



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
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**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3005951
Applicant Name: SMR Architects for Capitol Hill Housing Improvement Program (CHHIP)
Address of Proposal: 3623 Woodland Park Avenue N. (AKA 3622 Albion Place N.)

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a four-story mixed use building with 17 residential units and one 1,256 sq. ft. live-work unit with parking for 14 vehicles located within the structure. Existing building to be demolished. Early design guidance completed under Project #2403939.

The following approvals are required:

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

Design Review, Chapter 23.41, Seattle Municipal Code (SMC). Design Development Standard Departures.

1. Façade Transparency SMC 23.47A.008B2
2. Height and Depth of Non-residential Space SMC 23.47A.008B3
3. Parking Location and Access SMC 23.47A.032A1c

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

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

BACKGROUND DATA

Site & Vicinity Description

The 6,500 square foot site is a through lot with frontage on Albion Place North and Woodland Park Avenue North. The site is zoned Commercial 1 with a 40 foot height limit (C1-40) and is developed with a 1-story Seattle City Light switching station building. The site topography ascends about 12 feet from Woodland Park Avenue N. to Albion Place N. The topography continues to ascend in a northeasterly direction in that surrounding properties on the east side of Albion Place are about 10-20 feet higher in elevation than the subject site.

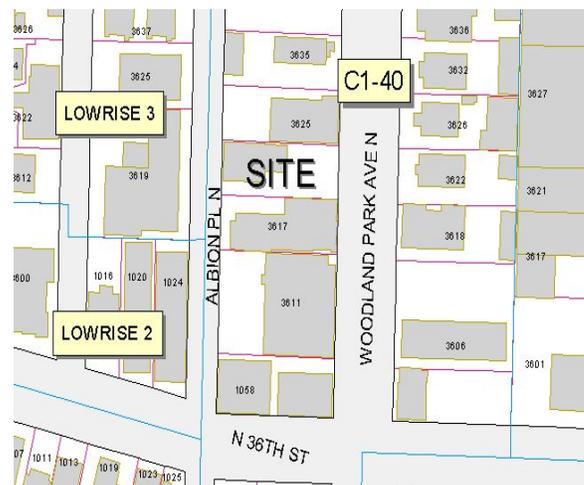
Surrounding zoning is best illustrated by the map. The neighborhood has an eclectic mixture of uses and buildings including single family homes, duplexes, triplexes, apartments, commercial and light industrial.

Woodland Park Avenue North is a fully improved street with curb, gutter and sidewalk. Albion Place North is a substandard street in that its width is approximately 36 feet wide and is improved with curb, gutter and sidewalk (on the west side only).

Project Description

The proposal is to construct a 4-story mixed use building consisting of 18 units (including 1 live-work unit) and 14 covered parking spaces. Vehicular access would be provided from both streets; 9 parking spaces would be accessed from Albion Place and 5 from Woodland Park Avenue. The developer, CHHIP has been working with the Fremont Neighborhood Council to enable low income housing opportunities in the Fremont neighborhood. This project is proposed to be housing for low income persons making 30% to 50% median income; six units will offer housing for households making 30% median income. Open space would be provided on a west facing deck accessed from the fifth floor.

The finish materials proposed include vertical corrugated metal (AEP span Nu-wave 7/8" cool metallic silver), concrete with graffiti coating, split faced concrete block with graffiti coating, horizontal painted hardiplank with 8" exposure (ICI 1484 mary janes) and horizontal painted hardiplank with 8" exposure (ICI 3056 palm tree). The concrete would primarily be used for the live-work façade with concrete block bulkhead, and concrete block to provide articulation in the commercial façade. Concrete block is also proposed to provide articulation on the north and south facades at the garage levels. Aluminum storefront window system is proposed at the first floor live-work unit and the residential entry. Vinyl windows are proposed for the residential spaces. Pre finished metal railings are proposed for the decks. Steel canopy with glass panels are proposed over the live-work entry and residential entry.



