



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: 3006976
Applicant: Michael Godfried of NK Architects for West Seattle Construction
Address: 3811 California Avenue SW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 3-story residential and commercial building with 12 residential units and 4 live work units. Parking for 15 vehicles will be located below the structure. The existing two front units will be renovated and retained.

The following approvals are required:

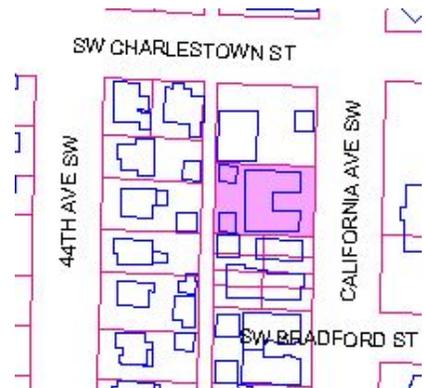
SEPA - Environmental Determination - Chapter 25.05, (SMC).

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 3811 California Ave SW between SW Charlestown Street and SW Alaska. There is an alley in this block. The site is rectangular. Currently there is a one story, brick fourplex on the site which was built in 1927. The site is somewhat flat with a slight slope along California Avenue SW.



AREA DEVELOPMENT

The property is zoned Lowrise 3 with a Residential Commercial zoning overlay. (L3 RC). The zoning to the south is Lowrise 3 RC and the surrounding area is zoned Single Family residential. A very small Neighborhood Commercial (NC) zoned area (About 5 lots) is clustered around the intersection of California Ave SW and SW Charlestown Street. There is a 7-11 convenience store on the NC lot to the north and a townhouse development on the lot to the south.

EARLY DESIGN GUIDANCE

Architect's presentation

Michael Godfried of Nicholson Kovalchick Architects made the presentation. He presented the site analysis, area analysis and reviewed the uses in the surrounding blocks. Four initial studies show different configurations of proposed uses and their possible massing on the site. The development objective is to build a project that ties into the commercial zoning of the RC overlay (RC zone) while providing condominium housing (L3 zone). The proposal is for 12 condominium units ranging from studios to two bedroom units. The current proposal for the ground floor would provide commercial space that would relate well with the street and blend with the residential aspect of the proposal. The number one option presented at the meeting shows zoning compliant townhouses lined up along California and another townhouse block along the alley with a parking court in between the two structures. Option two explores live work townhouses along California with residential townhouses along the alley. Option three shows a parking lot off of the alley and a building of residential flats pushed to the California setback. Option four shows a similar building of residential flats with commercial uses at the ground floor on California and covered /enclosed parking off of the alley.

Board Clarifying Questions and Comments

The Board asked about the parking access from the street or alley and asked for clarification on preference for access in the various options. The Board asked for clarification on the open space in option four. The Board asked what commercial design clues were identified by the applicant. The Board asked about the relationship of this proposal to the 7-11 on the site to the north.

Public Comments

- There were 7 members of the public present. Comments included the following:
- This project should encourage residents to use available transit. There is a stop nearby and it could be improved with this project.
- Departures for this project are creating a project that looks too much like a neighborhood commercial zoned project. Since this lot is zoned L3 RC it should look and function more residential than commercial.
- Townhouses can be designed to be very attractive and functional, but west Seattle is seeing too many that are surrounded by high fences, of low quality material and static facades.

- The existing building should be preserved and renovated to keep the charm and housing type that it is.
- A new building should offer a similar character to building as the one on the site that is slated to be torn down.
- The application team should propose a very high quality building full of character with well functioning commercial space.

Board Deliberations

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.

Board Discussion

The Board noted that the site as town houses and live work units, with an element of commercial use, is an interesting and appropriate mix of uses at this location. The Board noted they would entertain departures if they help the project better meet the design guidelines. The Board expressed opinions on the sustainable nature of the live/work configuration for at home work and less commuting to cities offices. They noted that the 7-11 can be an odd neighbor, but some sort of design response could be developed. They noted that the existing cottages are excellent cottage housing examples and a re-creation of the community they create, or massing or both, should be explored. Option four is a much practiced form throughout the city and they would like to see examples that show how this form can succeed at the alley and at California.

DESIGN GUIDELINES.

A Site Planning

A-3 Entrances Visible from the Street.

Entries should be clearly identifiable and visible from the street.

Quality commercial spaces should be designed to be easily identified and approached.

