



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

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

**Application Number:** 3004946  
**Applicant Name:** Seth Hale, Caron Architecture for Michael Alford  
**Address of Proposal:** 10501 Stone Avenue N.

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow five, 3-story townhouse structures totaling 29 units with parking for 37 vehicles to be located within the structures. The structure existing on the site would be demolished.

The following approvals are required:

**Design Review: pursuant to Seattle Municipal Code (SMC) 23.41 with Development Standard Departures:**

Departures from the Land Use Code are requested as follows:

1. Front setback requirements (SMC Section 23.45.014.A)
2. Quantity of Open Space (SMC Section 23.45.016.A.3.a)
3. Modulation standards (SMC 23.45.012.D.2.a)
4. Parking and Access requirements (SMC 23.45.018.B.3)

**SEPA Environmental Determination:** pursuant to SMC Section 25.05.

\*Early Notice DNS published October 10, 2006.

**SEPA DETERMINATION:**  Exempt  DNS  EIS

DNS with conditions

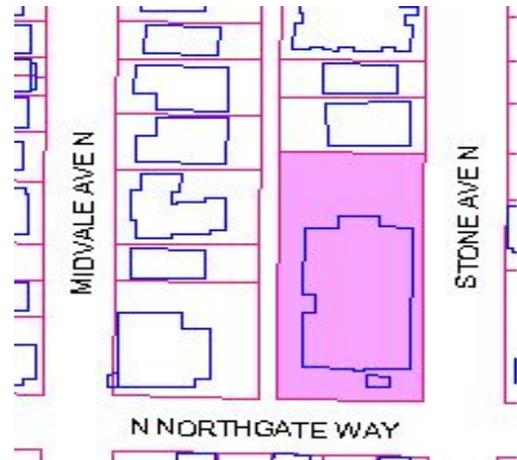
DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

**PROJECT AND VICINITY DESCRIPTION**

The site is located on the west side of Stone Avenue N at the northwest corner of North Northgate Way and Stone Avenue N. The subject site is located in Multifamily Lowrise 3 (L-3)

zone. The site is developed with a vacant 3-story building which was previously the site of a nursing home, the Northgate Rehabilitation Center. Surface parking abuts the north property line and occupies most of the northern section of the lot.

The rectangular-shaped site is approximately 32,783 square feet with approximately 267-foot frontage on Stone Avenue N and approximately 122 feet lot depth. The site slopes down gradually from the south downwards to a flat surface towards the northern portion of the lot. Vehicular access is available from Stone Avenue N to the east and from the existing alley to the west. Stone Avenue N at the project location is paved but not developed with sidewalks, curbs and gutter. North Northgate Way to the south is an arterial and is developed with sidewalk, but with no concrete curbs along the street. The site abuts an existing 16-foot wide gravel surface alley to the west.



The site is bordered on the north by an existing apartment building, to the west by an existing alley, to the south by North Northgate Way and to the east by Stone Avenue N. Development to the north and across the alley to the west is primarily multifamily residential uses. The southwest corner of the block at Midvale Avenue N and N Northgate Way is zoned Commercial 1 with a 40-foot height limit (C1-40'). The L-3 zone abuts the Commercial 2 with a 40-foot height (C2-40') to the north of N 107<sup>th</sup> Street and Lowrise 2 (L-2) zoning and development to the east and south. Other development in the vicinity includes two medical offices and general retail uses in the abutting commercial zone. Aurora Avenue N is located two blocks to the west of the site.

### Proposal:

The proposal is to demolish an existing 13,240 square foot 3-story building and construct five townhouse structures containing a total of 29 dwelling units. The townhouse structures will be situated in two rows facing Stone Avenue N to the east and the alley to the west. The proposed design is reminiscent of row houses form consisting of two contemporary town house structures with shed roofs unified in a consistent rhythm through the two structures fronting Stone Avenue N and similar row houses with gable and shed roofs complimenting each other along the alley. Vehicular access to the site will be available from Stone Avenue N into a “T” shaped interior driveway that provides vehicular access to individual garages located within each unit on both sides of the driveway. Similarly, additional access to parking for the six units facing the alley will be provided from the alley. The proposal also includes street and alley improvements. The applicant proposes to apply for a unit lot subdivision. This SEPA review will consider the environmental impacts of the future application, thus it will not be necessary to require another SEPA review.

