



City of Seattle
 Gregory J. Nickels, Mayor

Department of Planning and Development
 D.M. Sugimura, Director

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

Project Number: 3006923
Applicant: Jill Burdeen of NK Architects for Delbyrne , LLC
Address: 6053 California Avenue SW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a one, 3-story commercial building containing 6 live work units and two, 3-story townhouse structures, one containing 4 units, and one containing 5 units. Parking for three vehicles within the 4-unit structure and surface parking for 12 vehicles to be provided. Existing structures to be demolished. Environmental review includes future full unit lot subdivision.

The following approvals are required:

SEPA - Environmental Determination - Chapter 25.05, (SMC).

Design Review - Chapter 23.41, (SMC).

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

BACKGROUND INFORMATION:

The site is located at 6053 California Ave SW and SW Graham Street, just north of the Morgan Junction. It is a rectangular shaped corner lot with 100 feet of frontage on California Avenue SW and 150 feet frontage on SW Graham Street. There is an alley in this block. Currently there are several buildings on the site which were built about 1924. The site drops about 6 feet east to west.



AREA DEVELOPMENT

The site is zoned Neighborhood Commercial 2 with a 30 foot height limit. (NC2-30). The site is located in the northern portion of the Morgan Junction Residential Urban Village. The rest of the block to the north and across California is also zoned NC2-30. South of Graham the zoning increases to NC3-30. Across the alley to the west the zone drops to single family 5000. (SF 5000).

EARLY DESIGN GUIDANCE

Architect's presentation

Brandon Nicholson of Nicholson Kovalchick Architects made the presentation. The development objective is to build a project that contributes to the needs of an urban village while supplying residential units to enliven the village. The proposal is for six live work townhouses to be located along California Avenue SW and six more along SW Graham Street. Additionally six more town homes could be located on the northern portion of the site. Vehicle access would be off of the alley. Four massing options were presented at the meeting. Option 1 used residential flats above commercial and parking approach. Flats are not the residential option the developer prefers at this location. Option 2 lined the north and south edges of the site with town homes with a drive court running through it. This option left California Ave with little access to commercial spaces and does not optimize the corner opportunities. Option 3 breaks the townhouse configuration into three masses along each street and the north property line. Parking is off of the alley and a large open space between the buildings appears to create a sense of community without garage doors. Option 4 has three blocks of town houses or live work units and a central t-shaped drive court with all the garages opening onto it. Possible departures include setback requirements from the residential zone across the alley and commercial space depth.

Board Clarifying Questions and Comments

The Board asked about the Morgan Junction Neighborhood Draft Guidelines and if the architect knew about them. They asked about the building configuration along the California property line in several of the options. They asked for clarification on the design objectives at this site. The Board asked if any of the existing buildings could be used in the new development or if the architectural style could be recalled in the new development.

Public Comments

There were 3 members of the public present. Comments included the following:

- Garbage and recycling needs to be designed into the project at early stages to ensure adequate storage space, screening, cover and pick up / management for a smooth and quiet operation.
- Setback along Graham is desirable to keep the neighborhood character.
- A modulated façade along California is important.
- The new proposal needs to recall the historical nature of the building. For instance: façade height at the street, parapet design, façade character and entries.
- Code required parking is important to provide.
- Residential uses along Graham would be best rather than commercial.
- Traffic calming along Graham is a good idea.

- Mix the uses with modulation to show the different uses along Graham.
- Keep the alley uses low impact.
- Plant trees and grass wherever possible.

Board Deliberations at the Early Design Guidance meeting, May 10, 2007

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 siting and design guidance described below and identified by letter and number those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines for Commercial and Mixed Use Buildings*" of highest priority to this project.

Planner Note: The draft Morgan Junction Neighborhood Design Guidelines (MJNDG) have been included as additional guidance for the design team. Not all Citywide Design Guidelines have corresponding Morgan Junction Guidelines. The Morgan Junction Guideline is included where applicable.

Board Discussion

The Board noted that the site as town houses and live work units (a commercial use) is an interesting and appropriate mix of uses at this location. The Board noted they would entertain departures from development requirements.

DESIGN GUIDELINES.

A Site Planning

A-1 Responding to Site Characteristics

The siting of building should respond to specific site conditions and opportunities.

This lot, as a corner lot, presents opportunities for the designer to create a site-specific design that at once addresses the two streets and also creates a positive relationship to the single family zone across the alley. The Board asked the applicant to consider the emerging California street wall as an important design aspect to address in an urban, yet properly scaled and welcoming design.

