City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use
Diane M. Sugimura, Director

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

Application Number:	3006281
Applicant Name:	Lance Mueller & Associate Architects for Brian Regan
Address of Proposal:	1817 Queen Anne Ave N

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a four-story mixed use office building with 1,835 sq. ft. of retail at ground level and 17,367 sq. ft. of office and one residential unit above. Parking for 16 parking spaces will be located at grade within the structure. The existing six unit apartment building to be demolished.

The following approvals are required:

Design Review - pursuant to Seattle Municipal Code (SMC) 23.41
Departure from Street Level Retail depth Standards (SMC 23.47.008).
Departure from Landscaping Standards (SMC 23.47.016B)
Departure from Open Space Standards (SMC 23.47.024)
Departure form Parking Size Standards (SMC 23.54.030 B2b)

SEPA - Environmental Determination pursuant to SMC 25.05

SEPA Determination: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

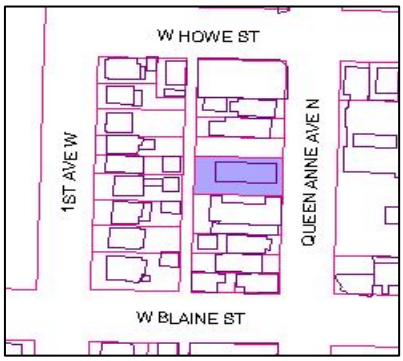
[X] DNS with conditions

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

BACKGROUND DATA

Site and Vicinity Description

The area is approximate 25,151 square feet of which 5,160 square feet is a parking garage and approximately 1,835 square feet is street level shop space. The site is located within the upper Queen Anne residential urban village, southwest of the intersection of Queen Anne Ave N and W Howe St. Vehicle access is via a 16-foot asphalt alley.



The site is generally flat, rising approximately 4 feet from sidewalk grade. The properties surrounding the site are zoned NC2-40, as is the subject site. Across the alley to the west is a single family (SF) zone. Development adjacent to the site is marked by mixed use structures, single purpose residential buildings and 1-3 story residential structures converted to commercial uses.

The site is zoned NC2-40' (Neighborhood Commercial 2 with a base height of 40 feet). Queen Anne Ave N at this location is designated a minor arterial street per the Land Use Code and also a secondary arterial per SDOT. The site falls within the "Queen Anne Urban Village," within the upper Queen Anne neighborhood.

The existing mid block site has a two story 6 unit apartment building on site of about 7,200 square feet. There is some open area and one mature tree on the site. The site is at alley level with a 2 to 3 foot drop down to the sidewalk at the very east end. The site will be cleared for redevelopment.

The neighborhood has single family homes with SF5000 zoning across the alley to the west. The alley is lined with residential garages on the west side and a variety of commercial and residential uses on the east side of the alley. There is a three story mixed use building to the north and a two story mixed use building to the south. The site fronts on Queen Anne Ave N and is close to mid block. Both sided of Queen Anne Ave N are zoned NC2-40'. The buildings on the west side of the street range from old single family homes converted to commercial uses and mixed use buildings of two to four stories. There is no dominant architectural character or pattern.

Queen Anne Ave N has fairly mature street trees on both sides. The west side of the street has back-in angled parking against the curb.

The east side of the block across Queen Anne Ave N is dominated by Queen Anne Bethany Presbyterian Church. There is a small commercial use at the south end of that block. Other nearby landmarks are the Queen Anne Pool, McClure Middle School, Galer Gardens, Gilbert House and the Tower. There are no significant views from or through the site.

The site is served by Metro transit buses 4, 13, and 45 on Queen Anne Ave N.