### Public Comments

Eleven members of the community attended the Early Design Guidance meeting of July 10, 2006. Comments and concerns offered were as follows:

- Public concurred with the proponent’s preferred scheme because most of the vehicular access would be located on Stone Avenue N instead of the alley.

- Concern about increased traffic impacts that proposed project would have on the existing alley, which is currently being used by all the apartment complexes within the long residential block north of the site.
- Concern about lack of sidewalk on Stone Avenue N and on N Northgate Way.
- Concern about creating blank wall that may attract graffiti.
- Using the existing alley as the only access to the approximately 30-townhouse units raises safety and security concerns because the people living in that block heavily travel the alley.

Three members of the public attended the final recommendation meeting of March 12, 2007. The public comments and concerns related to design review offered were as follows:

- Concern about increased parking along Stone Avenue N because of the size of the development.
- Concerns were raised regarding garbage pickup because of the limited access to the site for garbage trucks.
- Concerned about the traffic on North Northgate Way and the impact of additional traffic generated by the proposal.
- Concern about pedestrian safety along the alley.
- Proponent of the project raised concerns regarding the use of proposed pedestrian access on the project site by the public.

The SEPA comment period for this proposal ended on November 1, 2006. No comment letters were received.

## **ANALYSIS – DESIGN REVIEW**

### *Design Guidance - Early Design Guidance Meeting - July 10, 2006*

Three schemes were presented at the Early Design Guidance meeting on July 10, 2006. All the proposed schemes illustrate the alternative massing and diagrams. The diagrams represented the neighborhood context and future conditions based on zoning. The applicant's preferred scheme proposes to configure these units so that a row of townhouses will be oriented towards Stone Avenue N and have street presence on both Stone Avenue N with some on North Northgate Way. Vehicular access via an interior driveway would provide access to individual parking garages within each unit. Those townhouse units facing the alley will be accessed from the alley to parking garages within each unit. Private usable open space has been provided for each unit. Pedestrian access to each unit will be from the street and the alley. The design illustrates the use of modulation to provide opportunity for greater architectural expression along Stone Avenue N and the units within the interior portion of the lot.

### *Recommendation meeting – March 12, 2007*

On October 10, 2006, the applicant submitted a MUP application. On March 12, 2007, the Design Review Board reconvened to review the project design, at which time site, landscaping and floor plans, as well as elevation sketches and renderings, were presented for the Board's consideration. The recommendations summarized below were based on the plans submitted at that meeting.

Design, siting, façade, materials or architectural details not specifically identified in the recommendations are expected to remain as presented in the plans available at the March 12, 2007, meeting.

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comments, the three Design Review Board members provided the siting and design guidance and identified by letter and number those siting and design guidance found in the City of Seattle's "*Design Review: Guidelines for Multifamily & Commercial Buildings*" of highest priority to this project. Unless otherwise indicated, all recommendations by the Board were made by consensus. Following the guidelines are the Board's Recommendations under each priority guidelines 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-3 Entrances Visible from the Street***

*Entries should be clearly identifiable and visible from the street.*

***A-4 Human Activity***

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

***A-5 Respect for Adjacent sites***

*Buildings should respect adjacent properties by being located on their site to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings*

***A-6 Transition between Residence and Street***

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

***A-7 Residential Open Space***

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

***A-8 Parking and Vehicle Access***

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

***A-10 Corner Lots:***

*Building on corner lots should be oriented to the corner and public Street fronts. Parking and automobile access should be located away from the corners.*

The Board acknowledged both the constraints and opportunities inherent with this site. The site constraints are related primarily to the depression within the lot that was created by the previous development and the heavy traffic present on North Northgate Way. The design of the structures takes advantage of the gentle slope on the site by stepping the facades up from north to south along Stone Avenue N and North Northgate Way. The Board was satisfied that the proposed development responded to the topography and the opportunities offered by the subject site. The building design offers interesting site characteristics with a consistent shed roof building form along Stone Avenue N and a mixture of gable and shed roofs structures that compliment each other along the alley.

The Board supported the orientation of building entrances to Stone Avenue N. The building fenestrations supported by small porches and decks with canopies are used to accentuate the building entryways. The building articulation and modulation distinguishes individual townhouse units and materials are used to provide a cohesive appearance for each individual unit. The Board indicated that the use of building articulation and modulation to distinguish each townhouse unit help to break the scale of the structure along Stone Avenue N. Achieving a residential streetscape of human scale that celebrates the pedestrian is of significant importance to the project. The Board noted a willingness to support the front setback departure to strengthen the relationship between the townhouses with the street.

