



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning & Development

D.M. Sugimura, Director

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

Application Number: 3005914
Applicant Name: Brian Palidar, Group Architects
Address of Proposal: 304 East Thomas Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a six story building containing 30 residential units. Parking for 32 vehicles to be provided in a below grade garage within the structure. Project includes 4,500 cubic yards of grading. The existing structure to be demolished.

The following Master Use Permit components are required:

Design Review - Seattle Municipal Code (SMC) Section 23.41 with Departures (see pages 8-9)

SEPA Environmental Review - Seattle Municipal Code (SMC) Section 25.05

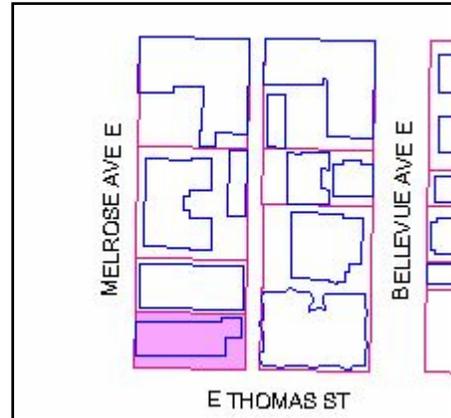
SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions*
 DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

* Notice of early DNS was published on October 25, 2007.

BACKGROUND DATA

Site & Vicinity Description

The subject site, located in the Capitol Hill neighborhood, is approximately 7,200 square feet and is situated on the corner of the east side of Melrose Avenue East and on the north side of East Thomas Street. The site is currently developed with a three-story apartment building, which would be demolished. There is alley access to the site along the east side. The right-of-way on the west and south sides of the site currently has a steep rockery retaining wall. The subject property is zoned Mid-rise (MR) with a 60-foot height limit. The same zoning designation continues on all sides of the site. Well served by transit, the area comprises of mostly multi-family residential structures. Interstate 5 runs parallel and lies just to the west of Melrose Avenue.



Proposal

The proposal includes demolition of the existing multi-family residential building and the construction of a new 30 unit multifamily structure. Access to the site is proposed from Melrose Avenue East and parking for 32 vehicles would be below-grade.

Public Comments

Approximately four members of the public attended the Early Design Guidance meeting held on May 30, 2007. The following comments were offered:

- The steps at the corner have a plaque with the name of the doctor who used to live on the site. This historic memento should be preserved.
- All of the garbage should be enclosed and secured.
- Clarify of the proposed materials. [metal siding and concrete]
- The building uphill and across the alley from the subject site is five stories tall and will be losing substantial views due to the proposed development.
- Supports proposed below grade garage and centered driveway.
- Likes the design of the top of the building.
- Wants to see something beautiful designed here. Including an angled elevation is not necessary for creating a contemporary building.
- Given that the parking is so expensive and inefficient, it is encouraged that a smaller building be considered.
- The existing landscaping is very nice and should be preserved.
- Clarification of the construction schedule [start next summer and last for approx 9-12 months] and permitting process.
- The views from neighboring units should not be diminished by reduced setbacks.
- Desire for good quality, durable and attractive materials.

Approximately four members of the public attended the Final Recommendation meeting held on March 19, 2008. The following comments were offered:

- Prefer for the planting strip to be planted with vegetation, rather than paved.
- Concerned that the proposed concrete retaining walls will be targets of graffiti; larger, denser planting should be included to discourage this from occurring.
- The proposed yellow color appears in some of the renderings to be reminiscent of materials that are affixed to buildings under construction.
- Object to the overall aesthetic as starkly modern in contrast with the more historic, traditional context. The proposed design and color are too trendy and jarring for this location.
- Disagree that the proposed departures will result in a better building; instead it is just a bigger building.
- The color showed on the elevation mounted on the presentation board is a nice shade of yellow.
- Clarify that there is an existing multi-family structure on the property that will be demolished.
- Would like the Board to deliberate over each departure request.