Brief Description of the proposal:

The proposal is for a mixed use building, to be located on the west side of the block on Queen Anne Avenue between West Blaine and West Howe Streets. The project assumes a four-story building, to include ground floor retail in two separate spaces and three upper floors; totaling 17,000 square feet of office space. The ground floor commercial spaces would be separated by the building entry, oriented at the center of the street facing façade. One residential unit is also proposed for the building on the 2nd floor. Parking for the project would be in an enclosed garage accessed from the rear of the building. Parking would not be located below grade but at the same floor as the retail space.

Public Reviews and Comment Periods

Two Design Review meetings were held on this proposal and included opportunities for the public to comment; an Early Design Guidance meeting was held on February 21, 2007 and the Recommendation Meeting was held on July 11, 2007. Ten members of the public were in attendance at the Early Design Guidance meeting. No members of the public were in attendance at

the Recommendation meeting. Refer to the Master Use Permit (MUP) file for details on these meetings.

Public notice of the Master Use Permit (MUP) project application was given on April 5, 2007. The public comment period ended on April 18, 2007. DPD received no written comments on the MUP application.

At the Early Design Guidance meeting, in general the public approved of the general massing of the building and the ground level open space located at the south west corner of the site. One member of the public said that they thought the building had a "good scale" for the neighborhood.

The following comments related to the design of the building were provided:

- A setback should be provided to allow for a widened sidewalk
- Pedestrian lighting should be incorporated
- The request for reduction in required landscaping should be weighted carefully
- Parking at grade behind the building and screened is preferred to below grade parking
- A recessed alcove or entry at the retail spaces would be beneficial for the project
- The turning radius in and out of the garage may be problematic for properties across the alley
- Amenities in the right of way and the landscaping strip should be considered, including seating, decorative paving's, grass plantings and bicycle parking.
- The garage wall along the west property line should be addressed in the design of the building
- The location of the solid waste containers should be considered along with how these are accessed
- Consideration should be made to moving the entrance to the upper level commercial space to the side of the street facing façade instead of at the center, which would allow for a larger contiguous street level commercial space instead of two smaller spaces
- Security lighting should be provided on the building

In addition, the following comments not related to the design of the building were provided:

- Retail and not a restaurant is preferred for the commercial space
- The loss of the 6 residential units to create a commercial building with 1 residential unit should be considered as it relates to larger housing goals for Queen Anne
- Required parking should not be reduced

ANALYSIS – DESIGN REVIEW

ARCHITECT'S PRESENTATION—*Early Design Guidance Meeting – February 21, 2007*

Kathy Schilb of Lance Mueller and Associates led the presentation. An overall site review was provided through the presentation of graphics, photos and renderings illustrating the allowed zoning envelope for the project and massing of in relationship to the surrounding built environment. The presentation materials included three separate concepts for each project, including massing diagrams, setback information, location of parking and pedestrian and vehicular access.

All of the options had similar assumptions built into each proposal, including

- Ground floor retail accessed from Queen Anne Ave N
- A fourteen-foot first floor height for the commercial space
- Three floors of commercial space above the main floor
- One residential unit located along the rear of the building, with a small open space deck provided for this unit.
- Parking accessed off of the alley in an enclosed garage, located between the alley and the retail spaces.

BOARD QUESTIONS/COMMENTS:

The following questions and comments (in italics) were offered by the Board prior to their deliberations. The response from the development team is summarized after each question.

1. *Why is no residential being included?* One residential unit is provided on the 2nd floor of the building
2. *Please highlight the differences between the preferred options to that in option #2.* The major difference between the two options is the greater setback on the south property line with the building being located entirely on the north property line. This movement would provide a greater roof deck along the south portion of the building but may result in the loss of windows on a significant portion of the north façade to meet building code requirements.
3. *Is this project subject to the new commercial code adopted in January 2007 or the previous code?* No
4. *Does this qualify as a mixed use building under the old commercial code?* Yes
5. *Where is the required open space provided?* On the 2nd floor of the building, at the rear of the building and above the garage, accessed from the residential unit.
6. *Where is the required landscaping?* Landscaping would be provided along the decks for all of the options.
7. *Is the proposed rear setback based on a code requirement?* Yes, as is required when buildings in an NC zone are across the alley from a residential zone.