A-4 Human Activity

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

The designer should consider California Avenue as an amenity for the property tenants and pedestrians. There should be identifiable entrances with a pedestrian scale which would lend itself to a smooth relationship to the sidewalk with room for landscaping, and possible window display interest.

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 architect should study and show, at the next meeting, how the project relates to the residential building to the south as well as an interesting presentation to the alley and the single family zone to the rear.

A-8 Parking and Vehicle Access

Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.

The Board suggested that the architect continue to explore using the alley for access rather than California for this project.

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.

The Board agreed that successfully addressing height, bulk and scale issues at this site is key to creating a successful building. The Board requested further exploration of massing options that minimize the building mass and creatively reinforce the proposed uses and neighboring residential use.

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 pointed out desirable aspects of the existing development on the lot that exhibit a highly attractive architectural context. Similarly, the new design should create a context worthy of replacing the existing. Although the context appears to be a commercial context it is in a residential zone and should exhibit the residential zoning. The thinning residential context, due to the RC overlay, will be creating an area with even less residential context and more commercial presence once the existing structure is demolished. The Board challenged the designer to create something that will rise to the level of both context and consistency of the attractive existing fourplex.

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.

The Board would like to see quality materials for this project.

D Pedestrian Environment

D-6 Screening of Dumpsters, Utilities, and Service Area

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 directed the applicant to clearly address this guideline in the project design.

D-11 Commercial Transparency

Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

The RC zoning will allow the commercial uses, so they must be well designed and allow for a direct visual connection.

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.

The Board directed the applicant to fully develop a landscape plan to enhance the building and site.

Summary of Requested Departures

Possible departures include access from the alley, lot coverage, setbacks, open space location and dimension. The Board is willing to entertain these possible departures from the development standards after further information is provided by the architect.

The applicant applied for a Master Use Permit on July 20, 2007. The project was referred to the Department of Neighborhoods (DON) for an initial review. The DON staff requested that a historic nomination be filed for this structure. The Landmarks Preservation Board met on April 2, 2008 to decide if the structure warranted historic landmark status. The decision was not to designate the structure as a historic landmark.

RECOMMENDATION MEETING – June 12, 2008

Architect's Presentation

Michael Godfried made the presentation to the Board and Public. He briefly reviewed the project site, vicinity uses, opportunities and constraints of the project site. The site is zoned Lowrise 3 (L3) with a Residential Commercial zoning overlay. The site is next to a Neighborhood Commercial zone with a thirty foot height limit to the north. There is an alley in this block. The zoning across the alley is Single Family 5000 (SF 5000). Mr. Godfried reviewed the historic landmark process and outcome. He noted that after the meeting the owners and designers decided to approach the development in a new way. The revised version of the proposal is the subject of this meeting.

The proposal is to retain a sense of courtyard housing, maintain some of the existing structure and build residential density into the project at the rear of the site. There will be two arms or wings, an open courtyard, and residential units. The commercial uses will be at the ground floor both on California Avenue and along the alley as live work units. Much of the brick of the existing building will be reused. The front units on California will be lifted to second story units and will be renovated. The residential entry will have a courtyard entry sequence from

California past brick pillars, a water feature and into a residential lobby. An elevator tower and sitting areas will have large windows facing the courtyard. Arcaded commercial entries will be from the north and south near the property lines. The rear portion of the building will have three levels of units. The vehicle entry is off of the alley. The alley character is designed to have planter terraces, four live work units, cedar shake bays, balconies and tree planters.

The landscape plan was also described for the Board. There will be mid-level trees throughout the development including flowering cherries, and Japanese maples. The street trees will be protected and maintained. There will be screening shrubs between this proposal and the 7-11 to the north. Proposed materials include brick, cedar shakes, hardi lap siding, exposed concrete, metal deck railing and metal clad wood windows.

Departures are being sought to better locate the building on the site, to retain the courtyard character and smaller scale on the California façade, and to better meet the identified design guidelines. The proposal is looking to earn a LEED certification.

Board comments and Questions

The Board asked for further clarification on open space location and amount. They asked for clarification whether or not the courtyard will be fenced or open to California. The Board asked if a signage plan has been prepared and asked about tree selection. The Board asked for more details on the stair/elevator element at the back of the courtyard. They asked about the window configuration, proposed materials, and functions within the “tower”. The Board asked for clarification on the rear setback and façade elements and the density dispersal on the site.