A-2 Streetscape Compatibility

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

Morgan Junction draft guideline (MJNDG):

It is recommended to build at or near the edge of the sidewalk and restrict grade separations where commercial uses occupy the ground floor. Consider retaining or increasing the width of sidewalks. Wider sidewalks make for more interesting and active streets, while still allowing for adequate pedestrian movement. Provide street trees in tree grates or in planter strips, using appropriate species to provide summer shade, winter light and year-round visual interest. Consider pedestrian-scale street lighting to promote a unified and attractive business district streetscape. Vehicle entrances to buildings should not dominate the streetscape.

The Board directed the applicant to retain a similar visual wrap around the corner as the existing building. Architectural aspects should be included and shown such as a parapet, large windows, lighting and awnings. The right of way on Graham should be managed with landscaping and street trees as well as retaining and replacing any right of way plants on California.

A-3 Entrances Visible from the Street.

Entries should be clearly identifiable and visible from the street.

Entrances for commercial live work and residential should be well-designed, modulated and visible.

A-4 Human Activity

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

Morgan-specific supplemental guidance: Promote active, pedestrian-oriented uses with a high degree of transparency along the street; uses should be readily discernible to the passer-by.

Outdoor eating and drinking opportunities on the sidewalk should be encouraged by orienting the restaurant or café windows to the sidewalk and installing outdoor seating. Overhead cover along the sidewalk can provide for pedestrian comfort.

The Board stated that human activity should be especially lively on California and less on Graham.

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 project should be designed to minimize disturbance of the single family zone across the alley.

A-7 Residential Open Space.

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

Option 3 is the Board's desired option that best addresses this guideline. The Board would like to see this option developed further at the next meeting. Option 3 maximizes the opportunities for usable open space unique to the building type, the site and the opportunities available.

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.

Vehicle access into and out of the alley should be well designed for safety and ease.

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 from corners.

Morgan-specific supplemental guidance:

Prominent corner massing can function as a visual anchor for a block. Provide for a prominent retail corner entry. Consider curb bulbs on key corner locations and pedestrian amenities.

Consider a fountain or art as a focal point.

The corner is important as a design opportunity. The Board would like to see the buildings wrap the corner in a similar fashion as the existing building.

B Height, Bulk and Scale

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.

Morgan-specific supplemental guidance:

For commercial and mixed-use developments, consider breaking up building mass by incorporating different façade treatments to give the impression of multiple, small-scale buildings, in keeping with the established development pattern in the business district. Consider existing views to Puget Sound and the Olympic Mountains and incorporate site and building design features that may help to preserve those views from public rights-of-way. Respond to adjacent residential uses with a sensitive transition in scale and massing; for instance, stepping back building height and/or breaking up building mass. Consider shadows cast from proposed structures, in order to maximize the amount of sunshine on adjacent sidewalks throughout the year.

The Board requested that special design efforts be made to create a desirable transition in height, bulk and scale to the neighboring single family zone.

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 pattern and siting pattern of neighboring buildings.

The Board wants to see the existing building character recalled in the new design in an appropriate approach in the use and size of the new development.

C-2 Architectural Concept and Consistency

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

Buildings should exhibit form and features identifying the functions within the building.

In general, the roofline or top of the structure should be clearly distinguished from its façade walls.

The Board would like to see a distinct architectural concept well established as a guiding parti for this development. The development should “tell a story” of both residential community and commercial community.

C-3 Human Scale

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

Morgan-specific supplemental guidance:

Establish a rhythm of vertical elements along the street-level façade to create a pattern of display windows and shop entrances consistent in scale with existing commercial buildings in the business district. Design elements such as multiple storefronts, shop entrances, exterior light fixtures, awnings and overhangs can add interest and give a human dimension to street-level building façades. Show creativity and individual expression in the design of storefronts; for instance, unique signs and tile work can add artistry and craft to the streetscape. Exterior light fixtures, canopies and awnings should be sized to the scale of the building and sidewalk.

The Board requests that the buildings achieve a human scale as they relate to the sidewalks and the open space and driveways. The Board agreed that Option 3 appears to best demonstrate a direction of human scale and community.

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

Morgan-specific supplemental guidance:

Consider each building as a high-quality, long-term addition to the neighborhood; exterior design and building materials should exhibit permanence and quality appropriate to the “small town” urban village setting. Materials, colors and details can unify a building’s appearance; buildings and structures should be built of compatible materials on all sides. Consider employing durable and high quality materials, encouraging those materials that show permanence and quality, minimize maintenance concerns, and extend the life of the building. Examples of appropriate building materials include: brick, terra-cotta or tile, masonry, and various types of wood, or hardi-board. Durable and quality materials at the street level, including metal and transparent glass, are encouraged for commercial spaces.

