



City of Seattle
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: 3005827
Applicant Name: Aaron Schaeffer of Shugart Bates Architects for
Duncan Place, LLC
Address of Proposal: 4547 8th Ave NE

SUMMARY OF PROPOSED ACTION

Land Use Application to allow one 6-story structure containing 63 residential apartment units. Parking for 95 vehicles to be provided at and below grade. Existing structures to be demolished.

The following approvals are required:

Design Review pursuant to Chapter 23.41 Seattle Municipal Code, with Departures:

Development Standard Departure to increase width of unmodulated façade (SMC 23.54.054.A).

Development Standard Departure to reduce the size of required modulation (SMC 23.54.054.D).

Development Standard Departure to reduce the required rear setback (SMC 23.54.056.B).

Development Standard Departure to increase the maximum permitted size of an arbor in required setbacks (SMC 23.54.056.D.2.i).

Development Standard Departure to exceed allowable lot coverage (SMC 23.45.052.B.2.a).

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: Exempt DNS MDNS EIS

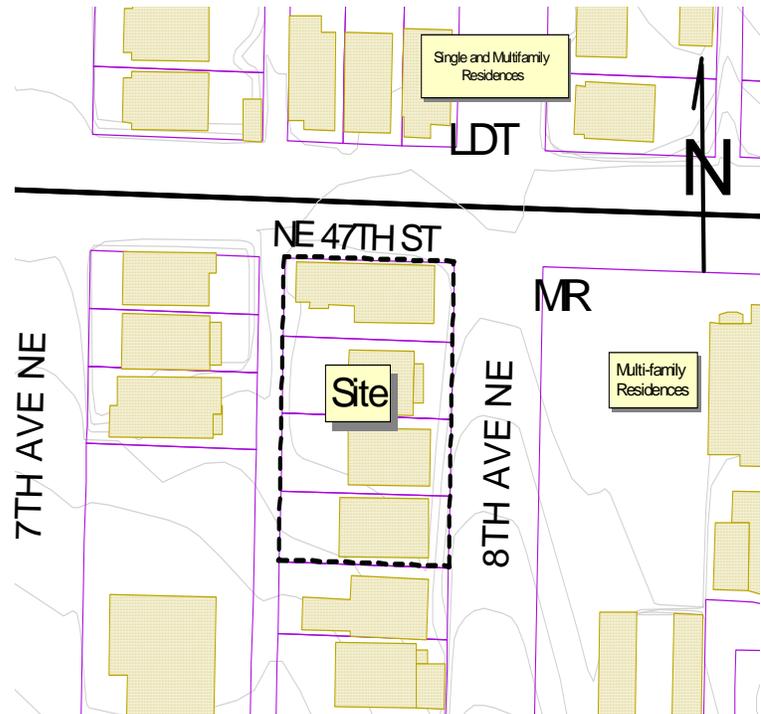
DNS with conditions

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

SITE & VICINITY

The 16,794 square foot corner site is located on 8th Ave NE south of NE 47th St. Four existing structures are located on the site, each of which appears to be a single family residence divided into several living units. The residences were built in 1910, 1908, 1909, and 1913.

The site slopes to the south and is zoned Multifamily Midrise (MR). Midrise zoning continues to the south, east, and west. Lowrise Multifamily Duplex Triplex zoning (LDT) is located to the north across NE 47th St. Neighborhood Commercial zoning (NC3-85) is located one block to the east.



Surrounding uses are primarily single family residential and multi-family residential, with commercial development one block to the west. The single family buildings are mostly 1-2 story single family older construction. Nearby multi-family buildings range from 1-2 story duplexes to a few 10-20 story buildings. Architecture of adjacent buildings varies based on age and type of structure.

The area includes sidewalks and nearby transit stops. Parking is predominantly on-street, with limited parking located off the alley or in small driveways from the street. Large mature street trees are located on the east side of 8th Ave NE. Both sides of 8th Ave NE and NE 47th St include planting strips with grass. An alley is located between 8th Ave NE and 7th Ave NE.