Option 1 – preferred

- A five foot setback above the first floor, from the north and south property lines, to allow for window openings and greater air circulation
- Combination of squared and angled bay windows on the street facing façade

Option 2

- No property line setback along the north and a 10 foot setback along the south property line above the first floor
- A combination of square and angled bays on the street facing faced above the first floor
- Exposed concrete base with tile accent
- Brick façade with lap siding on upper floors
- A prominent cornice line

Option 3

- A five foot setback on both property lines above the first floor, with canted bays along the south façade
- All angled bays on the street facing facade above the first floor
- A clerestory on the front and rear of the building
- Brick facade infill between vertical column features
- Exposed concrete base with tile accent

ARCHITECT'S PRESENTATION—***Recommendation Meeting – July 11, 2007***

At the Recommendation Meeting, Lance Mueller presented the final design that elaborated on the preferred massing scheme approved at the Early Design Guidance Meeting via colored drawings (site plan, elevations, plans), renderings of the overall 3-d view, and pedestrian-level streetscape renderings. Samples of the materials proposed on the building exterior were also presented. Additionally, Lance then presented the landscape design, with emphasis on the plant materials, hardscapes and function of the private/public right-of-way abutting the site and the green wall on the lower 11'10"- 13' southern facade.

DESIGN GUIDANCE PRIORITIES:

The applicant described the design guideline priorities which had informed their response to site and context in the proposed development. After deliberation, The Design Review Board emphasized the following design guidelines as priorities to be considered in further evolvement of the proposed design. Each design guideline priority is identified by letter and number in accordance with City of Seattle's *Design Review: Guidelines for Multifamily & Commercial Buildings (November 1998)*. ***Responses from the Applicant and Board follow each Guideline.***

A-2 Streetscape Compatibility

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

Board's Comments — Wall to wall retail along the street front is a good idea but developing setbacks or relief for additional room at entrances should be explored. (February 21, 2007)

Applicant's Response — See A-3 below. (July 11, 2007)

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the street.

Applicant's Response — The main entrance to the building and the shops have been recess for better definition and shelter. In addition, the storefronts have been setback about 18" to allow room for planter featuring seasonal color. The surface area between the existing sidewalk will be paved with stone tile of brick pavers. The center canopy will step higher that those at the shops on either side to accent the main entrance and add interest. (July 11, 2007)

A-4 Human Activity

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

Board's Comments — The Board prioritized this guideline as being important to the project, as it pertained to design features that would encourage pedestrian activity. These features include an increased setback on the retail level for more walking and seating areas as well as improvements in the right of way for pedestrian features. (February 21, 2007)

Applicant's Response — The storefronts are set back from the property line so there is nearly 18 feet from storefront to curb. There are two mature street trees in the sidewalk. There is room for benches between the trees if permitted by the City. (July 11, 2007)

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.

Board's Comments —The Board was interested in how the garage access would occur into the building and how the project would plan to reduce potential impacts on the residential properties across the alley. (February 21, 2007)

Applicant's Response — Parking access is easily made directly from the alley to grade level. Alley access to parking is encouraged by the Land Use Code and is common throughout the neighborhood and the alley in particular. Nearly all homes to the west have garages and/or solid fences on their rear lot lines facing the alley. This project only has 16 parking stalls, most for business use, so there will not be a lot of traffic after normal business hours. Lighting will be kept as low as practical for safety and security and will be shielded to prevent glare to the west. (July 11, 2007)

B-1 Height, Bulk, and Scale

Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. 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.