The Board would like to see high quality projects.

D Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances

Convenient and attractive access to the building’s entry should be provided.

Morgan-specific supplemental guidance: Entryways can link the building to the surrounding landscape. Consider creating open spaces at street level that link to the open space of the sidewalk. Provide “outdoor rooms” such as plazas, fore-courts, interior courtyards and passages. Building entrances should emphasize pedestrians over vehicles.

The Board suggested modulation and borrowing a sense of entry landscape from the renovated right of ways to create pedestrian spaces that are urban, shady, safe and cohesive in architectural approach.

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.*

Morgan-specific supplemental guidance:

Consider service facilities as an integral part of the site plan; avoid siting service areas and mechanical equipment as an afterthought. Service, loading and storage areas should be located away from facing public streets, residential neighborhoods or other important civic spaces; where possible, take service access along an alley. Adjacent sensitive land uses can be buffered from the undesirable impacts of service facilities with landscaping or cohesive architectural treatments. Consider locating screened, roof-mounted mechanical equipment away from the street edge.

The Board asked that the dumpster location, servicing and maintenance be carefully designed to create a safe, quiet and convenient servicing.

D-8 Treatment of Alleys

The design of alley entrances should enhance the pedestrian street front.

The Board requested that special attention be given to the alley/sidewalk/street intersection for safety and enhancing design elements.

D-12 Residential Entries and Transitions

For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.

The Board chose this guideline as a high priority.

E Landscaping

E-2 Landscaping to Enhance the Building and/or site

Landscaping, including living plants, special pavement, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

Morgan-specific supplemental guidance:

Supplement and complement the existing mature street trees. Choose street tree species in the business district with a canopy above the first floor commercial level to minimize view obstruction along the street businesses. Landscaped open spaces as part of new commercial or mixed-use developments should be visible from the street. Providing landscaping on upper levels of neighborhood commercial buildings, where feasible, is encouraged.

Open space and landscape strips should be planted with full and striving plants. Landscaping can include play space, gardening space, outdoor rooms and gathering spaces.

On July 10, 2007 the applicant applied for a Master Use Permit.

RECOMMENDATION MEETING – December 20, 2007

The Board was reconvened to consider the design response to the Early Design Guidance and to make recommendations to DPD>

Architect’s Presentation

Brandon Nicholson made the presentation to the Board and Public. He briefly reviewed the project site, vicinity uses, opportunities and constraints of the project site. Option 3 from the early design guidance meeting was identified by the board as the most favorable for the site. The proposal has live work units on California Avenue and residential units along Graham. There are also residential units interior to the site accessed via the alley. All units will have an entry on the interior landscaped courtyard. Parking will be located off the alley, and within some units. Extensive landscaping is proposed at ground level, rooftop gardens and in the right of way. Proposed material include cedar siding, metal and a prefinished fiber cement panel system. Overhead weather protection is proposed on California. Departures are being sought to better site the buildings on the site, capture site opportunities and to better meet the identified design guidance priorities.

Summary of Requested Departures

DESIGN DEPARTURE MATRIX:

		COMMERCIAL (LOTS 1 – 6)			<u>RESIDENTIAL (LOT 7)</u>		
#	Development Standard	Required	Proposed	Departure amount	Required	Proposed	Departure amount
1	Residential Street Level Use SMC 23.47A.005.D.3	N/A	N/A	N/A	20% Street Elevation = 83'-11"x.2 = 16'-10"	83'-11" (100%)	80%
2	Non-Residential Street Level Transparency SMC 23.47A.008.B.2.a	60% Between 2' & 8' = 601sf x .6 = 361 sf OR 60 sf/Unit	240 sf Total Site/ 40 sf/Unit	20% for BOTH: Site & Individual Units	N/A	N/A	N/A
3	Commercial Depth & Height SMC 23.47A.008.B.3.a SMC 23.47A.008.B.3.b	Depth: 30' Ave/15' Min	Depth: 20'-4"	Depth: 9'8"	N/A	N/A	N/A
4	Residential Street Level Requirements SMC 23.47A.008.D.2				Max 20% Residential Use @ Street Level Setback 10' from PL	100% Residential Use 4' from PL	80% Residential Use 6' from PL

Board comments and Questions

The Board asked for further clarification on landscape areas and trees. The architect was asked to walk the Board through the levels of uses in the three buildings including a review of the entries. The alley treatment for parking, pedestrian access, garbage and recycling uses was also reviewed by the architect.