PROJECT DESCRIPTION

The proposed development includes demolition of the existing buildings and construction of a new six story building with 63 residential units above at grade and sub-grade parking for 95 vehicles. The proposed parking area would be accessed from the alley.

PUBLIC COMMENTS

Public notice of the proposal was issued on November 30th, 2006. 27 public comments were offered during the review period, either in writing or at the design review meetings.

I. DESIGN REVIEW

DESIGN GUIDELINE PRIORITIES: **EARLY DESIGN GUIDANCE MEETING (December 4th, 2006)**

At the Early Design Guidance meeting held on December 4th, 2006 and after visiting the site, considering the analysis of the site and context provided by the proponents, the Design Review Board members provided the following siting and design guidance and identified by letter and number those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines for Multifamily and Commercial Buildings*" of highest priority to this project:

- A-1 Responding to Site Characteristics
- A-3 Entrances Visible from the Street
- A-4 Human Activity
- A-5 Respect for Adjacent Sites
- A-6 Transition Between Residence and Street
- A-7 Residential Open Space
- A-8 Parking and Vehicle Access
- A-10 Corner Lots
- B-1 Height, Bulk, and Scale Compatibility
- C-1 Architectural Context
- C-4 Exterior Finish Materials
- C-5 Structured Parking Entrances
- D-1 Pedestrian Open Spaces and Entrances
- D-2 Blank Walls
- D-3 Retaining Walls
- D-5 Visual Impacts of Parking Structures
- D-7 Personal Safety and Security
- E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites
- E-2 Landscaping to Enhance the Building and/or Site
- E-3 Landscape Design to Address Special Site Conditions

The primary guidance from EDG included:

- Height, bulk, and scale should be compatible with the single family structures to the north
- Massing of the building as viewed from the street frontages and properties across the alley
- Visual connection and appropriate landscaping and treatment of the courtyard on the east façade
- Treatment of the structured parking and parking at the alley
- Landscaping in context with existing development and to enhance the proposed structures

DESIGN REVIEW BOARD RECOMMENDATIONS SUMMARY (APRIL 30TH, 2007)

On February 6th, 2007, the applicant submitted for a Master Use Permit. On April 30th, 2007, the Northeast Design Review Board convened for a Final Recommendation meeting. Additional packet materials and display boards presented for the Board members' consideration included perspective sketches, revised design departure requests, site plans, sections, courtyard details, elevations, materials and colors, floor plans, lighting information, and landscape plans.

DESIGN PRESENTATION

Jeff Bates and Aaron Schaeffer, Architects for Shugart Bates, gave the applicant presentation. Weisman Design Group described the proposed landscaping. They explained that the design had evolved after a series of communications with the neighborhood groups and DPD. In response to the priority guidelines from EDG, proposed changes included erosion of the upper portions of the north building façade, development of landscaping, and modifications to the alley façade. Refinement of the design included the following:

- The base of the building would be treated with a graffiti-resistant coating
- The upper portions of the north façade have been stepped back in response to neighborhood concerns of bulk and shadows. The entire building has also been lowered and moved two feet to the south. The solution presented at the meeting is a result of communication with the neighborhood group.
- The proposed materials include brick, aluminum window frames at the north and east facades, bronze colored vinyl window frames at the west façade, cast in place concrete, a cast stone retaining wall cap, and cementitious siding in contrasting colors
- The west (alley) elevation now includes proposed building bays.
- The courtyard retaining wall adjacent to the 8th Ave NE sidewalk ranges in height from 3.5' to 6' tall. The landscaping plan includes taller shrubs at the north (shorter) end of the wall to provide privacy to the courtyard and residences, and shorter shrubs and vines on the wall at the south (taller) end of the wall to provide visual continuity between the sidewalk and courtyard and reduce the apparent height of the wall.
- The parking at the alley would be located at a floor elevation slightly below the alley elevation, in order to provide screening of headlights. Parking would be screened with open mesh and vines.
- Trash and recycling areas would be located inside of the building
- Requested departures include:
 - Lot coverage – proposed lot coverage is no more than would be allowed, but is measured using building outline considering the inset courtyard, instead of measuring a rectangle around the outside of the building.
 - Rear setback and rear modulation – the proposed setback would be allowed with deeper modulation than provided, or the proposed modulation would be allowed with a greater rear setback. The proposal is to split the difference and provide less than required modulation at the rear elevation, but more than the minimum setback allowed with modulation
 - Parking screening – in order to screen the parking at the alley elevation, additional departures are needed for the square footage of the arbor (overhead screening for parking), the height of the arbor (screening on the sides and back of the parking), and perhaps additional lot coverage
- Landscaping:

- A proposed rooftop deck has been added since EDG
- The north façade proposed landscaping includes tall shrubs such as bamboo and Arbutus (Strawberry Tree)
- Coral Bark Maples would be used as accent trees inside the site and at the rooftop deck
- Shorter shrubs and vines would be used at the south end of the east property line
- Tall narrow trees and shrubs would be installed at the south property line to provide a buffer to the adjacent single family residences.
- The proposed courtyard and rooftop deck would include bamboo in planters, grasses planted in soil on the surfaces, and decorative plants
- Vines would be grown on the arbor screening the parking at the alley, and on the retaining wall at the east elevation

BOARD QUESTIONS AND COMMENTS

The Board had the following questions and clarifying comments, with responses from the applicant:

- How tall is the retaining wall at the south property line?
 - It is 6' tall at the southwest corner, but because of the high bank conditions of the soil on the adjacent property, the wall is only a couple of inches above grade when adjacent to the existing single family structure.
- Is the materials and colors board or the packet (page 16) a more accurate representation of the proposed colors?
 - Page 16 of the packet is a more accurate representation. The concrete would hopefully be sack finish, but would be painted if the finish didn't turn out well.
- Did the applicant ever consider making the proposed east courtyard a common public area?
 - The courtyard is visually connected with the sidewalk level and is fenced, but not gated. It is a similar design to turn of the 20th century brick apartment buildings in Capitol Hill and the University District, where the entry courtyard is used for visual interest. In similar projects, the courtyard is not often used by residents, even even though the opportunity is there
- How large is the proposed courtyard?
 - Approximately 40'x40'
- It would be beneficial to create "rooms" within the courtyard area. For instance, the area to the south of the primary corridor to the entry could include benches incorporated into the landscape areas, instead of benches facing the primary corridor.
- Is the fencing around the courtyard open? Is there a gate?
 - The individual patios would be fenced, but there is no gate at the front entry. The courtyard is fenced at the property line, but open at the pedestrian entry point from the sidewalk.
- The proposed uplighting in the landscaping is beneficial, but the lighting plan should also include lights that give "face recognition" as people enter and exit the courtyard.
- Would the project be apartments or condominiums?
 - Condominiums

PUBLIC COMMENT

Seven members of the public attended the Recommendation meeting. The following comments were offered:

- The neighborhood group is pleased with the proposed massing changes since EDG.
- Would there be any proposed guest parking?
 - The proposed parking ratio is 1.5, which is higher than required, so there may be an opportunity for guest parking on site
- Where is the accessible van parking proposed?
 - All accessible parking would be located on parking level 1
- Positive comments for the proposed condominiums, as opposed to apartments

DESIGN GUIDELINE PRIORITIES

After considering the proposed design and the project context, hearing public comment and reconsidering the previously stated design priorities, the four Design Review Board members came to the following conclusions on how the proposed design met the identified design objectives from City of Seattle's *Design Review: Guidelines for Multifamily and Commercial Buildings* and *University Community Design Guidelines*.