Public Comment and Involvement

Public notice was provided for the Design Review meetings that were held by the Northeast Seattle Design Review Board (DRB) for Early Design Guidance (EDG) on July 12, 2004 and August 7, 2006; and for a Design Review Board Recommendation meeting on March 5, 2007. Additional comment opportunities were provided at the time of Master Use Permit application.

EDG: The 2004 meeting was well attended by the public with about 12 citizens in attendance. Comments and/or concerns on design issues related to the following; that both streets have a residential character- with respect to Woodland Park Avenue there is commercial activity during the day but after 5 pm it becomes residential; providing green space in the project would be desirable and be sensitive to the Albion Place neighbors with respect to massing and access. An email from one of the speakers received after the meeting provides more specificity. The following is an excerpt, "I don't believe that setbacks or articulation on the north or south sides of the building will mitigate any of the neighborhood issues and are likely to ultimately be irrelevant upon the development of the neighboring sites...Perhaps a design in which the Albion façade at street level is two stories, setting back a few feet to the third story and then maintaining that same elevation all the way to the Woodland Park façade." Other non-design issues related to lack of infrastructure in the neighborhood, lack of on-street parking, Albion Place width, congestion, view blockage, added height, bulk and scale, property values, maintenance of this development and current zoning designation.

The 2006 EDG meeting was well attended by the public with 18 members of the public in attendance. DPD received three emails regarding the project prior to the meeting and these emails were provided to the Board prior to the meeting. One email identified a unique condition that the apartment building to the south contains windows very close to the property line which will be blocked by the proposal. The other emails expressed concerns that are not design related.

Comments and/or concerns on design issues at the meeting related to the following; the height, bulk and scale of the building on the Albion side-there was general public consensus that the height of the building should be reduced to preserve views; some wanted the height reduced by an entire floor while others asked for more step backs and modulation in the building; corrugated metal is not a compatible material with the historical brick apartment buildings on the east side of Woodland Park Avenue; wants the finish materials to be compatible with the historical neighborhood context; wants more green open space at the ground level; open space departure not a good precedent; wants all access from Woodland Park instead of split vehicular access; wants an active use on Woodland Park Avenue; needs to consider abutting apartment building to the south with respect to noise and privacy; design the building in a way that deters graffiti.

Notice of Application: further notice and public comment opportunity was provided as required with the Master Use Permit application. Five written comments were received during the comment period which ended on January 17, 2007. Four letters offered support of the project. One letter raised strong concerns about increased traffic and parking, height, bulk and scale, and lack of and design of open space.

DRB Recommendation meeting: the meeting was attended by 20 people and 10 people made comments. Comments germane to design were about the height, bulk and scale of the structure

and how it is proposed to be out of scale to the rest of the neighborhood. Some liked the design and thought it was appropriate for the neighborhood and fit in well. Other non-design comments related to volume of development in the immediate neighborhood and related impacts from it; lack of parking and traffic that would be generated from the project.

ANALYSIS - DESIGN REVIEW

Early Design Guidance

PRIORITIES:

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

A. Site Planning

A-1 Responding to Site Characteristics

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

A-2 Streetscape Compatibility

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

A-3 Entrances Visible from the Street (added at 2nd EDG)

Entries that are visible from the street make a project more approachable and create a sense of association among neighbors.

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 Albion Place side of the site has more of a residential context in that adjacent zoning west of the site is Lowrise 3 and is generally developed with low scale residential buildings. The Board recognizes that directly west of the site is a vacant windowless warehouse building; however, there are several single family homes and duplexes between the site and North 38th Street. On the Woodland Park Avenue side the context is more commercial; although the Board notes that there is a mixture of residential and commercial buildings. Contributing to this context is the width of the streets; Albion is narrow and has a "country lane" flavor, while Woodland Park has a standard width (66 feet wide).

In light of the context, to respect adjacent sites and to respond to the streetscape, the Board wants the design to have a more residential character on the Albion Place side of the project and create a more active commercial character on the Woodland Park side. They asked the architect to explore moving the residential entry to the Woodland Park side. It was acknowledged that having the residential entry, the live work units and a vehicular entry on Woodland Park would be challenging. The Board indicated support for decreasing the curbcut and driveway widths to minimize their presence and to provide more opportunity for beneficial streetscape elements. The Board's rationale for asking that the entry be moved is to create more activity on the Woodland Park Avenue side; however, it's possible to achieve an active street front in other ways, thus moving the entry is not the only option.