The Board noted that since the site abuts on North Northgate Way to the south and an existing apartment building to the north, the impact of traffic noise and maintaining privacy for both tenants and existing building especially to the north is essential to integrate the proposed development on the site.

*At the Recommendation meeting: The Board recommended a 6-foot high fence along North Northgate Way including landscaping to screen the units to maintain privacy and the noise and mitigate traffic impacts.*

The Board noted that locating the main living floor at ground level provided with small entry porches and/or decks will increase street visibility and promote security. In addition, the Board noted that direct access to the outdoors via main living area would help to promote social interaction along the street on Stone Avenue N. The architect indicated to the Board that because of the reduced front setbacks, the project did not meet the required average open space standard of the Land Use Code. The Board noted a willingness to support the departure from reduced front yard because the design will result in a development which better meets the intent of the adopted design guidelines.

The Board supported the revised design where the proposed parking spaces, garage doors, and impervious surface have been sited to minimize the impact on the pedestrian environment and on the proposed project. The internal driveway is submerged to reduce visual impacts to the units and open space. Alley access is limited to the 5 units with individual garages and driveways to reduce the traffic impact on neighboring properties in the vicinity.

*At the Recommendation meeting: The Board felt that the design has not adequately provided pedestrian access to connect the Stone Avenue N and the alley. Thus the Board recommended that the design should be changed to include the following:*

- *The driveway access from Stone Avenue N should be developed to pedestrian scale to include pedestrian walkways and vehicular access.*
- *The design should be changed to provide a secured internal pedestrian connection between the residents along the alley and the interior driveway and vice versa.*

Finally, the Board supported the design of the southeast corner elevation which incorporates extensive landscaping and fenestration to create a distinct and exciting building appearance to motorists on North Northgate way. In addition, the townhouse unit along North Northgate Way will be screened with a 6-foot fence to reduce the impact of traffic and associated noise and dust.

**B Height, Bulk and Scale Compatibility**

**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 proposed design will consist of 5, 3-story townhouse structures approximately 35 feet in height. The Board noted that the extensive modulation along the Stone Avenue façade and along the alley has been used not only to break down the bulk and scale of the structures but also used to individualize the location of each townhouse unit. Variations in roof forms have been added to all of the units to provide a more individual appearance.

**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.*

**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 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.*

**C-5 Structured Parking Entrances**

*The presence and appearance of garages should be minimized so that they do not dominate the street frontage of a building.*

The Board was pleased to see the materials palette which included brick, siding, painted bevel and panel siding. Pedestrian entrances are faced with a stained cedar siding providing a visual cues to entry location to the individual townhouse units. Brick is utilized at the Stone Avenue elevation to tie the buildings together and provide a cohesive façade. The painted bevel and panel siding will be utilized at the building facing the alley

**D Pedestrian Environment**

**D-1 Pedestrian Open Spaces and Entrances**

*Provide convenient, attractive and protected pedestrian entries.*

**D-2 Blank Walls**

*Building should avoid large blank walls facing the street, especially near sidewalks.*

**D-6 Screening of Dumpsters, Utilities and Services Areas**

*Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible.*

The Board acknowledged that no blank walls are proposed on Stone Avenue N. Along North Northgate Way a 6-foot high fence is designed to provide screening and security for the townhouse units. The fence will consist of horizontal cedar slats and will provide visual access to the adjacent right-of-way. The fence will be setback from the sidewalk and will be landscaped to provide a separation between the sidewalk and the fence. Materials and color will be used to provide visual cues to entry location to the individual townhouse units as noted in C-4 above.

***E Landscaping***

***E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites***

*Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.*

***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*

The Board was satisfied with the extensive landscaping proposed in the design to soften and demarcate individual open space, provide visual cues to individual units and provide a transition to both the street edge and adjacent properties. Landscaping will be used extensively along North Northgate Way to screen those units from traffic noise and provide additional privacy. The existing trees on Stone Avenue N will be removed due to the proposed street improvements. The existing trees along North Northgate Way will be retained where possible. Along the north property line; landscaping will provide additional privacy and screening of those units from the abutting apartment building to the north. New trees and landscaping would be planted along Stone Avenue N to demarcate the open space areas on the front yard abutting the street.