Board's Comments — Additional effort should be made to reduce the bulk and scale of the project along the alley through vertical and not horizontal modulation, additional setbacks, change of materials or other solutions. The alley is of particular importance as this is where the zone change occurs from NC2 to SF zoning. (February 21, 2007)

Applicant's Response — At the alley, the building steps back 7 feet at the second floor and another 2 feet at the top floor. The top floor will have a metal siding while the second and third floors will be horizontal cement fiber board siding. The first floor will be concrete. Vines will be planted at the alley side columns to climb the walls to the second floor railing, adding texture and color to the alley side. (July 11, 2007)

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 or siting pattern of neighboring buildings.

Board's Comments —The bulk of the building along the north and south facades, with the proposed 5 foot setbacks, should be explored further through additional setbacks or design features that reduce the bulk and scale of the project in relationship to adjacent properties. (February 21, 2007)

Applicant's Response — The north side of the site is against an existing three-four story fire wall with no modulation or setback. The setbacks of just over 5 feet allow 25% window area in the walls. To the south, most of the two story building is 15 feet from the window will at our second through fourth floors. (July 11, 2007)

C-2 Architectural Concept and Consistency

Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building.

Applicant's Response — The building has a defined base, middle and top. The bay windows and window spacing on the south, west and east are located consistent with the office space within. (July 11, 2007)

C-3 Human Scale

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

Applicant's Response — Detail, reveals and plantings have been added to the south and west concrete at the first floor. The canopy is now 6 feet deep and planter containers will be provided at the storefront. (July 11, 2007)

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.

Board's Comments —The Board ranked this as a high priority for the project. Board members generally felt that developing a more commercial look to the building with the use of materials and detailing was important for this commercial project, instead of developing a residential looking building. This was reflected in the Option B (Option 3) in the applicant's presentation, marked by the use of brick on the street facing façade with squared bays. (February 21, 2007)

Applicant's Response — The bay windows are rectangular in plan on either side of the splayed center bay. We wanted to use the splayed bay as an element to help define the main entry. Brick will be used at the second and third floors on the east elevation. The fourth floor will be horizontal siding of metal or bevel fiber cement board. (July 11, 2007)

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.

Board's Comments —The Board prioritized this guideline to encourage the developer to look at improvements along the street level that would support pedestrian activity. The Board asked the applicant to consider moving the entrance to the building away from the center and to the side of the street facing facade to allow for a more prominent retail space. (February 21, 2007)

Applicant's Response — Moving the main entrance to the side reduced useable interior space, increased cost, and destroyed the symmetry of the design which is wanted by the Owner and Architect. (July 11, 2007)

D-2 Blank Walls

Buildings should avoid large blank walls. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

Board's Comments — The Board was particularly concerned about the south façade, as this wall would be most exposed. The Board suggested that additional treatments be provided along this façade. The Board was also concerned that the garage façade along the alley include design treatment or features to break up any blank walls that could occur. (February 21, 2007)

Applicant's Response — The south wall of the garage is a solid concrete fire rated wall. Reveal patterns have been added and the wall is set back to allow for wall mounted trellises to hold climbing vines.

The alley wall does not have any blank walls; however provision for planting climbing vines has also been made at the columns. (July 11, 2007)

D-5 Visual Impacts of Parking Structures

The visibility of all at-grade parking structures should be minimized. The parking portion of the structure should be architecturally compatible with the rest of the structure and streetscape.

Board's Comments — The Board saw this as a priority, as it relates to the exposed walls of the parking structure along the alley and the sides of the building. Architectural detailing and materials should be considered when developing these facades. (February 21, 2007)

Applicant's Response — See D-2 above. (July 11, 2007)

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 such elements cannot be located away from the street front, they should be situated and screened from view.

Board's Comments — The Board specified that all garbage and service areas should be located within the proposed structure and accessed from the alley. February 21, 2007)

Applicant's Response — Garbage dumpsters and services will be within the building and accessed at alley grade. (July 11, 2007)

D-9 Commercial Signage

Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.