The SEPA comment period for this proposal ended on November 7, 2007. Two letters were submitted with the following comments:

- Request to be a party of record.
- Desire for the proposed development to integrate green building technologies.
- Concern for the loss of the existing building, light and landscaping on the subject lot with the new development.
- Loss of light and views from neighboring properties is unwanted.
- Would like the new building to have a positive impact on the neighborhood and contribute architecturally to the built context and encourage pedestrian activity.

ANALYSIS - DESIGN REVIEW

Design Guidance

Three schemes were presented at the Early Design Guidance meeting. All options show a residential entry off of Thomas Street. Option A is a code-complying scheme with a modulated building form for approximately 20-22 units. Parking is both on the alley and from the street. Option B opens up the building envelope to include more decks, 32-36 units and parking on the alley as well as garage access from the street. Option C, the applicant's preferred scheme, shows an angled façade rotating the rectangular core away from Thomas Street. This option accommodates approximately the same number of units as Option B. In this alternative, all of the parking is accessed from the street. Both schemes B and C would require departures from setbacks, modulation, structure width and depth.

At the Final Recommendation meeting, the applicant presented their response to the recommendations from the Initial Recommendation meeting. The design presented at the Recommendation meeting was a further refined version of scheme B shown at the earlier meeting. The vehicular access is from Melrose and the residential entrance is off Thomas Street. The design aesthetic of the building is modern both in form and materials. Multiple departures

were requested and efforts to minimize the intrusions into the setbacks included deck projections that are more transparent with mesh railings allowing views through the projections. The design includes a heavily landscaped and terraced right of way on both street fronts. The building has a series of common and private open spaces.

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members 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.

Site Planning

- A-1 **Responding to Site Characteristics.** The siting of buildings should respond to specific site conditions and opportunities.
- 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.
- A-7 **Residential Open Space.** Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.
- A-10 **Corner Lots.** Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away the corners.

The Board noted that the site topography and rockery are elements that can help minimize the presence of the driveway from the street. The Board encouraged efforts to preserve the existing landscaping on the site.

The Board was concerned that the requested departures are excessive and will unduly block views to the west from neighboring buildings. The design should be sensitive to the existing views and privacy of the neighbors. While the Board appreciated the unusual massing shown in the Option C, they were concerned that such massing works against the challenges of the site by obstructing more views. The Board agreed that Option B would better suit the site constraints, and the building mass should be pushed further to the south and west, but not beyond the plane of the building to the east.

The Board looks forward to reviewing a high-quality well programmed and well landscaped open space design. The rooftop decks (Option A) will be visible from nearby buildings and should be thoughtfully designed to elicit enjoyment by the residents, but also be visually pleasant as viewed by neighbors. (See also E-1 and E-2).

The Board supported the concept of locating the residential entrance off of East Thomas Street.

At the Recommendation meeting, the Board felt that the residential entrance off of Thomas was well-located, but should be further emphasized by raising the overhead canopy. By locating the canopy at a higher level, the entry becomes more pronounced and alleviates the short appearance of the base.

Board Recommended Condition:

- 1. The canopy over the residential entrance should be raised and draw more attention to the entry area.***

The Board agreed that the proposed deck projections at the roof top were excessive intrusions into the required setbacks and should be eliminated. The Board agreed that if less intrusive sunscreens are proposed, that would be acceptable.

Board Recommended Condition:

- 2. Eliminate the proposed deck projections at the roof top level.***

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 nearby, 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 on the adjacent zones.

See A1 and A-5.

Architectural Elements

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 garage entrances should be minimized so that they do not dominate the street frontage of a building.

The Board encouraged use of solid, durable building materials that will help minimize noise from the freeway. Specifically, the use of well detailed brick, stone and architectural concrete are recommended. The Board stated that an all metal building will be out of character with the neighborhood. The Board looks forward to reviewing a more detailed, high quality material and color palette.

The Board encouraged the driveway design (paving, garage door, etc) to minimize intrusion to the sidewalk and be well-integrated into and contribute to the proposed building's aesthetics. A garage door system should be selected that is quiet and will not disrupt residents and neighbors as it opens and closes.

The Board wants all blank walls to be treated with architectural detailing to provide visual interest.