*At the Recommendation meeting: The Board recommended that the applicant save one cluster of trees on the southeast corner of the site.*

**DEVELOPMENT STANDARD DEPARTURE**

The following departures from the development standards were proposed Departure Summary Table

<b>Development Standard Requirements</b>	<b>Proposed</b>	<b>Rationale of the Applicant</b>	<b>Design Review Board Recommendation</b>
<b>SMC 23.45.014-A:</b> Front setback requirements in L-3 zones (Townhouses): The front setback is either average of the front principal structure on either side or minimum of 15 feet. The front setback of Town house can be averaged. In this case the front setback is about 12.5 feet.	The applicant proposes a front setback for the eleven townhouse units along Stone Avenue N to be 10-ft.	The reduced front setback will create an opportunity to pull the building closer to the street providing stronger street presence and improving neighborhood safety and security as well as more room for vehicles and pedestrian in the internal court.	The 3 Board members voted unanimously to recommend approval of these departures.

<p><b>SMC 23.45.016-A3a</b> Open Space Requirement: An average of 300 sq. ft of private usable, directly accessible open space per unit, with no unit having less than 200 sq. ft.</p>	<p>Eleven of the townhouse units along Stone Avenue N will have reduced individual open space from 200 sq. ft. minimum to approx 180 sq. ft.</p>	<p>Although reduced open space is proposed for the eleven units on Stone Avenue N due to reduced front setback, the average open space of 9000 sq. ft is still met on the site.</p>	<p>The 3 Board members voted unanimously to recommend approval of these departures.</p>
<p><b>SMC 23.45.012D-2a</b> Modulation requirements Lowrise zone: The minimum depth of modulation shall be 4 ft. The minimum width of modulation shall be 5 feet.</p>	<p>Applicant is proposing 18 inches in depth and 24 inches in width for every townhouse unit.</p>	<p>Modulation at each unit façade will individualize the units and presents a strong rhythm to the street elevations.</p>	<p>The 3 Board members voted unanimously to recommend approval of these departures.</p>
<p><b>SMC 23.45.018-B3</b> Parking and access Lowrise zone: Access to parking may be from an alley or from a street but not from both</p>	<p>Applicant proposes common access to most of the units from Stone Avenue N. Six townhouse unit will have access from the alley.</p>	<p>Access to parking from the alley will pose a risk for neighboring residents because of significant amount of traffic on the alley. In addition, the neighboring residents stated their concerns because the existing alley also functions as a pedestrian sidewalk for the entire long block.</p>	<p>The 3 Board members voted unanimously to recommend approval of these departures.</p>

**1. Front Setback (SMC 23.45.014-A):** The applicant proposes a development standard departure to reduce the actual front setback between the property line and building façade. This departure will create an opportunity to pull the building closer to the street providing stronger street presence and improving neighborhood safety and security as well as more room for vehicles and pedestrian in the internal court. This departure also allows the internal drive for the 150 foot long building to drop in elevation. As a result the units along Stone Avenue are two or one and half stories tall as viewed from Stone Avenue. Pedestrian access is provided to the main floor not typical of townhouses where the first floor is typically garage and a small entry vestibule. The Design Review Guidelines calls for opportunities for enhancing personal safety and security in the environment under review (D-7).

**2. Open Space (SMC 23.45.016-A3a):** The applicant proposed a development standard departure to decrease the amount of open space required for the eleven townhouse units along Stone Avenue N. The individual open space will be reduced from 200 sq. ft. minimum to approximately 180 sq. ft. per unit. The applicant indicated that the site as a whole meets the average open space requirement of 9000 square feet. The rest of the townhouse units will have more than 300 square feet of open space per unit (A-6, A-7).

**3. Modulation requirements (23.45.012D2a):** The applicant proposes a development standard departure to reduce the minimum modulation depth of 4 feet and the minimum modulation width of 5 feet to a depth of 18 inches and 24 inches in width for every townhouse unit façade. The modulation of each unit façade will individualize the unit and present a strong rhythm to the street to stagger the units especially along Stone Avenue N (B-1).

