Multifamily & Commercial Buildings*," November 1998, of highest priority to this project. The identification of particular guidelines does not imply that other, nonprioritized guidelines may not be called upon in the ultimate decision-making regarding this project.

Guideline Priorities, Board's Comments/Guidance and Applicant's Response

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

The Board noted that the applicant should give consideration to the fencing treatment use by the site to the east.

A-3 Entrances Visible from the Street. *Entries should be clearly identifiable and visible from the street.*

The Board expressed concerns with the street facing entries and also expressed concern with the blank portions of the street facing facades — "were uncomfortable with the blank wall portions of the garage as illustrated." They suggested that the blank areas of façade to be developed with creative fenestrations/materials/landscaping.

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 Board suggests that special attention be given to the existing development to the north of the development site.

A-6 Transition between Residence and Street: *Use space between the building and the sidewalk to provide security, privacy and interaction among residents in the neighbors.*

Design treatments, lighting, high quality landscaping and other appropriate solutions, should be included that provide clear and easy transition between the entrance and street. The design of the street facing townhouse units should strive to create a sense of privacy and separation from the street activity, while creating more opportunity for social spaces pleasing to pedestrians at the street and sidewalk level.

Additionally, design treatments, lighting, high quality landscaping and other appropriate solutions, should be included on the north, east and west portions of the site that provides clear and easy transition between the development site and the adjacent sites.

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

Creating usable attractive and active open space should be a priority for each unit. The design should pay close attention to the location and design of decks/balconies at the ground and upper levels. The proposal should create high quality landscaping spaces which meet or exceed the Land Use Code dimensional requirements for required open space.

A-8 Parking and Vehicular Access: *Siting should minimize the impact of automobile parking and driveway on the pedestrian environment, adjacent property and pedestrian safety.*

In the MUP Application and at the next Design Review meeting, the architect should be prepared to present details on the curbcut locations and widths. See C-5 below for related comments.

B. HEIGHT, BULK AND SCALE.

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

The Board expressed a preference for option 3B with additional modulation and vertical treatments.

In the MUP Application and at the next Design Review Board meeting, the architect should be prepared to present details on the following:

- Show how the street facing, north facing, east facing and west facing facades appear from the adjacent properties.

C. ARCHITECTURAL ELEMENTS and MATERIALS

C-1 Architectural Context: *New building 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.*

The Board noted that the proponent will be defining the future architectural context for the area—therefore they should take this opportunity to use materials and fenestration that enhances the neighborhood context and character. The design should be visually interesting.

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. Building 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 appearance of the structures elevations should define or establish a renewed design in the area. The south facing residential entries should grace the front facades. Color and modulation should be used to help define the units. Lighting and landscaping should be included and designed to enhance the overall concept. See C-4 below for related comments.

C-3 Human Scale. The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

C-4 Exterior Finish Materials: Building exterior 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 design should use materials typical to the Craftsman style of architecture re-emerging in Seattle, such as, clear or painted wood siding, shingles, brick, and stone/masonry veneers. Proponent should provide samples of finished materials at the next design review meeting.

C-5 Structured Parking Entrances. *The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.*

The applicant should show examples of how the newer projects in proximity of the site help define the architectural context, scale, exterior finish materials, and siting pattern for the development site.

In the MUP Application and at the next Design Review Board meeting, the architect should be prepared to present details on the following:

- Design details for the street facing facades for the building—the facades should exhibit a unified form and provide a sensitive transition to near-by sites. The facades should have a design treatment sufficient to achieve a reasonable transition to the height and scale between the anticipated development potential of the site and the adjacent sites.
- Articulation and modulation (or the space/form) for the building—residential street facing facades—should be defined and presented in the MUP application and at the next Design Review Board meeting.
- Exterior building materials, their details and color pallet shall be presented at the next Design Review Board meeting. The character of the building should be compatible with the current developments in the area—the color pallet should be “kept simple.” All materials shall be highly durable and maintainable.

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.*

See A-3 above. Insure that the garage walls have a minimal amount of blank wall.

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

In the MUP Application and at the next Design Review Board meeting, the architect should be prepared to present details on the following:

- The facades, with an emphasis on the street and edge facing facades.
- On the garage entrance and garage door.
- Location and design of dumpster/recycle service area.
- Exterior lighting and rooftop treatments.
- Safety/security for the residents entrances/exits in the building.

The spaces between the buildings and the public right-of-way should be conducive to residential or pedestrian activities. In neighborhoods where pedestrian activity is desired, the function of any open space between the buildings and sidewalk should be to provide visual and physical access to the buildings and provide space for outdoor activities.