At the Recommendation meeting, the modern building design had material palette that included grey aluminum windows, a zinalume finish for the flashing, red accent canopy over the entry and at the rooftop pavilion, open mesh garage door, architectural concrete at the building base, decks with metal mesh railings (for visual permeability), a red brick variety along the east façade, a dark grey colored cementitious panel on the ground floor with a bright yellow color on the upper floors. The recessed portions of the building were shown as a taupe cementitious panel.

The Board agreed that the proposed yellow tone should be more subdued and respectful of the hues typically found in the surrounding older buildings. The proposed color contrasts too sharply with the context and should be more of an warm, earth tone

Board Recommended Condition:

3. The proposed yellow tone of the cementitious panel should be more subdued in a warmer, earth tone.

The Board discussed at length the materiality of the deck projections and unanimously agreed that the decks should be either metal (steel or aluminum) or concrete and not wood. The soffits of these decks also need to be considered carefully since they will be highly visible from below.

Board Recommended Conditions:

4. The projecting decks should be either metal (steel or aluminum) or concrete.

5. The soffit design of these decks should be considered and detailed to be visually compatible with the building design.

The Board also discussed the design of the east façade and suggested that the stair tower design be more pronounced to pull the height of that elevation lower where possible. The Board also suggested a slight reconfiguration of the southeastern units so that a vertical slot of windows is included where the building notch occurs.

Pedestrian Environment

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

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 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.

The Board reiterated that the relationship between the rockery and the building should be seamless and well-considered, especially where the building meets grade. The Board wants to see details for the residential entrance area and other points of access.

See also E-3.

The Board specified that the service areas be enclosed and secured. Access to these areas should be minimized and well-integrated into the development to be as unobtrusive as possible. The Board would like to review how the various garbage collection containers will be stored.

At the Recommendation meeting, the Board reviewed the proposed service area off the alley and recommended that the service area be covered with at least some sort of metal mesh to screen views of the garbage and recycling area from views above the site.

Board Recommended Condition:

6. Include at least a mesh screen over the garbage area off the alley.

Landscaping

- E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Landscaping should reinforce the character of neighboring properties and abutting streetscape.**
- E-2 Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.**
- E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as existing significant trees.**

The Board requested to see an innovative and well-programmed residential open space design. The Board looks forward to detailed graphics showing the design of this courtyard and how it is accessed from the entry way with a distinctive, landscaped, functional entry pathway. Whether or not a roof deck is proposed, the Board asked for a well-designed rooftop with screening of the mechanical equipment and other considerations responding to the views of the roof from neighboring residences. The design should minimize the size of the rooftop equipment.

The Board discussed at length the treatment of the wider than normal right of way which is primarily a rockery retaining wall and stressed that this area be well-landscaped and designed. The rockery and site topography should work to soften the base of the proposed development.

The Board strongly encouraged the preservation and re-use of the historical plaque currently on the site.

At the Recommendation meeting, a series of open spaces were provided in the proposed design including private decks, a common open space at the entry and on the north side of the building, private ground level open space and a common roof deck with an enclosed pavilion room. The ground level open space at the entryway has been designed to include rain activated water feature on the south side as part of the terraced landscape plan. The entryway is stained concrete and the sidewalk is standard scored concrete. The common open space on the north side of the building includes a water feature and landscaping. The proposed street trees on Thomas are Japanese Hornbeam and on Melrose, they are Serviceberry.

The Board was pleased with the extensive landscaping proposed for the wide right-of-way. They Board liked the terracing of the right-of-way along Thomas Street and suggested switching the locations of the water element with the landscaped portion.

The Board agreed that the terracing on the Melrose side was too architectural and created too many blank concrete walls. The Board recommended that the right-of-way design be softened with one raised bed at seating wall height that is heavily planted and bermed up towards the building plinth. The Board recommended trees, green screen and other vertical vegetation that will cover the expanse of the retaining wall and deter graffiti. The Board also noted that if a green screen is proposed on the north façade, there should be area provided to accommodate plantings.

Board Recommended Conditions:

7. *The right-of-way along Melrose should be revised to include one raised planter at seating wall height and heavily landscaped and bermed upwards. Special attention should be given to the screening the visible retaining walls (along both street fronts) with vegetation.*
8. *The area at the base of the proposed green screen on the north façade should be provided to accommodate plantings.*

Design Review Departure Analysis

Eight departures from the development standards were proposed at the Recommendation meeting.