**4. Parking and Access (23.45.018B3):** DPD has added this departure because the applicant is proposing dual access to the site. The length of the existing block necessitates the use of the alley for vehicular traffic as well as for pedestrians by existing residents in the vicinity of the site. Safety concerns for pedestrians were raised by the public request that the traffic for the proposed development be limited from taking access from the alley. As a result only six townhouse units will have direct access from the alley (A-8).

### **BOARD RECOMMENDATION**

After considering the proposed design, hearing public comments and the design solutions presented in relation to previously stated design guidelines, the three Design Review Board members present unanimously recommended approval of the subject design. The same three Board members unanimously recommended approval of the requested development standard departures. In addition to the guidance noted above, the Board recommended that:

- The design of the driveway from Stone Avenue N into the site should be developed to pedestrian scale and should include pedestrian walkways on each side to enhance pedestrian safety (A-4, A-8).
- The design should provide secured internal pedestrian connection between the residents along the alley and the interior driveway and vice versa (A-8).
- The applicant should save one cluster of trees on the southeast corner of the site (E-2, E-3).
- The applicant should provide a fence along North Northgate Way to provide additional screening for the units adjacent to North Northgate way (A-1).

### **DPD ANALYSIS & DECISION – DESIGN REVIEW**

The Director of DPD has reviewed the recommendations of the three Design Review Board members present at the Design Review recommendation meeting and finds that they are consistent with the *City of Seattle Design Review Guidelines for Multifamily Buildings and*

*Commercial building* and that the applicant has demonstrated that the requested development standard departures would result in a development which better meets the intent of the adopted Design Guidelines.

Therefore, the proposed design is **approved** as presented at the March 12, 2007, Design Review Board meeting, with the recommended four **development standard departures** described above also **approved**, subject to the Design Review conditions, enumerated below.

### **CONDITIONS**

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

### **ANALYSIS - SEPA**

The initial disclosure of the potential environmental impacts on this project was made in the threshold determination and environmental checklist prepared by Seth Hale on September 18, 2006. The information in the checklist, the supplemental information submitted by the applicant, field inspection, public comments and the experience of the lead agency with 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, that "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Several adopted City codes and/or ordinances apply to this proposal. Specifically these are: the (Storm water runoff, temporary soil erosion, and site excavation) and 2) Street Use Ordinance (tracking of mud into public streets, and obstruction of right-of-way during construction). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of identified impacts. Thus mitigation pursuant to SEPA is not necessary for these impacts. However, more discussion of some impacts is appropriate.

### **Short – Term Impacts**

The following temporary construction-related impacts are expected on this site: temporary soil erosion; decreased air quality due to dust and other suspended air particulates; 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. Although not significant, these impacts are adverse, and in some cases, mitigation is warranted.

### 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 which produce airborne materials or other pollutant elements to be contained within temporary enclosure. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicles frames and tires, which could be deposited on adjacent streets and become airborne.

The Street Use Ordinance also requires one foot of freeboard in truck containers while in transit and the clean up of adjacent roadway and sidewalks periodically. Construction traffic and equipment are likely to produce carbon monoxide and other exhaust fumes.

If asbestos is contained within portions of the structure, an adverse impact to air quality could be created if the asbestos is not properly removed. Puget Sound Clean Air Agency (PSCAA), the Washington Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. In addition, PSCAA regulations require control of fugitive dust to protect air quality. A condition will be included pursuant to SEPA authority under SMC 25.05.675A requires that a copy of a PSCAA permit (if necessary) be submitted to DPD before issuance of a demolition permit. This will assure proper handling and disposal of asbestos, if it is encountered on proposed site.

### Noise-related Impacts

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The surrounding properties to the west, across the alley, to the north and across Stone Avenue N to the east are developed with multifamily and single family uses that will be impacted by construction noise. Pursuant to SEPA authority, the applicant shall be required to limit periods of construction.

### Street and Sidewalks

The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation impacts on adjacent streets and sidewalks during construction. 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).

Since the proposal site is located on the west side of Stone Avenue N, large construction vehicles associated with demolition, excavation and materials delivery may cause traffic congestion on Stone Avenue N and may periodically impact traffic delays on North Northgate Way located

south and on the alley along the west property line. However, due to heavy traffic volumes on North Northgate Way and other nearby arterials truck traffic to and from the site shall be prohibited between 3:30 p.m. to 6:30 p.m.

### Long-Term Impacts

Potential long-term or use impacts anticipated by this proposal include: 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 residents and visitors; increased airborne emissions resulting from additional 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, but some warrant further discussion.