A wall may be considered “large” if it has a blank surface substantially greater in size than similar walls of neighboring buildings. A blank wall or walls provide opportunities for defacement with graffiti. Possible methods for treating blank walls include installation of vertical trellis with climbing vines or plant materials; or providing a landscaped or raised planter bed in front of the wall and including plant materials that grow to obscure or screen the wall’s surface.

The project’s design elements should promote and reinforce the security of the residents, visitors and neighbors with techniques that include adequate lighting, clear lines of sight, avoidance of walls that do not permit observations, landscaping that maintains visibility, the use of semi-transparent security screening, careful placement of secondary structures to avoid hiding places for criminal activity.

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.***

E-3 Landscaping Design to Address Special Site Conditions: The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

Landscaping lighting enhancements should be incorporated into the design of the project.

In the MUP Application and at the next Design Review meeting, the architect should be prepared to present details on the following:

- Landscaping materials used to reinforce any distinctive patterns or species found within the local context; e.g. street trees, naturalized or native landscape materials established as a part of the neighborhood.
- Landscaping features used to complement the form of the building and increases privacy and security for the residents and reinforces or enhances the adjacent properties and streetscape.
- Screening, shading, trellises or arbors providing places for plants to grow on.

Departures Summary and Analysis

DEVELOPMENT STANDARD DEPARTURE Matrix			
DEVELOPMENT STANDARD REQUIREMENT	REQUEST/PROPOSAL	JUSTIFICATION	Recommendation
Structure Depth : 98'-10" max	<ul style="list-style-type: none"> • BUILDINGS 1 & 2 100'-4" REQUESTED • BUILDINGS 3, 9 & 13 113'-8" REQUESTED • BUILDINGS 5,11 & 12 103'-7" REQUESTED • BUILDINGS 6 & 7 116'-10" REQUESTED 	<ul style="list-style-type: none"> • Allows for greater flexibility in arrangement of common walkways needed for a large townhouse development • Allows for greater than minimum modulation provided at the street facades • Allows for rotation of the units flanking the driveways so that these units face the street and so that the drive aisle is not so prominent from the street • Allows for shifting one unit from the west side to the east side of the site to retain the existing tree in the northwest corner 	the Board recommends Approval
Front setback 15' average	<ul style="list-style-type: none"> • BUILDING 4 14.26' AVE. REQUESTED 	<ul style="list-style-type: none"> • Needed to maintain desired width of common walkway through the middle of the site • Remaining buildings along the street have additional setback so that overall average among all buildings meets the 15' requirement 	the Board recommends Approval
Rear setback 22.81'	<ul style="list-style-type: none"> • REQUEST TO COMPLY BY AVERAGING MIN SETBACK 12.83' AVERAGE SETBACK 23.52' 	<ul style="list-style-type: none"> • Location of the buildings along the rear of the property was configured to save an existing tree and to provide more interest and modulation of the façade facing the residential development 	the Board recommends Approval

Applicant's response to Early Design Guidance³

1. Please describe the proposal in detail, including types of uses; size of structure(s), location of structure(s), amount, location and access to parking; special design treatment of any particular physical site features (e.g., vegetation, watercourses, slopes), etc.

The development objective is to construct 36 townhouses in a unit subdivision development. The units are all three-story and range in size from about 1,000 to 1,400 square feet, with an average unit size of 1,214 s.f. The units are arranged in a combination of 2, 3, 4 and 5 unit buildings.

³ Extracted from DPD Client Assistance Memo #238 Attachment B within the MUP Application file dated 06/23/06.

The project will include 1 parking space for each unit plus 12 additional parking spaces. 31 of the units will have enclosed ground floor parking; five of the units are “walk-ins” with surface parking nearby. The guest parking is distributed throughout the site. Parking is access via two 10 foot curb cuts on 130th Street.

2. Please indicate in text and on plans any specific requests for development standard departures, including specific rationale(s) and a quantitative comparison to a code-complying scheme. Include in the MUP plan set initial design response drawings with at least four (4) colored and shadowed elevation drawings and site/ landscape plan.

Departures are requested for the rear yard and for structural depth. The preferred site option presented at the EDG meeting showed a plan, which provided substantially more modulation on 130th Street than would be required. This was considered by the board to be a desirable approach. Interior buildings, especially those facing the adjacent apartment complex at the rear yard, have also been offset and modulated to a higher degree than required in an effort to break down the scale of the development. Common pathways have been provided throughout the site to provide pedestrian access through the middle of the property. The preferred plan also has one more unit along the east property line than along the west. This is to provide space to retain a large existing tree at the northwest corner of the lot.