Applicant's Response — Signage for the shops will be blade signs below the 10' high canopies with the possibility of signage on the face of the canopies as well. (July 11, 2007)

D-10 Commercial Lighting

Appropriate levels of lighting should be provided in order to promote visual interested and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows and/or on signage.

Board's Comments — The Board prioritized D-9 and D-10 as these are particularly important for small infill projects. The Board would like to see cross sections and façade studies to see how these guidelines are met. (February 21, 2007)

Applicant's Response — There will be sconce lights (4) on each column. In addition, a downlight will be mounted on the underside of the canopies mid way between the column sconces and centered on the storefront entry doors. (July 11, 2007)

E-2 Landscape to Enhance 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.

Board's Comments — The Board noted that the request to administratively reduce the required landscaping should be looked at carefully, as there may be various opportunities to incorporate landscaping in their right of way, on the building and in other places consistent with an urban infill building. (February 21, 2007)

Applicant's Response — Climbing vines have been added to soften the base walls on the south and west walls. Planting containers will be used along the street storefront. (July 11, 2007)

DEVELOPMENT STANDARD DEPARTURE Matrix			
DEVELOPMENT STANDARD	**REQUEST/ PROPOSAL**	**JUSTIFICATION**	**Board's Recommendation**
SMC 23.47.008 80% of street façade shall be nonresidential uses. Non-Residential Use Shall Extend an **Average of 30' from the front façade, with a minimum depth of 15'.**	See the **Justification** section.	The original early design guidance submittal showed a lobby in the center of the retail area, with a retail space to the north and the south. This proposal met the required depth. Based on the Board's design guidance and recommendation the building lobby has been shifted to the north. The benefit of this is that the space now has the option for either two commercial tenants, or one tenant. The resulting lobby and elevator access reduces the depth of the retail spaces.	Approval of the design based on *Guidelines— A2, A3, A4, A8, B1, C1, C2, C3, C4, D1, D2, D5, D6, D9, D10 and E2.*
SMC 23.47.016 B. An amount of landscaping **equal to 5% of the lot area** shall be provided.	**Required: 363 sq. ft.** **Proposed:** Vertical Trellis: 1,153 sq. ft. south elev. 414 sq. ft. west elev. 70 sq. ft. 2nd Flr. Planters **1,567 sq. ft.**	This departure would allow for landscaping that is most similar to the current development standards.	Approval of the design based on *Guidelines— A2, A3, A4, A8, B1, C1, C2, C3, C4, D1, D2, D5, D6, D9, D10 and E2.*
SMC 23.47.024 Open Space is required, 20% of residential area**.** An	**Required:** 590 sq. ft. Apartment 291 sq. ft. Ground floor lobby 881 sq. ft. 20% **176 sq. ft.** **Proposed: 224 s q. ft.**	This departure would allow for open space to be provided in the form of a second floor deck adjacent to the apartment.	Approval of the design based on *Guidelines— A2, A3, A4, A8, B1, C1, C2, C3, C4, D1, D2, D5, D6, D9, D10 and E2.*
SMC 23.54.030 B2b. 35% of spaces shall be **large for 11-19 total spaces.**	Large Spaces Required: **6 stalls** Proposed: **5 stalls**	This departure would allow for a van accessible parking space within the structure.	Approval of the design based on *Guidelines— A2, A3, A4, A8, B1, C1, C2, C3, C4, D1, D2, D5, D6, D9, D10 and E2.*

BOARD RECOMMENDATION[1]

The Board members in attendance approved the design departure for the upper level setbacks requirement and the design departure for general façade requirement.

[1] Attending Board members— Patrick Daugherty (chair), Andrew Hastings, Bill Vandeventer, and Chris Kirk
Board members absent: Maria Barrientos

After considering the proposed design and the projects context, hearing public comment, and reconsidering the previously stated design priorities, the Design Review Board members agreed that the design has successfully addressed the design guidance provided in their previous meeting. The Design Review Board **recommends approval** of the design as shown in the updated Master Use Permit Plans. *(Based on Guidelines — A2, A3, A4, A8, B1, CI, C2, C3, C4, D1, D2, D5, D6, D9, D10; and E2.)* The identification of these particular guidelines does not imply that other, nonprioritized guidelines may not be called upon in the ultimate decision-making regarding this proposal.