Departure Summary Table

STANDARD	REQUIREMENT	REQUEST	BOARD RECOMMENDATIONS
STRUCTURE DEPTH SMC 23.45.052	65% of lot = 39'	67% = 40'	Additional depth allows for greater modulation while maintaining full setback on north side and allow for solar shade balconies. Board voted 4-0 in favor of departure request. (A-5)
MODULATION SMC 23.45.054	Minimum depth of modulation = 8'	2' depth on all facades for a length of 10'	The required modulation would create awkward building form and design. Board voted 4-0 in favor of departure request. (A-10)
PROJECTIONS INTO SETBACKS SMC 23.45.056	Minimum 3' setback to the front and side lot lines above 8'	Balcony projections into front setback by, leaving a setback of 8''	Board agreed that deck projections too obstructive and should be set back to the required setback. Board voted 4-0 <u>to deny</u> departure request. If this results in smaller than required deck open space, the Board is unanimously in favor of such a departure. (A-5)
SETBACKS SMC 23.45.056	Minimum 8' side setback	4'10'' on alley side setback and 1'4'' for stair tower egress at alley.	Consistent with the guidance given at the EDG, that reducing this setback would have the least impact on the neighboring views. Board voted 4-0 in favor of departure request. (A-5)
PARKING DISTANCE SMC 23.54.030	Minimum of 5' from centerline of stall to nearest structural element.	4' to nearest structural element	The ADA stalls are the most deserving of extra clearance. Board voted 4-0 <u>to deny</u> departure request. (A-1)
AVERAGED FRONT SETBACK SMC 23.45.056.A	7.5'	5'	As long as the decks are shifted back to the line established by the bay windows projections of the structure to the east (2.5' from the property line) per the projections into the setback departure request above, the Board voted 4-0 in favor of departure request. (A-5, A-10)
VEHICULAR ACCESS SMC 23.45.060	Access from the alley is required.	Access from the street (Melrose).	Given the extreme topographical change of the site and resulting infeasibility of taking access from the alley grade, along with extensive landscaping at and around the driveway, the Board voted 4-0 in favor of departure request. (C-5, E-2, E-3)

STANDARD	REQUIREMENT	REQUEST	BOARD RECOMMENDATIONS
OPEN SPACE DIMENSIONS SMC 23.45.058	No horizontal dimensions for ground level open space shall be less than 10’.	6’—7’-9”	Creative, varied, and interesting landscape design that includes water features with high visibility and improvement to the public realm are dominant features of the project design. Board voted 4-0 in favor of departure request. (E-2, E-3)

Summary of Board’s Recommendations

The recommendations summarized below are based on the plans submitted at the Final Design Review meeting. Design, siting or architectural details specifically identified or altered in these recommendations are expected to remain as presented in the presentation made at the March 19, 2008 public meeting and the subsequent updated plans submitted to DPD. 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 **CONDITIONAL APPROVAL** of the proposed design subject to the following design elements in the final design including:

1. As described under Guidelines E1, E-2 and E-3, the extensive landscaping design at grade, in the right-of-way and on the roof deck presented at the Final Recommendation meeting.
2. As described under Guideline C-4, the building material palette presented at the Final Recommendation meeting.

The recommendations of the Board reflected concern on how the proposed project would be integrated into both the existing streetscape and community. Since the project would have a strong presence along East Thomas and Melrose Avenue, the Board was particularly interested in the establishment of an attractive design that would enhance the existing streetscape, while being sensitive to the neighbors and existing built environment. The Board recommended the following refinements to the design:

1. The canopy over the residential entrance should be raised and draw more attention to the entry area.
2. Eliminate the proposed deck projections at the roof top level.
3. The proposed yellow tone of the cementitious panel should be more subdued in a warmer, earth tone.
4. The projecting decks should be either metal (steel or aluminum) or concrete.
5. The soffit design of these decks should be considered and detailed to be visually compatible with the building design.
6. Include at least a mesh screen over the garbage area off the alley.