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.

The applicant demonstrated that substantial efforts were made to improve the transition of scale from the proposed structure to the LDT zone to the north. The applicant worked with the neighborhood group and DPD to achieve the proposed scale on the north façade. The proposal meets this guideline.

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

University Community Guideline #2 (augmenting A-3). In residential projects, except townhouses, it is generally preferable to have one walkway from the street that can serve several building entrances. At least one building entrance, preferably the main one, should be prominently visible from the street. To increase security, it is desirable that other entries also be visible from the street; however, the configuration of existing buildings may preclude this.

University Community Guideline #3 (augmenting A-3). When a courtyard is proposed for a residential project, the courtyard should have at least one entry from the street. Units facing the courtyard should have a porch, stoop, deck or seating area associated with the dwelling unit.

University Community Guideline #4 (augmenting A-3). In residential projects, front yard fences over four (4) feet in height that reduce visual access and security should be avoided.

A-4 Human Activity. New development should be sited and designed to encourage human activity on the street.

The proposed fence surrounding the courtyard and patios would be a 3' high open black wrought iron fence with low landscaping at the south end of the streetscape and higher landscaping at the north end of the streetscape. Visual access would be maintained where not obstructed by the retaining wall, and security would be enhanced by the fencing and the complementary landscaping. The visual continuity between the courtyard and the sidewalk level will encourage human activity on the street. The proposal meets these guidelines.

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.

University Community Guideline (augmenting A-5). Special attention should be paid to projects in the zone edge areas as depicted in Map 2 to ensure impacts to Lowrise zones are minimized as described in A-5 of the Citywide Design Guidelines.

Comments reflect those found in A-1. The proposal meets this guideline.

A-6 Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

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

University Community Guideline #1 (augmenting A-7). The ground-level open space should be designed as a plaza, courtyard, play area, mini-park, pedestrian open space, garden or similar occupiable site feature. The quantity of open space is less important than the provision of functional and visual ground-level open space. Successfully designed ground level open space should meet these objectives:

- Reinforces positive streetscape qualities by providing a landscaped front yard, adhering to common setback dimensions of neighboring properties, and providing a transition between public and private realms
- Provides for the comfort, health, and recreation of residents
- Increases privacy and reduce visual impacts to all neighboring properties

In addition to the comments found in A-3 and A-4, the Board noted that the proposed rooftop deck is a positive addition to the common residential open space. The Board noted that creating “rooms” by providing seating in different areas of the courtyard may enhance the potential use of the area, but refrained from placing this as a condition on the approval. The proposal meets these guidelines.

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 applicant has requested departures in order to screen the surface parking at the alley elevation. The Board noted that unscreened surface parking is generally provided at alley facades and the neighbors to the west are already screened from this project by large mature trees. The proposed screening consists of an overhead arbor and fencing.

The Board noted that screening and security may be provided with a fence up to 9' high and a mesh with 2" to 5" open spaces, in order to decrease the apparent mass of the parking screening. The applicant has the alternative option of providing only a 9' high fence with no overhead screening. The proposal meets this guideline, subject to conditions below.

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 corners.

Comments reflect those found in A-1. The proposal meets this guideline.

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 anticipated development potential of the adjacent zones.

University Community Guideline (augmenting B-1). Special attention should be paid to projects in the following areas to minimize impacts of increased height, bulk and scale as stated in the Citywide Design Guideline. These areas are also depicted in Map 4.

Comments reflect those found in A-1. The proposal meets this guideline.

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.

University Community Guideline #1 (augmenting C-1). Although no single architectural style or character emerges as a dominant direction for new construction in the University Community, project applicants should show how the proposed design incorporates elements of the local architectural character especially when there are buildings of local historical significance or landmark status in the vicinity.