DECISION – DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the Design Board members present at the final Design Review recommendation meeting and finds that the Board acted within its authority and the Board's recommendations are consistent with the ***City of Seattle Design Review: Guidelines for Multifamily & Commercial Buildings*** *(November 1998)* and the ***South Lake Union Design Guidelines*** *(May 26, 2005).*

Therefore, the proposed design and departures are **APPROVED** as presented at the July 11, 2007 Design Review Board meeting.

CONDITIONS – DESIGN REVIEW are noted at the end of this decision.

ANALYSIS – SEPA

This analysis relies on the ***Environmental (SEPA) Checklist*** *dated March 20, 2007* by the applicant, which discloses the potential impacts from this project. 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 Seattle SEPA ordinance provides substantive authority to require mitigation of adverse impacts resulting from a project (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific adverse environmental impacts identified in an environmental document and may be imposed only to the extent that an impact is attributable to the proposal. Additionally, mitigation may be required only when based on policies, plans, and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675, inclusive, (SEPA Overview Policy, SEPA Cumulative Impacts Policy, and SEPA Specific Environmental Policies). In some instances, local, state, or federal requirements will provide sufficient mitigation of a significant impact and the decision maker is required to consider the applicable requirement(s) and their effect on the impacts of the proposal.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "*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 specific circumstances (SMC 25.05.665 D 1-7) mitigation can be required.

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). 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 and building activities and hydrocarbon emissions from construction vehicles and equipment; 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. 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, noise, and construction traffic 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, if any are found. Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency ("PSCAA") prior to demolition. Thus, as a condition of approval prior to demolition, the proponent will be required to submit a copy of the required notice to PSCAA. If asbestos is found on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

The applicant will take the following precautions to reduce or control emissions or other air impacts during construction:

- *During demolition, excavation and construction, debris and exposed areas will be sprinkled as necessary to control dust; and truck loads and routes will be monitored to minimize dust-related impacts.*
- *Using well-maintained equipment and avoiding prolonged periods of vehicle idling will reduce emissions from construction equipment and construction-related trucks.*
- *Using electrically operated small tools in place of gas powered small tools wherever feasible.*
- *Trucking building materials to and from the project site will be scheduled and coordinated to minimize congestion during peak travel times associated with adjacent roadways.*

Noise

The project is expected to generate loud noise during demolition, grading and construction. Compliance with the Noise Ordinance (SMC 25.08) is required and will limit the use of loud equipment registering 60 dBA (not including construction equipment exceptions in SMC 25.08.425) or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and

10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays. This condition may be modified by DPD to allow work of an emergency nature or allow low noise interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD. Construction noise is within the parameters of SMC 25.05.675.L, which states that the Noise Ordinance provides sufficient mitigation for most noise impacts.

Traffic and Circulation

Site preparation would involve removal of the existing structure and excavation for the foundation of the proposed building and below grade parking garage. Approximately 1,300 cubic yards of material would be excavated and removed from the site. Existing City code, Regulating the Kind and Classes of Traffic on Certain Streets (SMC 11.62) designates major truck streets which must be used for hauling and otherwise regulates truck traffic in the city. The proposal site has fairly direct access to both Highway 99 and Interstate 5 and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC 11.62.

Traffic control would be regulated through the City's street use permit system, and a requirement for the contractor to meet all City regulations pertaining to the same. Temporary sidewalk or lane closures may be required during construction. Any temporary closures of sidewalks would require the diversion of pedestrians to other sidewalks. The timing and duration of these closures would be coordinated with SDOT to ensure minimal disruptions.