### Parking

The site plan indicates that thirty seven parking spaces would be provided on the site. Seven units will be provided with two parking spaces, two units will be provided with tandem parking spaces and 20 units will have one space provided within each townhouse unit. The Land Use Code requires 29 parking spaces for this 29 unit residential development.

In the experience of DPD, peak-parking demand for residential projects in multifamily zones has been based on the average rate of 1.2 spaces per household. It is estimated that peak parking demand for nine units residential project would occur during the evenings on weekdays and on weekends. Peak parking demand for the proposed twenty nine-unit townhouses is estimated to be approximately 35 parking spaces. With 37 parking spaces provided on-site, there will be enough parking on site to meet parking demand for the proposed residential development. Based on the above analysis no unusual parking condition exist that warrants additional parking mitigation under SEPA.

### Traffic and Transportation

The current use on the site was vacant and not generating any traffic impact in the vicinity According to the Institute of Transportation Engineers Trip Generation Manual, 6<sup>th</sup> edition, the twenty-nine units are expected to generate an average of twelve trips in the a.m. peak hour occurring between 7 a.m. and 9 a.m. and fifteen trips in the p.m. peak hour between 4 p.m. and 6 p.m. This is not expected to have a significant adverse impact on traffic conditions or reduce the level of service at nearby intersections. Therefore, no mitigation under SEPA is warranted for this project.

### Height, Bulk and Scale

The proposed 3-story townhouse structures will be located in an L-3 zone. All abutting properties to the southwest are zoned C1-40 and to the east and southeast are zoned L-2.

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 adopted Land Use Policies...for the area in which they are located, 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 proposal was reviewed and approved through the design review process and conforms to the Citywide Design Guidelines. Design details, colors and finish materials will contribute towards mitigating the perception of height, bulk and scale in that these elements will mitigate the overall scale of the buildings. No further mitigation of height, bulk and scale impacts is warranted pursuant to SEPA policy (SMC 25.06.675.G.).

### 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 Clean Air 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

Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval by Christopher A Ndifon, Land Use Planner, 206-684-5046, or by Vincent T. Lyons, 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.

Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials and landscaping) shall be verified by Christopher A. Ndifon, Land Use Planner, 206-684-5046, or by Vincent T. Lyons, Design Review Manager, 206-233-3823 at a Pre-construction meeting. The proponent must retain the fenestration, architectural features and elements, and arrangement of finish materials and colors presented to the Design Review Board on March 12, 2007.

1. 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.
2. 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.

*Prior to Issuance of Master Use Permit*

3. The design should be changed to show that the driveway from Stone Avenue N would be developed to pedestrian scale and include pedestrian walkways on each side of the driveway and vehicular access (A-4, A-8).
4. The design should be changed to provide secured internal pedestrian connection between the residents along the alley and the interior driveway and vice versa (A-8).
5. The applicant should save one cluster of two caliber trident maple trees on the southeast corner of the site (E-2, E-3).
6. The applicant should provide a fence along North Northgate Way to provide additional screening for the townhouses from traffic noise impacts (A-1).

**CONDITIONS – SEPA**

*Prior to issuance of a Demolition Permit*

7. 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.

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.

8. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including and not limited to demolition, grading, deliveries, framing, roofing and painting) shall be limited to non-holiday weekdays from 7 am to 6 pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9 am and 6 pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security,

monitoring, weather protection shall not be limited by this condition. (Work would not be permitted on the following holidays: New Years Day, Martin Luther King Jr.'s Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day and Christmas Day).

Construction activities outside the above-stated restrictions may be authorized upon approval of a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. The Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short-term transportation impacts that result from the project. 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, Martin Luther King Jr.'s Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day and Christmas Day).

9. The sidewalk along the project site shall be kept open and safely passable throughout the construction period. A determination by SDOT that closure of this sidewalk is temporarily necessary, for construction and other purposes, shall overrule this condition. Additionally, the proponent shall submit a construction-phase transportation plan to address street and sidewalk closures, as well as truck routes and hours of truck traffic for further mitigation of identified impacts. Construction plan should state clearly that no trucks will be allowed to and from the site between 3:30 p.m. to 6:30 p.m.

Signature: \_\_\_\_\_ (signature on file) Date: July 23, 2007  
Christopher A. Ndifon, Land Use Planner II

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