The applicant has requested departures to the modulation and rear setback of the building facing the alley. The Board noted that the massing at upper levels of this elevation

appears to be inconsistent with the rest of the building and the response to nearby architectural context. The Board recommended that a fine grain change is required at the upper story of the building at the alley elevation, through a change in materials, addition of architectural features such as a sunshade or soffit, and/or a strong cornice line. The rear façade should simulate the vertical modulation demonstrated on other facades of the proposed structure. The proposal meets this guideline, subject to conditions below.

- 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.**

University Community Guideline #1 (augmenting C-4). New buildings should emphasize durable, attractive, and well-detailed finish materials, including:

- **Brick (especially appropriate)**
- **Concrete (if it features architecturally treated texture or color, other refined detailing, and/or complementary materials)**
- **Cast stone, natural stone, tile**
- **Stucco and stucco-like panels, if they feature an even surface and properly trimmed joints and edging around doors and windows. Heavily textured finishes with obvious trowel marks are not generally appropriate. Stucco should be avoided in areas that are susceptible to vandalism and graffiti. Stucco and stucco-like panels must be detailed and finished to avoid water staining and envelope failure. Overhangs and protective trim are encouraged to increase weather resistance**
- **Art tile or other decorative wall details**
- **Wood, especially appropriate for residential structures**

University Community Guideline #2 (augmenting C-4). Sculptural cast stone and decorative tile are particularly appropriate because they relate to campus architecture and Art Deco buildings. Wood and cast stone are appropriate for moldings and trim.

University Community Guideline #5 (augmenting C-4). Fencing adjacent to the sidewalk should be sited and designed in an attractive and pedestrian oriented manner.

University Community Guideline #7 (augmenting C-4). Light standards should be compatible with other site design and building elements.

The Board noted that the proposed materials and colors as shown on page 16 of the Recommendation packet (date stamped 4/23/2007) include materials and colors that are compatible with existing development and enhance the proposed building design. The proposal meets these guidelines, subject to the conditions below.

- 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.**

Comments reflect those found in A-8. The structured parking entrance would be hidden by the fenced and/or covered parking located at the alley. The proposal meets this guideline.

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.**

Comments reflect those found in A-3, A-4, A-6, and A-7. The proposal meets this guideline.

- D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.**

- D-3 Retaining Walls. Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible. Where higher retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscapes.**

The proposed retaining wall at the sidewalk level on 8th Ave NE would include landscaping in the form of shrubs and climbing vines to minimize blank walls. There are no other significant blank wall areas shown in the proposal. The proposal meets this guideline.

- D-5 Visual Impacts of Parking Structures. The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.**

Comments reflect those found in A-8. The proposal meets this guideline.

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

The courtyard adjacent to the sidewalk would be mostly enclosed and windows of adjacent and above units would provide "eyes on the street." The Board noted that additional lighting in the courtyard to provide face recognition would add to safety. The proposal meets this guideline.

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.

The applicant has proposed to plant shrubs and vines to approximate the high bank landscaping at the retaining wall at 8th Ave NE. Norway maple street trees would be added (four on 8th Ave NE and three on NE 47th St) to reflect the context of nearby street trees. The proposal meets this guideline.

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.

Comments reflect those found in A-3, A-4, A-6, A-7, and E-1. The proposal meets this guideline.

E-3 Landscape 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.

Comments reflect those found in A-3, A-4, A-6, A-7, and E-1. The proposal meets this guideline.

RECOMMENDATION AND CONDITIONS

The recommendations summarized below were based on the recommendation packet date stamped April 23rd, 2007 and materials presented at the April 30th, 2007 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plan set and other drawings from the April 23rd, 2007 packet and the April 30th, 2007 public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members recommended APPROVAL of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed above). The Board recommends the following CONDITIONS for the project. (Authority referred to via letter and number in parenthesis):