Compliance with Seattle's Street Use Ordinance administered by Seattle Department of Transportation (SDOT) is expected to mitigate any adverse impacts to traffic which would be generated during construction of this proposal and no further conditioning is necessary.

Long-Term Impacts – Use-Related Impacts

Traffic and Transportation

Based on the Institute of Transportation Engineers' Trip Generation manual, the proposed project is forecast to generate approximately 282 daily vehicle trips, with 30 of these trips occurring during the AM peak hour and 32 trips during the PM peak hour. These trip generations are based on counts from primarily suburban locations; given the anticipated project population, actual new vehicle trips likely would be much less. Additionally, removal of the existing residential building would remove trips generated by the existing use, further reducing the above numbers. Even assuming no reduction for existing trips and no adjustment for the urban pedestrian-supportive activities within the building, the traffic volumes forecast to be generated by the proposed project are small, and are not expected to have a noticeable impact on the surrounding roadway system. The project site is well-served by transit, with several Metro bus stops and the within walking distance. The project's traffic impacts will not be significant, and no mitigation is required.

Parking

The proposed development is expected to generate a peak parking demand of roughly 45 vehicles, based on the Institute of Transportation Engineers' Parking Generation manual. The project is proposing to provide sixteen parking spaces, leading to a potential peak parking demand spillover of about 29 vehicles. Lack of excess on-site parking and convenient transit service likely will result in some mode shift away from automobiles, reducing parking demand. Weekly spill-over demand will lead to a slight increase in on-street parking near the project site. Given the uses within the structure, parking spillover is/is not likely to occur in the evenings and on weekends.

DECISION – STATE ENVIRONMENTAL POLICY ACT (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. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

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

The proposed action is **APPROVED WITH CONDITIONS** as noted below.

CONDITIONS – SEPA

Prior to Building Permit Issuance

1. The applicant shall submit for review and approval a Construction Impact Management Plan to the Department of Planning and Development for concurrent review and approval with Seattle Department of Transportation. The plan shall identify management of construction activities including construction hours, parking, traffic and issues concerning street and sidewalk closures.

During Construction (including Demolition and Excavation)

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.

2. The applicant will be required to limit the hours of construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m. The Director may consider approving construction activity outside these time restrictions so long as the activity complies with the City's noise ordinance.

3. Comply with the limitations contained in the approved construction-phase transportation plan.

4. Debris and exposed areas shall be sprinkled as necessary to control dust; and truck loads and routes shall be monitored to minimize dust-related impacts.

5. Use well-maintained equipment to reduce emissions from construction equipment and construction-related trucks and avoid prolonged periods of vehicle idling.

6. Use electrically operated small tools in place of gas powered small tools wherever feasible.

7. Trucking building materials to and from the project site shall be scheduled and coordinated to minimize congestion during peak travel times associated with adjacent roadways.

NON-APPEALABLE CONDITIONS – DESIGN REVIEW

8. The proponent must retain the landscaping, fenestration, architectural features and elements, and arrangement of finish materials and colors presented to the recommendation meeting with the Design Review Board. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials and landscaping) shall be verified by Colin R. Vasquez, Senior Land Use Planner, 206-684-5639, or by Vincent T. Lyons, Design Review Manager, 206-233-3823 at a Pre-construction meeting.

9. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by Colin R. Vasquez, Senior Land Use Planner, 206-684-5639, or by Vincent T. Lyons, Design Review Manager, 206-233-3823. Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

10. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of the meeting. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved. Embed updated colored elevation drawing in MUP plans and all subsequent Building Permit Plans.

11. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings. Call out on the appropriate plan sheets where and what departures have been granted.

12. Construct the building with siting, materials, and architectural details substantially the same as those presented at the recommendation meeting with the Design Review Board.

Signature: (signature on file) Date: February 28, 2008
Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development

CRV:lc

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