Public Comments

Public comments included the following:

- Increased modulation would help the California Façade. The cantilever element of the façade should not lean over the California right of way, but remain just over the property.
- Transparency on the California façade should be assured through conditions placed on the project.
- Signage should be well-designed on California
- Create a more visible commercial presence for each California commercial use.
- The alley parking may be too steep for crest and sag standards.
- Alley traffic may move too fast and blind spots may be created.
- The project looks good.
- The trash and recycling collection area is a good proposal.
- Eyes-on-the-street is a good thing and the design seems reasonably addressed in this proposal.

Board deliberations

The Board picked up on some design details to discuss including the proposed Graham wing walls between the residential units, commercial transparency and departure discussion. The Board thought that the full height wing walls appear to “close in” the residential unit in feel and possibly views out, but the Board also acknowledges that the walls are only four feet deep and may provide some privacy at ground level for the individual units. Commercial transparency is expected to be retained for each live work unit.

After considering the proposed design and the project context, hearing public comment, and reconsidering the previously stated design priorities, the Board feels that the guidance has been addressed by the applicant. The Board **recommends approval** of the departure requests.

Conditions may include the following:

1. Landscaping must be hardy and attractive with low maintenance and low water usage choices. Use native plants as much as possible. All landscaping areas will be irrigated. A new realignment of the southeast corner landscaping should be updated on the plans.
2. The building materials presented are acceptable. The building style and materials are to remain the same through the construction and building phase. If there are changes then the architect must contact the land use planner (Holly Godard at 615-1254) in advance to discuss the proposed changes.

3. The pedestrian access to the alley should extend the length of the parked cars if possible, landscaping, trellis or any space-making elements should be added to better signify the access and protect the pedestrian at this point.
4. Commercial transparency must be retained during daylight hours Monday through Saturday at least three (3) feet into the commercial space.

ANALYSIS AND DECISION - DESIGN REVIEW

Departure 1: A-1, A-4, A-5, A-10: The Board requested SW Graham Street be more residential in nature. Since the zone steps down from NC-3 to SF across the alley, it was important to present a residential use along Graham to mimic a city of Seattle Lowrise zone rather than suggest a commercial use next to the alley. The commercial use is therefore held to the California street front. This site planning, human activity, respect for adjacent site, and corner lots encourages clustering the uses, and a transition to the lower density zone.

Departure 2: C-2 & C-3: Large windows/doors have been introduced at the street level of the commercial units. And while there is less quantitative glazing, the perceived glazing should not seem insufficient. The glazing is floor to floor along the street façade. There is limited modulation along California Ave SW, but the individual units are demarcated by the vertical fin extensions that connect to the cornice, the landscaping, entry path and doorway. The function of the space behind the façade becomes apparent and helps enhance the concept.

Departure 3: A-2& A-4: The lot meets the street front façade requirement, providing 100% of the façade as nonresidential street frontage; however, the average depth requirement for the nonresidential portion of the project has not been met. The overall average depth of the retail space is approximately 20'-4'. The total amount of commercial space provided = 2,658 sf, which exceeds required code minimum square footage of (80%) (street-front façade) (30') = 2,400 by 258 square feet. While the commercial space falls just short of the required depth, additional street-frontage has been provided, and overall project commercial space exceeds code minimum.

Departure 4: C-2 & C-3: While the use of the South Building is Residential, the units have been designed for full flexibility. Therefore, they have the appearance of commercial units at street level. The building hasn't been setback 10' in order to maintain the commercial/residential flexibility the project is trying to achieve. This creates a street/sidewalk connection, while also helping create the transition from the commercial frontage of California Ave SW and the residential feel of the neighborhood to the west. The setback that has been provided is almost halfway between the zero feet required for commercial and the 10' required of residential.

Departure 5: A-7, C-2 & E-2: This project significantly exceeds the required green factor. Not only is there a pedestrian only courtyard with a large amount of landscaping, but there are roof top decks at each unit, each supplied with a green roof. Additional landscaping/hardscaping has been added at the commercial and residential entrances along the street facades. In order to provide this amount of green area and in order to incorporate the courtyard scheme, the space for screening of the parking off the alley would need to be eliminated, in order to enhance the design of the courtyard. Since the parking is off the alley, this should not affect the street facades.