1. Surface parking at the alley shall be screened with a fence up to 9' high and overhead screening with 2"-5" openings, to decrease the apparent mass of the parking screening. The applicant also has the option of providing only a 9' high fence with no overhead screening. The applicant shall work with DPD to fulfill this recommendation prior to publishing of the Master Use Permit decision. (A-8, C-5)
2. A fine grain change is required at the upper story of the building at the alley elevation, through a change in materials, addition of architectural features such as a sunshade or soffit, and/or a strong cornice line. The rear façade should simulate the vertical modulation demonstrated on other facades of the proposed structure. The applicant shall

work with DPD to fulfill this recommendation prior to publishing of the Master Use Permit decision. (C-1)

- Materials and colors shall be installed as shown on page 16 of the Recommendation packet (date stamped 4/23/2007). (C-4)

Response to Design Review Board Recommended Conditions:

- The applicant has proposed a fence up to 9’ tall with an arbor above. The material of the fencing and arbor will be covered with a metal mesh screen with 2” minimum to 5” maximum openings, as conditioned below.
- The applicant has added sunshades at the west elevation above the windows at the top floor. The proposed sunshades shall be the same color and material as sunshades on other elevations of the building, as conditioned below.
- Materials and colors are conditioned below.

DEVELOPMENT STANDARD DEPARTURES

Departure Summary Table

STANDARD	REQUIREMENT	REQUEST	APPLICANT’S JUSTIFICATION	BOARD RECOMMENDATION
Modulation requirements in Midrise zones SMC 23.54.054.A	40’ maximum unmodulated width at the front facade	41.5’ maximum unmodulated width	Modulation is provided via balconies and architectural details	Recommended approval by 4 Board members
Modulation requirements in Midrise zones SMC 23.54.054.D	Minimum 8’ deep modulation, balconies min. 6’ deep and 60 square feet; modulation 10’ - 40’ wide; modulation starts 10’ from grade and continues to roof	Provide modulation at rear façade in the form of balconies and bays that don’t meet min. depth or size	Providing more than 10’ average setback with some modulation	Recommended approval by 4 Board members, subject to the conditions listed below
Rear setback in Midrise zones SMC 23.54.056.B	10’ min setback with required modulation; average 15’ setback without modulation	Provide some modulation and a 12’ average setback	Providing more than 10’ average setback with some modulation	Recommended approval by 4 Board members, subject to the conditions listed below
Setback Exceptions Midrise zones SMC 23.54.056.D.2.i	Arbor up to 40 sf in size and 8’ tall may be located in setbacks	Arbor to screen surface parking, 500 sf in size and 9’ tall	Providing screening and security for vehicles without adding structure	Recommended approval by 4 Board members, subject to the conditions listed below
Lot Coverage SMC 23.45.052.B.2.a	When building depth is greater than 65% of lot depth, total lot coverage can’t exceed coverage possible when meeting width, depth, and setbacks	Modified setbacks, modulation, depth would exceed otherwise possible lot coverage	The proposed lot coverage meets maximum size but in a different configuration, reducing massing at the street facade	Recommended approval by 4 Board members

The proposed design and Development Standard Departures are **CONDITIONALLY GRANTED**, subject to the conditions listed below.

II. SEPA

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist (February 6, 2007), and supplemental information in the project file submitted by the applicant's agent. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

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

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during demolition and construction; increased noise and vibration from construction operations and equipment; and increased traffic and parking demand from construction personnel. These impacts are not considered significant because they are temporary and/or minor in scope.

Compliance with existing ordinances, such as the Street Use Ordinance and the Noise Ordinance will provide sufficient mitigation for most impacts. The other impacts not noted here as mitigated by codes or conditions are not sufficiently adverse to warrant further mitigation by conditioning. These impacts are not considered significant; however some of the impacts warrant further discussion and review.