The increase modulation, stepping of the interior buildings, pedestrian pathways and the saving of the existing tree result in a need for additional structural depth and reduced rear yard.

Allowed structural depth is 98'-10", the proposed structural depth is 116'-10" as the deepest point along the east edge of the property. This is about 18' over the LUC allowable, or about 77%.

The required rear yard is 22'-10". The proposal has rear setbacks, which range from about 31' at the west where the tree is to be preserved to 12'-4" as the nearest point. Because of the modulation provided at the rear of the site, an average setback has been calculated along that side which comes to about 23'-6".

The project is well within lot coverage limits (43% vs 50% allowed) and meets the open space requirement (200 s.f. min, 300-s.f. average), even with space given over to common pathways.

3. Please describe how the proposed design responds to the early design guidance provided by the Design Review Board.

As mentioned under item 2, there was a strong desire to have significant modulation at the street. The project provides this. A significant feature of the preferred option was that all of the units on 130th Street face the street, and that the units flanking the driveway provide some screening of the parking aisle within the development. These features have been maintained.

The board expressed a strong desire to retain several existing trees, specifically the one at the northwest corner, which will be preserved, as well as several large trees along 130th. On further review, the applicant has decided not to propose retaining the trees within the property along 130th. The largest of these is a multi-trunk deciduous tree that appears to be quite old and not well pruned. The other trees are dense evergreens that would cast substantial shadows across the site as they are situated along the south property line. Instead, the proposal is to remove these trees and provide new shade trees and additional street trees along 130th, which would be more appropriate to the development.

Board Recommendations

After reconsidering the proposed design/project context, hearing public comment, and reflecting on the previously stated design priorities, the Design Review Board members agreed that the design has successfully addressed the design guidance provided. The Design Review Board **recommends Approval** of the design as shown. The identification of these particular guidelines does not imply that other, nonprioritized guidelines may not be called upon in the ultimate decision-making regarding this proposal.

DECISION – DESIGN REVIEW

The Director of DPD finds that the Board's recommendation does not conflict with applicable regulatory requirements/laws within their authority and is consistent with the design review guidelines.

Therefore, the proposed design and departures are **APPROVED by DPD** as presented at the January 8, 2007 Design Review Board meeting.

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 proponent's agent (dated June 23, 2006) and annotated by the Land Use Planner. The information in that checklist, supplemental information submitted by the proponent 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 23.05.665) 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. Thus, only under certain limitations/circumstances, (SMC 25.05.665 D) can mitigation of adverse environmental impacts be considered. Thus, a more detailed discussion of some of the impacts is appropriate as noted below.

Short -Term Impacts

The following temporary construction-related impacts are expected on this site: temporary soils erosion; increased noise from construction operations and equipment; increased traffic and parking demand from construction personnel; tracking of mud onto adjacent streets by construction vehicles; conflict with normal pedestrian movement adjacent to the site; and consumption of renewable and nonrenewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant.

City codes and/or ordinances apply to this proposal. Specifically these are: 1) Grading and Drainage Control Ordinance (storm water runoff, temporary soil erosion, and site excavation) and 2) Street Use Ordinance (tracking of mud onto public streets, and obstruction of rights-of-way during construction).

Air Quality Impacts

Construction on this site will create dust, leading to an increase in the level of suspended air particulates, which could be carried by wind out of the construction area. Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency regulations will require activities that produce airborne materials or other pollutant elements to be contained with temporary enclosure. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne.

The Street Use Ordinance also requires the use of tarps to cover the excavation material while in transit, and the clean up of adjacent roadways and sidewalks periodically. Construction traffic and equipment are likely to produce carbon monoxide and other exhaust fumes. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency (“PSCAA”) prior to demolition. Thus, as a condition of approval prior to demolition, the proponent will be required to submit a copy of the required notice to PSCAA. If asbestos is present on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

Noise-Related Impacts

The residential units near the proposal will experience increased noise impacts during construction (demolition and excavation). Compliance with the Noise Ordinance (SMC 22.08) is required but is not adequate to mitigate the construction noise impacts on nearby residential uses. Therefore, the proposal is conditioned to limit the hours of construction as described in The Conditions section of this decision.

Streets and Sidewalks

The proposed on-site excavation on this site is controlled by an excavation permit. The Street Use Ordinance includes regulations, which mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation (SDOT.) It is the City's policy to minimize or prevent adverse traffic impacts, which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675 R).