Public Comments

Public comments included the following:

- The retail element on this site could be a good place for offices.
- This is an exciting blend of historic preservation while meeting modern density needs.
- The building presents a distinct look and feel which is good for the neighborhood.
- The extra bulk at the rear of the development is well situated because then the front of the development can be a two story structure instead of a three or four story structure.
- I hope the Board will be supportive of the requested departures to allow this proposal to go forward.
- This could be “destination retail” used by the residents and neighbors.
- The land use code is not set up to help projects like this preserve desirable forms which are much valued by the public. So the departure list is a good thing.
- Creative historic preservation like this should be repeated.
- The code prescribed rear setbacks should be maintained.
- Keep construction impacts in the alley at a minimum.
- There is a light pole in the alley.
- Commendations to the design team for taking the time and supporting the expense of reusing the building.
- There seem to be too many departures to meet the priority guidelines.
- I like the new twist on the old courtyard housing schemes.

Summary of Requested Departures- departure matrix

	Development Standard	Requirement	Proposed	Departure Amount	Board Action
1.	Lot Coverage SMC 23.45.010 A2	A. Apartment lot coverage in L3 zones. 2. 45% lot coverage. (9,711sf)(45%) = 4,370sf Townhomes are allowed 50% lot coverage on this site.	Lot Coverage = 7,118sf 7,118sf / 9,711sf = 73.3%	2,593sf 28.3%	Approved

The lot coverage departure is to handle the unique preservation situations that arise from integrating the existing courtyard wing units into a new project. The departure does not allow for more units than the density limit allows in the Seattle Land-Use Code. The proposal is to provide only two stories along California Avenue SW in order to preserve the existing courtyard and front two units. The mass of the project is therefore pushed to the back of the site. In order to minimize the impact of the garage entry, the ramp down to the garage and ramps to the utility & garage enclosures are completely covered by the building. The net result is that the site is developed to two stories, (lower than the allowable height limit) spread over more of the project site. In addition, architectural elements like the open arcade adjacent to the south property line, and the brick wings on the existing front facade count toward lot coverage.

	Development Standard	Requirement	Proposed	Departure Amount	Board Action
2.	Structure Width SMC 23.45.011 Table A	Table A. L3 zone apartments can have 75'-0" structure width with modulation.	81'-8" (80'-0" existing structure)	6'-8"	Approved

The structure width is primarily set by the existing location of the courtyard wing units. Currently the building has a structure width of 80'-0". The proposed design increases it by only 1'-8" to 81'-8". The added width comes from the rear of the site where the building massing is pushed towards the NC1-30 zoned 7-11 convenience store to the north, and places the building mass to take advantage of the trapezoidal nature of the project site.

	Development Standard	Requirement	Proposed	Departure Amount	Board Action
3.	Structure Depth SMC 23.45.011 Table A	Table A. L3 zone apartments can 65% lot depth for structure depth. 65% depth of lot (117'-0")(0.65)= 76'-0"	105'-2"	29'-2"	Approved

The front courtyard wing units are proposed to be preserved. They are 38'-0" deep and only 20'-0" wide. And once again, this front portion of the building is maintained at only 2 stories. A 44'-3" by 26'-0" central courtyard is being preserved and will remain as open space visible to pedestrians on the sidewalk. Excluding the front courtyard wing units the back building is only 70'-2" in depth.

	Development Standard	Requirement	Proposed	Departure Amount	Board Action
4.	Front Setback SMC 23.45.014A1	The front setback is the average of the setbacks of the first principal structures on either side. Setback can be 5'-0" min. – 15'-0" max. 2'-0" (7-11 Gas-Station Canopy) 15'-6" (Noland Townhomes) $17'-6" / 2 = 8'-9"$ avg.	5'-3" to property line 9'-3" to sidewalk edge	3'-6"	Approved

At the EDG meeting the Design Review Board was in support of a front yard setback to reflect the commercial nature of the project. Also the setback reduction allows the project to act as a transition to the higher zoned NC1-30 property to the north which has no setback requirement and the entire adjacent commercial intersection that is zoned NC1-30.