Air Quality

Demolition and transport will create dust, leading to an increase in the level of suspended particulates in the air, which could be carried by winds out of the construction area. The Street Use Ordinance (SMC 15.22) requires watering the site, as necessary, to reduce dust. In addition, the Puget Sound Clean Air Agency (PSCAA regulation 9.15) requires that reasonable precautions be taken to avoid dust emissions. Demolition could require the use of heavy trucks and smaller equipment such as generators and compressors. These engines would emit air pollutants that would contribute slightly to the degradation of local air quality. Since the

demolition activity would be of short duration, the associated impact is anticipated to be minor, and does not warrant mitigation under SEPA.

Noise

Excavation will be required to prepare the building sites and foundations for the new building. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding residential uses. Due to the proximity of neighboring residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted. The hours of construction activity shall be limited, subject to the conditions listed below.

Traffic

The subject property is located in an area with existing traffic congestion and narrow streets with restricted traffic flow patterns. On-street parking is also very limited in the vicinity of the project. Due to these existing conditions, the Street Use Ordinance is found to be inadequate to mitigate the potential construction traffic and parking impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Traffic and Transportation Policy (SMC 25.05.675.R), mitigation is warranted. The applicant shall be required to obtain a Construction Transportation Management Plan, as conditioned below.

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; increased demand for parking; and increased demand for public services and utilities.

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 collection 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 impacts and no further conditioning is warranted by SEPA policies, except as noted below.

Height, Bulk and Scale

There will be increased height, bulk and scale on this site due to the proposed project. The proposed structure has gone through the Design Review process as noted above and has been conditioned accordingly. The proposed development is allowed in this zone and no additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Historic Preservation

There are four existing single family structures on the subject property, ranging in date of construction from 1906 to 1913. These structures have been reviewed for potential historic

significance and landmark status. None of the structures meet the criteria for historic landmark designation and no further conditioning is warranted by SEPA policies.

Parking

There will be increased parking demand created by the project. Ten existing parking spaces on site will be removed. Parking for 95 vehicles and 10 bicycles will be provided in a surface parking area, accessed from the alley. The Institute of Transportation Engineers (ITE) Parking Manual indicates that the residential use would generate peak demand for approximately 92 vehicle parking spaces (1.46 spaces per residential unit peak demand). More parking will be provided than required by code, and data indicates there will be excess parking even at peak demand times.

Traffic

The applicant has stated that the proposed development would generate a total of approximately 278 vehicle trips per day. The proposed development is also located in the University District Urban Center Village and is subject to higher volumes of existing traffic. In consultation with DPD's Transportation Planner it was determined that no additional trip generation and distribution information was required and the anticipated number of vehicle trips has been determined not to have a significant adverse impact on the existing traffic patterns in this area. Thus, the noted traffic-related impacts of the proposed completed project are not considered significant and no further mitigation is warranted under SEPA (SMC 25.05.675.R).

Summary

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

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.

- 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

1. The final plan set shall demonstrate that the material of the fencing and arbor screening the parking at the alley elevation shall be covered with a metal mesh screen with 2” minimum to 5” maximum openings.
2. The final plan set shall demonstrate that the proposed sunshades at the west elevation shall be the same color and material as sunshades on other elevations of the building.

For the Life of the Project

3. Materials and colors shall be consistent with those presented at the design recommendation meeting and the Master Use Plan sets. Any change to materials or colors shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

CONDITIONS – SEPA

Prior to Building Permit Issuance

4. The applicant shall submit for review of a Construction Transportation Management Plan (CTMP), to be approved by both SDOT and DPD prior to issuance of a building permit. The plan shall address:
 - Hours of truck operation. Due to existing high traffic volumes on surrounding streets, truck traffic to and from the site shall be prohibited before 7 am or after 3:30pm on non-holiday weekdays, and at any time on weekends.
 - Location of construction worker parking. Use of on-street parking by construction workers shall be prohibited.

During Construction

5. 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 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-noise generating 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 (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov) 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 (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

Signature: _____ (signature on file) Date: June 28, 2007

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Shelley Bolser, Land Use Planner
Department of Planning and Development

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