7. The right-of-way along Melrose should be revised to include one raised planter at seating wall height and heavily landscaped and bermed upwards. Special attention should be given to the screening the visible retaining walls (along both street fronts) with vegetation.
8. The area at the base of the proposed green screen on the north façade should be provided to accommodate plantings.

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. Reflects inconsistent application of the design review guidelines; or*
- b. Exceeds the authority of the Design Review Board; or*
- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- d. Conflicts with the requirements of state or federal law.*

Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

Four members of the Capitol Hill Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with the well-considered landscape design, building materials, and architecture that support a high-quality, functional design responsive to the neighborhood's conditions. The extensive landscaping and terracing of the right-of-way will be an amenity to the pedestrian environment providing visual interest and enhancement. Most of the recommendations made by the Design Review Board have already been reflected in the plans. The Director accepts the aforementioned recommendations of the Board that further augment Guidelines A-1, and C-4, D-6, E-1, E-2 and E-3.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include all of the recommendations of the Design Review Board. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board's conclusion that the proposed project and recommended conditions imposed result in a design that best meets the intent of the Design

Review Guidelines and accepts the recommendations noted by the Board. The recommendations of the Board shall be incorporated as conditions of this decision and an additional condition to reinforce the applicant's proposal to remove and re-install the historical plaque currently located on the site within the proposed terraced landscaping plan in a location visible to pedestrians. Finally, the viability of the extensive landscaping in the right-of-way relies on water availability for irrigation. Therefore, a condition shall be added to the project to require installation of irrigation for the landscaping located in the right-of-way.

Director's Decision

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design with the conditions summarized above and enumerated at the end of this Decision.

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated September 24, 2007. The information in the checklist, 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 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 certain limitations and/or circumstances (SMC 25.05.665 D 1-7) 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 suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction materials hauling, 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 applicant estimates approximately 4,500 cubic yards of excavation for construction. Excess material to be disposed of must be deposited in an approved site.
- 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 Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency 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.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of air quality, grading and traffic and noise impacts is warranted.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. No permit process exists to ensure that PSCAA has been notified of the proposed building demolition and that asbestos, if any, has been removed from the site. Therefore, a condition should be added requiring the applicant to submit to DPD a copy of the PSCAA demolition permit prior to issuance of the construction permit. This condition is imposed pursuant to SEPA authority to mitigate air quality, construction and environmental health impacts, SMC 25.05.675 A, B, and F. Compliance with PSCAA regulations would mitigate the potential adverse short term impacts to air from demolition activities.

The indirect impact of construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project. No potential short term adverse impact to air is anticipated and therefore air quality mitigation is not necessary.

Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

Earth - Grading

All construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 4,500 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Construction: Traffic

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities.

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The construction activities will require the removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

It is expected that most of the demolished materials will be removed from the site prior to construction. During demolition, existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This immediate area is subject to traffic congestion during the p.m. peak hour, and large construction trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

1. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.

This condition will assure that construction truck trips do not interfere with daily p.m. peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of existing City Code (SMC 11.62).

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Noise

There will be excavation required to prepare the building site and foundation 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 these 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.

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 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm 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.

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.

Long-term Impacts

Long-term or use-related impacts associated with approval of this proposal include stormwater and erosion potential on site. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically, the Stormwater, Grading and Drainage Control Code which requires on-site detention of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; and the City Energy Code which will require insulation for outside walls and energy efficient windows.

Compliance with all other applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased carbon dioxide and other greenhouse gas emissions primarily from increased vehicle trips but also the project's energy consumption, increased demand for public services and utilities; increased height, bulk, and scale on the site; and increased area traffic and demand for parking. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts.

Due to the type, size and location of the proposed project, additional analysis of parking, traffic and air quality impacts is warranted and summarized below.