The Director of DPD has reviewed the recommendations of the Design Review Board and finds that they are consistent with the City of Seattle Design Review *Guidelines for Multifamily & Commercial Buildings* and that the development standard departures present an improved design solution, better meeting the intent of the Design Guidelines, than would be obtained through strict application of the Seattle Land Use Code. Therefore, the Director **approves** the proposed design as presented in the official plan sets on file with DPD as of February 14, 2008. The Design Review Board meeting and the recommended **development standard departures** described above are **approved**.

ANALYSIS - SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

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

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC25.05.665) 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: minor decreased air quality due to suspended particulate from building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise, and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. Additionally, these impacts are minor in scope and are not expected to have significant adverse impacts (SMC 25.05. 794). However, due to the residential density and close proximity of neighboring businesses, further analysis of construction impacts is warranted.

Noise

Noise associated with construction could adversely affect the surrounding uses, thus the limitations of the Noise Ordinance are found to be inadequate. Pursuant to the SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B), additional mitigation is

warranted. Thus, limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. Limited work on Saturdays between 9:00 a.m. and 6:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner at DPD. Such after-hours work would include emergency construction necessitated by safety or street use (traffic) concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Limited work at other times or on Sundays may also be allowed if necessary to align with SDOT or utility requirements. Such limited after-hours work may be authorized only if the owner(s) and or responsible party(s) provide 3-days prior notice to allow DPD to adequately evaluate the request pursuant to SEPA authority to mitigate construction impacts (SMC 25.05.675B).

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of a mixed-use structure and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Storm water, Grading and Drainage Control Code (storm water runoff from additional site coverage by impervious surface); Land Use Code (height, setbacks, parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

Drainage and Water Quality

Rain water on roofs and roof decks are the major sources of water runoff on this site. The rainwater will be collected in gutters and connected to the storm drainage system. Therefore, drainage will be directed away from adjoining residential properties. No additional mitigation measures will be required pursuant to SEPA.

Height, Bulk and Scale

Section 25.05.675G2c of the Seattle SEPA Ordinance provides the following: "The Citywide Design Guidelines (and any council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. 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. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project."

There are no sensitive height, bulk or scale impact issues which have not been addressed during the Design Review process in the design of this project in a Commercial Zone 1 with a 40 foot height limit (C1 40'). Therefore, no additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Historic Preservation

Historic Buildings

As required under SMC 25.05.675, and the DPD-DON Interdepartmental agreement on review of historic buildings during SEPA review, a project that proposes the demolition of a structure or structures over 50 years old must be referred to the City of Seattle Department of Historic Preservation. After review the Department of Neighborhoods staff found that it is unlikely that the buildings on this site would meet the criteria for landmark status, as detailed in SMC 25.12. Accordingly, no further review is required.

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

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

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 requirement of the State Environmental Policy Act (RCW 43.21.C), 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 43.21.030(2) (C).
- [] 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

For the Life of the Project

1. Landscaping shall be hardy and attractive with low maintenance and low water usage choices. Use native plants as much as possible. All landscaping areas shall be irrigated. A new realignment of the southeast corner landscaping should be updated on the plans.
2. The building style and materials are to remain the same as shown in the recommendation packet and the MUP plans through the construction and building phase. If there are changes then the architect must contact the land use planner (Holly Godard at 615-1254) in advance to discuss the proposed changes.
3. Commercial transparency must be retained during daylight hours Monday through Saturday at least three (3) feet into the commercial space.

Non-Appealable Conditions

4. 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 (Holly Godard 206-615-1254). 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.
5. 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 planner assigned to this project (Holly Godard 206-615-1254), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least three 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.
6. 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 and embed the colored MUP recommendation drawings in the building permit plan sets.

CONDITIONS – SEPA

Prior to Issuance of Demolition Permits

7. The applicant shall submit to DPD a copy of the PSCAA Notice of Intent to Demolish prior to issuance of the DPD demolition permit.

During Building Demolition, Site Work and Building Construction

8. 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.

The owner's and/or responsible party(s) shall:

9. Limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. Limited work on Saturdays between 9:00 a.m. and 6:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner at DPD. Such after-hours work would include emergency construction necessitated by safety or street use (traffic) concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Limited work at other times or on Sundays may also be allowed if necessary to align with SDOT or utility requirements. Such limited after-hours work may be authorized only if the owner(s) and or responsible party(s) provide 3-days prior notice to allow DPD (holly.godard@seattle.gov) to adequately evaluate the request.

Signature: _____ (signature on file) Date: April 14, 2008
Holly J. Godard, Land Use Planner
Department of Planning and Development

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