The Board was not enthused with the preferred scheme (massing option 2) in that the Board wants the massing shifted away from the Albion Place side. While they recognized benefits to having windows and open space in the middle of the site, they felt it was more important to shift the massing away from the Albion Place side of the development. They suggested eroding away the mass and providing fine scaled modulation and crenulations on the west side. To provide some modulation, windows or interest on the sides the Board suggested that the open spaces could be carved out at the corners on the west side.

The Board directed the architect to be sensitive with design details and to show some thought towards the sides in that there are no similar massed structures on the north or south sides. Future development may occur to block views of the sides; however no blockage exists today.

2nd EDG

In respect to adjacent sites, the Board wants the east and west elevations to include color, texture and details to soften their appearance to the abutting neighbors. The Board recognized that the apartment to the south has windows at the property line and asked the designers to explore reasonable design solutions to address this unique condition at the lower levels (party wall).

On the Woodland Park side, the residential and vehicular entries need to be more distinctive. Deemphasize the vehicular entry and design a more distinctive residential entry. For the live-work unit, the Board supports a more commercial expression at the ground as compared to a residential expression. There was some discussion about the proposed landscaping in front of the live work window, and whether the Board is directing the architect to remove the landscaping in an effort to create more of a storefront aesthetic. The Board did not provide any prescriptive determination in that there was a sense that both landscaping and storefront could co-exist in some form.

A-7 Residential Open Space

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

Use the space devoted to the open space as a way to sculpt the Albion Place corners

2nd EDG

The Board suggested that more ground level open space would improve the project by providing a more residential feel and ideally providing more outdoor play space for families of the project. The board wants to see more genuine landscaping at the ground level particularly on the Albion side of the project.

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 provided their strongest guidance with respect to height, bulk a scale in that the structure must be setback and/or step back on the Albion Place façade. See discussion under A.

2nd EDG

The Board deliberated on the height, bulk and scale issue for a significant amount of time and concluded that it was not warranted to ask that an entire floor be removed. However, the Board wants the Albion side of the building to be further eroded at the top and the façade considerably softened and reduced in scale in deference to the lower intensity zone and scale to the west. The Board suggested reconfiguring the top floor to provide more deck space and setback at the upper levels. The Board also suggested that greater setback at the ground and more landscaping would contribute towards breaking down the height bulk and scale of the project.

C. Architectural Elements and Materials

C-1 Architectural Context

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

C-2 Architectural Concept and Consistency

Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.

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.

At the next meeting show the Woodland Park elevation in context with adjacent structures from a streetscape perspective. This streetscape elevation should include all properties up to and including the Frame shop to the south.

Provide residential quality of detail on the sides and on the Albion Place side.

2nd EDG

The Board clarified that they want to see an elevation view of the proposal together with surrounding buildings instead of the perspective of the block that was shown so that the project can be seen in context.

The Board wants the finish materials and details to fit into the neighborhood context and noted the traditional brick apartments on east side of Woodland Park Avenue. The Board indicated that the response could be a modern and fresh approach and not necessarily result in the use of brick, terra cotta or stone that is found on the historical buildings.

The Board wants to see a more residential detailing and treatment on the Albion side particularly at the top; however, they don't want gable roof element in response to this guidance. The Board thought the narrow vertical expression should be lessened with more articulation and step backs in the façade.

D. Pedestrian Environment

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.

Blank wall may be visible on the sides in that the adjacent properties are not fully developed. Provide some thoughtful design treatment on the north and south sides where no windows are proposed.

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.

Be sensitive to the residential neighbors and fully screen trash areas, especially on the Albion Place side. Be sensitive to neighbors and pedestrians by designing a thoughtful mechanical system which minimizes noise and wind impacts from exhaust fans or vents.