Parking

The existing site contains one existing residential building with 14 units and a surface parking lot for three vehicles. The proposed development includes 30 residential units and 32 parking spaces to be provided on-site. All of the parking will be accessed from the street. Using the Third Edition of the Institute of Traffic Engineers *Parking Generation Manual*, parking generation rates associated with Mid Rise Apartment was used. The results of the parking generation are shown below:

Parking Demand Calculations: Proposed Use

Use	Use Per ITE Land Use	Use Per SMC	Independent Variable	ITE – Average Peak	Total Spaces per ITE	Proposed
Proposed	Mid Rise Apartment (ITE 221)	Multifamily Residential	30 units	1.0 spaces/unit	30	32

According to the ITE report, the 30 proposed residential units would require approximately 30 spaces during the peak hours likely between late evening and early morning. The proposed development will provide a total of 32 parking spaces. The amount of parking anticipated demand during peak hours exceeds the total parking provided for the residential uses. The estimated parking demand generated by the proposed project is anticipated to be minimal and easily accommodated by the parking provided; therefore no adverse impacts are expected and no further mitigation is required.

Traffic

The vehicular traffic generated by the project will be residential and will likely peak during the weekday PM hours. Trip generation information was calculated using average PM peak hour trip generation rates obtained from the Seventh Edition of the ITE *Trip Generation Manual*. For the existing and proposed developments, trip generation rates associated with Mid Rise Apartment, were used. The results of the trip generation are shown below:

Trip Generation Calculations: Existing & Proposed Use

Use	Use Per ITE Land Use	Size	PM Peak Trip Generation Rate	PM Peak Trips Generated
Proposed	Mid Rise Apartment (ITE 223)	30 Dwelling units	.39 per dwelling unit	12
Existing	Mid Rise Apartment (ITE 223)	14 Dwelling units	.39 per dwelling unit	5
Net Increase in Trips during PM Peak Hours:				7

Using the ITE data and peak hour count, there will be approximately seven additional trips in the PM peak hours associated with the proposed combination of uses. This relatively low number of additional trips will not adversely impact the existing levels of service of surrounding intersections. Thus, the estimated increase in trips during the PM peak hours are not considered significant impacts and no mitigation measures or further conditioning pursuant to the SMC Chapter 25.05, the SEPA Ordinance is warranted.

Air Quality

The number of vehicular trips associated with the project construction is expected to increase from the amount currently generated by the various sites and the projects' overall electrical energy and natural gas consumption is expected to increase. Together these changes may result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

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 – SEPA

During Construction

The owner applicant/responsible party shall:

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.

1. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.
2. 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 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm 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.

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.

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance (non-appealable)

3. Update the submitted MUP plans to reflect all of the recommendations made by the Design Review Board and reiterated by the Director's Analysis.

Prior to Building Permit Issuance

The plans shall be revised as follows:

4. The canopy over the residential entrance should be raised and draw more attention to the entry area.
5. Eliminate the proposed deck projections at the roof top level.
6. The proposed yellow tone of the cementitious panel should be more subdued in a warmer, earth tone.
7. The projecting decks should be either metal (steel or aluminum) or concrete.
8. The soffit design of these decks should be considered and detailed to be visually compatible with the building design.

9. Include at least a mesh screen over the garbage area off the alley.
10. The right-of-way along Melrose should be revised to include one raised planter at seating wall height and heavily landscaped and bermed upwards. Special attention should be given to the screening the visible retaining walls (along both street fronts) with vegetation.
11. The area at the base of the proposed green screen on the north façade should be provided to accommodate plantings.
12. The historical plaque currently located on the site shall be removed and re-installed within the proposed terraced landscaping plan in a location visible to pedestrians.
13. The plans shall reflect those architectural and landscape features, details and materials described under Guidelines A-1, C-4 C-5, D-6, E-1, E-2 and E-3.

Prior to Certificate of Occupancy

14. An irrigation system shall be installed to service the vegetation planted in the right-of-way.

NON-APPEALABLE CONDITIONS – DESIGN REVIEW

15. Prior to Issuance of the Certificate of Occupancy, compliance with conditions #4-13 must be verified and approved by the Land Use Planner prior to the final building inspection. The applicant/responsible party is responsible for arranging an appointment with the Land Use Planner at least three (3) working days prior to the required inspection.
16. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Lisa Rutzick, 386-9049), or by the Design Review Manager (Vince Lyons, 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.
17. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD Land Use Planner assigned to this project or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least three (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
18. Embed all of the conditions listed at the end of this decision in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.