	Development Standard	Requirement	Proposed	Departure Amount	Board Action
5.	Rear Setback SMC 23.45.014B1 & 2	Rear setback to be 25'-0" or 15% of lot, which ever is less. When property abuts alley, rear setback measured from alley centerline. Setback cannot be less than 10'-0" from rear property line. $(117'-0")(15%) = 17'-7"$ $(17'-7") - (8'-0") = 9'-7"$ $= 10'-0"$ min.	6'-6" due to bays (8'-8" at majority of rear building façade)	3'-4" needed because of 10'-0" minimum setback	Conditionally Approved

As a result of preserving the existing front wing units and courtyard, the mass of the building has been pushed to the back of the site. The majority of the rear façade is only 1'-4" into the required setback, only the two projecting upper level bays need a larger departure. The rear of the building has well-modulated residential character with gabled roofs, bays, balconies, terraces and planters and presents a pleasant, varied façade to the single family residential zone across the alley.

	Development Standard	Requirement	Proposed	Departure Amount	Board Action
6.	Side Setback SMC 23.45.014C Table A	Table A. For structures with 101-120'-0" depth and between 31'-37'-0" height: 14'-0" avg. 7'-0" min.	Average: North – 2'-6" South – 3'-6" Minimum: North – 7½" South – 11"	Average: North – 11'-6" South – 10'-6" Minimum: North – 6'-4½" South – 6'-1"	Approved

The existing structure currently has an 18" south side setback and a 17" north side setback and the building location is the primary basis for the current setbacks. The adjacent NC1-30 zoning to the north allows development to come right up to the shared property line and the Design Review Board at EDG supported this project having minimal to zero setbacks adjacent to the commercial zone.

	Development Standard	Requirement	Proposed	Departure Amount	Board Action
7.	Balcony Setback SMC 23.45.014Fb&c	b. Balconies must be 5'-0" from side lot line. c. Balconies at side setbacks can be 20'-0" maximum width.	North - 1'-3" 54'-4" width South - 11" 39'-4" width	North - 3'-9" 34'-4" width South - 4'-1" 19'-4" width	Approved

To the south, the building presents an open arcade and balcony with façade modulation and stepped façade. It is an attractive, pleasant residential façade to the neighboring town home project.

	Development Standard	Requirement	Proposed	Departure Amount	Board Action
8.	Open Space SMC 23.45.016A3b 2 & B2a	2. 25% of lot area provided as open space. (9712)(25%) = 2,428 sf 2a. No horizontal dimension less than 10'-0"	Open space provided at ground level: 2,832sf Open space provided at balconies = 879sf Total provided open space = 3,711sf	Allow areas with less than 10'-0" dimension to count towards open space area.	Approved

The project meets and exceeds the required ground level open space requirement with a minimum dimension departure. The project exceeds the open space requirement by 50% when upper level balconies are included. The goal is to preserve the existing wing units and their relationship to the lot lines. This requires that some open space cannot meet minimum dimensional requirements. Quality, visible open space is provided in an attractively landscaped central courtyard, within the front setback, and the planter terraces at the alley.

	Development Standard	Requirement	Proposed	Departure Amount	Board Action
9.	Parking Access SMC 23.45.018B2a	c. Parking access from street when L3 zone across alley from single family zone.	From alley	From alley	Approved

Parking access from California Avenue SW would be contrary to the existing courtyard apartment concept. The proposal is to maintain parking access from the alley.

A curb cut at the street would have a negative impact on the heavily used sidewalk. Vehicle access to and from the site from California Ave SW could be difficult. At the EDG meeting, all options showed alley access and alley access was supported by the Board.

	Development Standard	Requirement	Proposed	Departure Amount	Board Action
10.	Driveway Slope SMC 23.54.030D4a &b&c	4. Driveway slope cannot be greater than 20% without Director's approval based on the following: a. Topography and lot conditions require greater slope. b. Additional slope is least necessary to accommodate lot conditions. c. Driveway is still useable access.	28%	8%	Approved

To preserve the existing wing units and courtyard has resulted in the main mass of the building being moved to the back of the site; closer to the alley property line resulting is less space for the garage ramp. The garage serves 15 vehicles and is accessed off the alley and not the street. Another NK project in lower Queen Anne was approved for a 28% ramp slope entering onto a street and sidewalk.