D-7 Personal Safety and Security

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

The Board was interested in what the security/safety environment was like in the immediate area and thought this should be a high priority depending upon the atmosphere.

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.

The Board felt that landscaping or small outdoor space could benefit the project and would be consistent with the community atmosphere expressed by members of the public.

2nd EDG

The Board wants more landscaping at the ground level and throughout the project in an effort to provide residential scale and decrease the perception of bulk. The Board is supportive of using green and/or unique paving materials and patterns, but alerted the design team that grass crete could present safety problems.

Design Review Board Final Recommendations

The applicant applied for the MUP (Master Use Permit) on November 8, 2006. After initial DPD design, zoning and SEPA review, the Design Review Board was reconvened on March 5, 2007 to review the project design and provide recommendations. The four Design Review Board members present (Shawna Sherman, Susan Eastman, Jamie Fisher, Brodie Bain) considered the site and context, the public comments, the previously identified design guideline priorities, and reviewed the drawings presented by the applicant. The Board recommended approval of the proposed project and the departures in that the project responded to the EDG.

The Board focused their review on the following key issues;

- Bulk and Scale
- Residential expression on Albion Place N.
- Colors and finish materials
- Design of live-work unit on Woodland Park Avenue N.

The Board discussed and carefully considered how the project met their guidance to reduce the height, bulk and scale of the project. The Board acknowledged that the design strategically eroded the mass on the Albion frontage by replacing floor area on the fourth floor shown at EDG with a deck. The west elevation (Albion) provides a series of setbacks and step backs that successfully breaks down the mass of the façade. The footprint is setback from the existing property line about 12 feet on the first floor; 14 feet on the 2nd and 3rd floors; and 18 feet on the 4th floor. The Board also referred to an east-west site section (page 15 of design review presentation package) showing the alley to the west; the new townhouses; Albion Place N.; the subject site and proposal; and development on the east side of Woodland Park Avenue. The section indicated that perception of height, bulk and scale should be minimized because properties west of the site are at a higher elevation. (B-1 Height, Bulk and Scale)

With respect to residential expression on Albion Place, the Board acknowledged the proposed use of more horizontal siding as compared to more concrete on the Woodland Park Avenue façade. They felt that the ground level landscaping and use of grass crete for the driveway further softened this façade and provided a more residential feel. (A-2 Streetscape Compatibility; A-5 Respect for Adjacent Sites)

The Board discussed the colors of the project and felt they should be more sympathetic to the neighborhood context perhaps by using a warmer or traditional color palette. The Board could not agree on a recommendation regarding color, but asked the architect and client to consider using more traditional color palette. They also asked the architect to consider staining or painting the concrete. The Board recommended that all deck railing be transparent or stick framed as shown on the presentation drawings to reduce the bulk of the building. (C-1 Architectural Context; C-4 Finish Materials)

The Board was satisfied with the design approach for the live-work unit in that it expressed a commercial feel by using concrete and storefront window system. The Board recommended approval of the transparency departure in that they acknowledged the challenge of providing parking access, live-work entry and residential entry along the narrow frontage. The design includes a transparent door into the live work unit and proposes vertical green walls along the frontage to add visual interest. The design includes a 13 foot floor to floor height except in the rear of the unit where a platform is proposed to better separate the commercial portion of the unit from the live portion of the unit. The proposed configuration requires both a commercial depth as well as a commercial floor to floor departure for the rear portion of the unit. The Board recognized these as minor departures and felt the design benefited the unit design without compromising the commercial viability of the unit. (A-2 Streetscape Compatibility; C-2 Architectural Concept)

With respect to access to parking, the applicant is seeking a departure to allow a curbcut on Woodland Park Avenue N. in that the code intent is to maximize non-residential uses along the street and encourage access from less commercial streets. The design actually meets design guidance which is to lessen traffic impacts on Albion because of its residential nature and narrow dimensions. The proposed design does show access on Albion but only for 9 vehicles as compared to 14 vehicles if all access was from Albion. Woodland Avenue N. provides access to 5 parking spaces. The Board also acknowledged that in order to meet the code parking requirement it was necessary to propose two separate parking levels in that the topography and site size made it unfeasible to provide a parking ramp connecting the parking levels.