A construction-phase transportation plan addressing street and sidewalk closures, as well as truck routes and hours of truck traffic, will be required to mitigate impacts between 8:00am to 10:00am and 4:00pm to 6:00pm during demolition and excavation activities.

Long-Term Impacts

Potential long-term or use impacts anticipated by this project include: increased bulk on the site; increased ambient noise associated with increased human activity and vehicular movement; minor increase in light and glare from exterior lighting, light from windows and from vehicle traffic (headlights); increased traffic and parking demand due to new residents and visitors; increased airborne emissions resulting from additional vehicle traffic; increased demand on public services and utilities; and increased energy consumption. These long-term impacts are not considered significant because they are minor in scope.

Parking

The Land Use Code requires 36 parking spaces for this residential project. The MUP plans indicate 36 residential parking spaces are provided on site, in addition to 55 on-street parking available within 400 hundred feet of the site.

There was a parking survey completed and is on file and available for public review at the City. The parking survey found that there are 55 legal parking stalls within the 400-foot walking distance. On the two nights observed an average of 9 of the 55 on-street spaces, were being utilized. Thus, the parking utilization rate was a low 17.3% percent. Based on this analysis no adverse impacts would result from the proposal; therefore, additional parking mitigation is not warranted.

Traffic and Transportation

Due to the comments expressed by members of the public at the Design Review meetings on traffic impacts — DPD offers the following:

The proposed 36 townhouse residential development would generate approximately 211 vehicle trips per weekday. The 7,424 square foot administrative office use of the site generated approximately 82 daily trips, so the proposed project would result in 129 new daily trips. The highest hourly volume for this proposed development would occur during the PM peak period when the project is forecasted to generate approximately 19 vehicle trips per hour. The existing land use generates 11 PM peak hour trips so there would be 8 new trips generated by the proposed project during the PM peak hour.

During the AM peak hour, the proposed project would generate 16 trips. The existing land use generates 12 trips so there would be 4 new trips generated by the proposed project during the AM peak hour. For the purposes of analyzing project impacts to adjacent intersections, it is assumed that 4 AM peak hour and 8 PM peak hour trips would be generated by the project.

The small amount of additional trips that the project will place on the surrounding roadway system will be unnoticeable by the average driver, and will not result in any appreciable adverse impacts; thus no SEPA mitigation of traffic impacts is warranted.

Other Impacts

Several codes adopted by the City will appropriately mitigate other long-term adverse impacts created by the proposal. Specifically these are: Grading and Drainage Control Ordinance (storm water runoff from additional site coverage by impervious surface); Puget Sound Air Pollution Control Agency regulations (increased airborne emissions); and the Seattle Energy Code (energy consumption in the long term).

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 of agency decisions pursuant to SEPA.

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

CONDITIONS – DESIGN REVIEW

Non-Appealable Conditions

1. Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval by Colin R. Vasquez, Senior Land Use Planner, 206-684-5639, or by Vincent T. Lyons, Architect & Design Review Manager, 206-233-3823. 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. 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 Colin R. Vasquez, Senior Land Use Planner, 206-684-5639, or by Vincent T. Lyons, Architect & Design Review Manager, 206-233-3823 at a Pre-construction meeting. An appointment with the assigned Land Use Planner must be made at least three working days in advance of the meeting. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved. Embed updated colored elevation drawing in MUP plans and all subsequent Building Permit Plans.
3. 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. Call out on the appropriate plan sheets where and what departures have been granted.

CONDITIONS – SEPA

Prior to issuance of a Demolition Permit

4. Prior to the commencement of demolition activities, the proponent will be required to submit a copy of the Puget Sound Clean Air Agency (PSCAA) notice of construction. If asbestos is present on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.
5. A construction-phase transportation plan addressing street and sidewalk closures, as well as truck routes and hours of truck traffic, will be required to mitigate impacts between 8:00am to 10:00am and 4:00pm to 6:00pm during demolition and excavation activities.

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.

6. The applicant will be required to limit the hours of construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m. (Work would not be permitted on the following holidays: New Years Day, Thanksgiving Day, the day following Thanksgiving Day and Christmas Day.)
7. Sidewalks along N 130th St shall be closed only as necessary to ensure public safety and as required to complete work within and adjacent of the right-of-way.
8. Comply with the limitations contained in the approved construction-phase transportation plan.

Signature: (signature on file)
Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development

Date: June 25, 2007