Board deliberations

The Board discussed the project in their deliberations, starting with their initial reactions. They liked the positive and “extraordinary solution” proposed by the applicant. They appreciated the efforts to preserve existing courtyard and massing forms, the materials and the proposed uses. They applauded the entry experience and visibility to the street and striving landscaping. They discussed the stair/elevator element and decided to direct the architect to further explore fenestration options, roof variations, the stair/elevator concept and choice of materials. The Board asked for further clarification on some of the departures. The Board was sensitive to public comments regarding the west façade facing the alley and the single family zone across the alley. The Board asked for clarification on the façade wall and the setback departure request. The Board directed the architect to study the placement of the west façade wall, the interior uses,

the bay windows and the west roof forms to find the optimum façade composition to best approximate the land use code requirements, and give a sense of reduced scale. The Board also thought that adding seating in the courtyard would help create a sense of community. Some of the discussion became prescriptive in nature while the majority of the discussion focused on the composition of the west façade. The Board directed the design team to conduct further study and to work with the land use planner on several issues. The Board suggestions for further study are listed below.

After considering the proposed design and the project context, hearing public comment, and reviewing the design priorities, the Board feels that the guidance has been addressed by the applicant. The Departure requests are **approved and conditionally approved**. Conditions in the decision may include the following unless they are addressed by the design team in advance of the publication of the director's decision:

1. Provide seating in the residential entry courtyard. (guideline A-4 and E-2)
2. Study options to bring the west façade wall back as close as possible to the ten foot setback. The bay windows may remain as shown. Look at roof forms to see if another form gives a sense of reduced height. Study the façade materials to determine their optimum use. (B-1, C-4, A-8)
3. Study options for the interior circulation element. Review fenestration, materials and roof forms. Explore a modern concept, or other element forms. (C-4)

Planner note: The design team has worked with the planner to provide seating in the entry courtyard, and the team has explored a mix of solutions to bring the west façade wall back as close as possible to the ten foot setback. The team presented rear façade materials, composition and roof forms to find the best composition. The team presented several options to the planner for the elevator "tower" fenestration materials and forms. The new composition will include additional shadow lines at the top of wall in several places on the façade. The windows will be high quality.

Other considerations

1. 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.
2. 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.

3. Embed any 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.

ANALYSIS and DISCUSSION– Design Review

Departures 1, 2, 3, and 8

The lot coverage departure is to address the unique preservation situations that arise from integrating the existing courtyard wing units and courtyard into a new project. The departure is needed to meet guidance B-1 height bulk and scale and C-1 architectural context. The departure does not allow for more units than the density limit allows in the Seattle Land-Use Code. The proposal is to provide only two stories along California Avenue SW in order to preserve the existing courtyard and front two units. The mass of the project is therefore pushed to the back of the site. In order to minimize the impact of the garage entry, the ramp down to the garage and ramps to the utility & garage enclosures are completely covered by the building. The net result is that the site is developed to two stories, (lower than the allowable height limit) spread over more of the project site. In addition, architectural elements like the open arcade adjacent to the south property line, and the brick wings on the existing front facade count toward lot coverage.

Departures 4, 5, 6 and 7

Departures 4, 5, 6 and 7 help the project better meet guidelines A-3, A-4, B-1 and C-1. The departures help create quality commercial spaces with easily identifiable entrances, A-3. They also help encourage the California Avenue façade as an amenity for visitors, residents and neighbors by encouraging human activity, pedestrian scale and a smooth relationship to the sidewalk. The setback departures allow a creative height, bulk and scale relationship of the “preserved” massing and forms of the original in its reincarnation. As the result, the building is somewhat lower and less dense in the front portion of the site and denser in the rear portion of the site.

Departure 9 and 10

Guideline A-8, parking and vehicle access is enhanced by departures 9 and 10 which allow parking access off of the alley and into an underground garage. The design should include well designed crest and say contours to make the proposed slope workable.

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).

Construction Impacts

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. The existing street trees will be retained and protected during construction as per city standards.

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. 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 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 possible that the buildings on this site would meet the criteria for landmark status, as detailed in SMC 25.12. The project was nominated. The historic preservation Board met on April 2, 2008 to decide if the structure warranted historic landmark status. The Landmarks Board heard a presentation on the building features and history, deliberated and voted to not designate the building as a landmark building.

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to 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.

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.
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.

CONDITIONS – SEPA

Prior to Issuance of Demolition Permits

3. 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

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:

4. 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.
5. The existing street trees will be retained and protected during construction as per city standards as noted on the MUP drawings.

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

Date: December 18, 2008