Summary of Development Standard Departures

The departures summarized in the Early Design Guidance report reflected standards in a previous commercial code. A new commercial code was adopted on January 20, 2007; therefore, new departures are required and referenced.

<i>Requirement</i>	<i>Proposed</i>	<i>Architect's Rationale</i>	<i>Board Recommendation</i>
SMC 23.47A.008B2 Façade Transparency 60% of the street facing façade (only on Woodland Park Avenue) between 2 and 8 feet shall be transparent	45%	More wall area allows for more vertical landscaping and greater consistency with older buildings. Reduced window area creates proper separation between street and unit interior and is more aesthetically pleasing.	Recommended approval
SMC 23.47A.008B3 Height and Depth of Non-residential Space Average depth of 30 feet and 13 foot floor to floor height	29 feet average depth and 12 foot floor to floor on 140 sq. ft. platform in rear of space	Platform creates more user-friendly space, doesn't reduce storefront height, unit depth is reduced to allow for more landscaping area.	Recommended approval
SMC 23.47A.032A1c Parking Location and Access Access from the street with fewest lineal feet of commercially zoned frontage (Albion Place N.)	Access from both streets- Albion Place N and Woodland Park Avenue N	A minimal curbcut on Woodland Park Avenue N. nearly halves traffic on Albion Place N.	Recommended approval

Recommended Conditions

1. All proposed deck railings must be installed as presented or be transparent to lessen the perception of mass.

Director's Analysis

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

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY APPROVED**.

CONDITIONS

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

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklists submitted by the applicant dated November 8, 2006 and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 23.05.665) discusses the relationship between the City's code/policies and environmental review. The Overview Policy states, in part, "*Where City regulations have been adopted to address an environmental impact; it shall be presumed that such regulations are adequate to achieve sufficient mitigation subject to some limitation*". The Overview Policy in SMC 23.05.665 D1-7, states that in limited circumstances it may be appropriate to deny or mitigate a project based on adverse environmental impacts.

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

Short-term Impacts

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

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Environmentally Critical Areas (ECA) ordinance and DR 33-2006 and 3-2007 regulate development and construction techniques in designated ECA's with identified geologic hazards. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

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

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos or other hazardous substances during demolition. The applicant has performed an inspection to identify all hazardous materials requiring abatement, and is required to obtain permits from PSCAA to ensure proper handling and disposal of materials containing asbestos. The inspection disclosed the presence of asbestos and low levels of lead in interior paint within the structure, and provided recommendations with respect to demolition. The developer is working with their contractor to identify best management practices for appropriately removing lead paint from the structure. The permit standards and regulations administered by PSCAA, and the best management practices utilized by the demolition contractor will sufficiently mitigate any adverse impacts to air quality; therefore no further mitigation is necessary pursuant to SEPA 25.05.675A.

Noise

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

Long-term Impacts

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

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which

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

Height, Bulk and Scale

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

In addition, the SEPA Height, Bulk and Scale Policy states that *“(a) project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated.”*

Surrounding property is zoned C1-40 to the north, south and east. A less intense zone, Lowrise 3 is located west of the subject site across Albion Place N. Albion Place N. is a narrow street, about 32 feet wide at the subject site, but the right of way does provide some transition to the less intense zone. The proposed project will include setbacks and step backs which will provide additional transition space. The subject site is topographically lower than the less intense zoned properties so the perception of height, bulk and scale will be not be exacerbated, but will be reduced.

The proposal was reviewed and approved through the Design Review process and conforms to the Citywide Design Guidelines. Additionally, design details, colors, landscaping and finish materials will contribute towards mitigating the perception of height, bulk and scale in that these elements will break down the overall scale of the building. No further mitigation of height, bulk and scale impacts is warranted pursuant to SEPA policy (SMC 25.06.675.G.).

Environmental Health

If the presence of hazardous substances is found at the site before or during construction then the applicant would be required to follow all applicable laws with respect to handling hazardous or toxic substances. The Department of Ecology (DOE) is the agency that regulates the removal of hazardous substances. It would be the responsibility of the applicant to perform the cleanup and removal properly, and in conformance with DOE rules and regulations.

The applicant supplied three documents which reviewed and analyzed the soil at the site. A limited Phase II Environmental Site Assessment was prepared by HWA Geosciences, Inc. dated December 15, 2003, A soil sampling report prepared by Eco Compliance Corporation dated

August 11, 2004 and a soils engineering report prepared by Geotech Consultants, Inc dated August 11, 2004. The Geotech Consultants report did not identify any hazardous soils and made recommendations for earthwork and design criteria for foundations.

The Environmental Site Assessment included six soil sample analyses, an inspection for the presence of asbestos containing building materials and lead paint. The removal of asbestos and lead paint is discussed under short term impacts. None of the six soil samples analyzed contained petroleum hydrocarbons or PCBs exceeding Department of Ecology Model Toxics Control Act (MTCA) cleanup levels. Four samples contained detectable concentrations of petroleum hydrocarbons and one sample contained detectable PCBs.

The Eco Compliance report included 8 soil samples and was collected by boring three holes up to depths of 25 feet. PCBs were detected in one sample, but were below MTCA cleanup levels. The report concluded that no cleanup of the site is warranted. DPD staff spoke with William Kane of Eco Compliance, regarding the report on May 31, 2007. Mr. Kane indicated that the samples were taken where transformers were kept when Seattle City Light owned the site, and that other parts of the site would be less likely to be contaminated. He indicated a comfort with the quantity of samples taken at the site and had no further recommendations.

None of the reports found hazardous or toxic soil that required cleanup under DOE rules; therefore, it is likely that no toxic or hazardous soils exist at the site that would pose adverse environmental impacts. Thus, no SEPA mitigation is necessary.

Traffic and Parking

The vehicle trips generated from the proposed building are not expected to have adverse impact on traffic conditions or reduce the level of service at nearby intersections. The applicant, CHHIP serves low income people, and in their experience vehicle ownership is very low based upon the tenants they serve.

The project consists of 18 dwelling units for low income people including a small commercial space within the live-work unit. The proposed project will provide parking for 14 vehicles and the quantity required by code is 13. The code requirement for quantity of parking is based on data from various sources that indicate vehicle ownership is directly related to income levels, i.e. low income persons own less or use fewer vehicles as compared to higher income persons. In light of that, the city requires less quantity of parking for low income housing. In this case, the ratio of 1 space per .75 units is expected to meet the parking demand. Additionally, City parking policy and code generally discourages the creation of parking in an effort to lower the cost of housing and encourage non-auto forms of transportation. It is recognized that with the densification of the city on street parking could become less available. The subject site is located close by to many bus routes along Stone Avenue North and Aurora Avenue N.

The vehicle trips generated from the project are not expected to have adverse impacts on the street network, and proposed parking is expected to satisfy the parking demand for the project. Thus, no SEPA mitigation is necessary.

Other Impacts

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

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

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

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

CONDITIONS - DESIGN REVIEW

Prior to Issuance of Master Use Permit

1. All proposed deck railings must be installed as presented at the recommendation meeting or be transparent to lessen the perception of mass.

Prior to the Final Certificate of Occupancy

2. Install the features described in condition no. 1.

NON-APPEALABLE CONDITIONS - DESIGN REVIEW

During Construction

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

Prior to Issuance of Certificate of Occupancy

4. Compliance with the approved design features and elements, including exterior materials, roof pitches, façade colors, landscaping and right of way improvements, shall be verified by the DPD Land Use Planner assigned to this project (Jess Harris- 206-684-7744) or by a Land Use Planner Supervisor (Bob McElhose 206-386-9745). Inspection appointments must be made at least 3 working days in advance of the inspection.

CONDITIONS SEPA

Prior to Issuance of any Construction Permit

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

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

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request

Signature: _____ (signature on file) Date: June 7, 2007
Jess E. Harris, AICP, Senior Land Use Planner
Department of Planning and Development

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