



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**

Application Number: 3007337
Applicant Name: Mark Lundberg of Carlton Development Group Inc.
Address of Proposal: 14027 Lake City Way NE

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a six story, 320-unit apartment building with 9,000 sq. ft. of ground floor retail. Parking for 432 vehicles will be located below grade. Existing structure to be demolished. Project includes 42,000 cu. yds. of grading.

The following approvals are required:

Design Review pursuant to Chapter 23.41 Seattle Municipal Code, with Departures:

Development Standard Departure to allow street level residential within 10' of the sidewalk and within 4' of grade (23.47A.008.D.2).

Development Standard Departure to allow a curb cut on the street with the fewest lineal feet of commercially zoned frontage (23.47A.032.C and 23.47A.032.A.1.c).

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

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

[X] DNS with conditions

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

SITE & VICINITY

This 83,129 square foot site is located two blocks south of the City of Seattle limits on the corner of Lake City Way NE and NE 143rd St. The L-shaped site also has street frontage on 32nd Ave NE. One sales office structure and two sheds are located on the existing site, which currently houses an outdoor showroom and lot. The sales office building was constructed in 1969.

The site is essentially flat in the eastern and western portions, with a retaining wall and a 6' drop in grade bisecting the property in a north-south direction. There are no environmentally critical areas located on the site. The site is located in a salmon watershed overlay area.

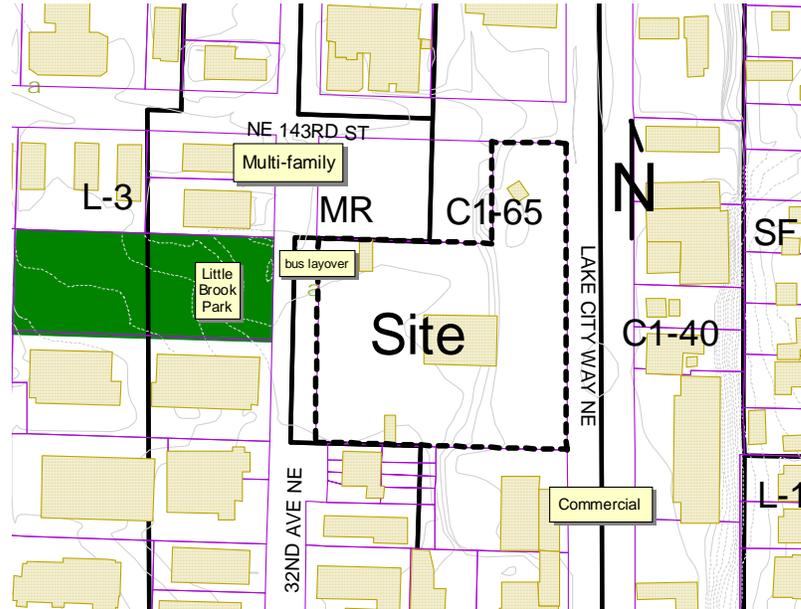
The subject property is zoned Commercial 1 with a 65' height limit (C1-65). Midrise multi-family zoning with a maximum height of 65' (MR) borders the site on the west three sides. Lowrise multi-family zoning (L-3) is located further to the west.

Lower height commercial zoning is located across Lake City Way NE (C1-40), with Lowrise Multi-family zoning (L-1) and Single Family Residential (SF 7200) zoning to the east.

Surrounding uses include a mix of multi-family residential and commercial structures of varying ages and architectural styles. This area of Lake City Way NE is dominated by one-story mid to late-20th century commercial buildings with surface parking lots. The area to the west of the site is dominated by mid to late-20th century multi-family structures with surface parking. A newer 65' tall multi-family building is located adjacent to the northwest. Newer townhouses are adjacent to the southwest area of the site. A mid-century commercial building is adjacent to the southeast area of the site.

The area includes limited sidewalks and nearby transit stops. Bus stops are located on NE 143rd St west of the site. A bus layover spot is located on the west side of the site at 32nd Ave NE. Parking is predominantly on-street and in surface lots. The west property line borders a gravel shoulder used for parking, with no sidewalk at that street frontage. The subject property includes a few trees on the west property line.

Little Brook Park is located across 32nd Ave NE from the site, which is an acre in size and includes recent renovations such as special paving, a play structure, a daylighted portion of Little Brook Creek (a tributary of Thornton Creek), a restroom, and landscaped areas



PROJECT DESCRIPTION

The proposed development includes demolition of the existing buildings and construction of a new 6 story mixed-use structure with 320 apartments, 9,000 square feet of retail at grade, and 432 parking spaces below grade with 76 bicycle parking spaces at and below grade. The bus layover area will be relocated approximately one block to the north.

PUBLIC COMMENTS

Public notice of the proposal was issued on January 3, 2008. Six public comments were offered during the review period, either in writing or at the design review meetings.

I. DESIGN REVIEW

DESIGN GUIDELINE PRIORITIES:

EARLY DESIGN GUIDANCE MEETING (July 16th, 2007)

At the Early Design Guidance meeting held on July 16th, 2007 and after visiting the site, considering the analysis of the site and context provided by the proponents, the Design Review Board members provided the following siting and design guidance and identified by letter and number those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines for Multifamily and Commercial Buildings*" of highest priority to this project:

- A-1 Responding to Site Characteristics
- A-2 Streetscape Compatibility
- A-3 Entrances Visible from the Street
- A-5 Respect for Adjacent Sites
- A-6 Transition Between Residence and Street
- A-7 Residential Open Space
- B-1 Height, Bulk, and Scale Compatibility
- C-4 Exterior Finish Materials
- C-5 Structured Parking Entrances
- D-1 Pedestrian Open Spaces and Entrances
- D-7 Personal Safety and Security
- D-9 Commercial Signage
- D-10 Commercial Lighting
- D-12 Residential Entries and Transitions
- E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites
- E-2 Landscaping to Enhance the Building and/or Site

The primary guidance from EDG included:

- Provide a substantial visual massing break in the Lake City Way NE street wall
- Provide visual connection and context to Little Brook Park, located to the west across 32nd Ave NE
- The residential entry on Lake City Way NE should be a prominent visual element of that façade and could correspond to the break in massing

- Proposed massing should respond to the smaller townhouses adjacent to the south property line and the residential units in the building to the north
- Provide security and privacy for street level residences on 32nd Ave NE
- Landscape plans should enhance the proposed development and respond to the context of Little Brook Park
- Provide sections and studies of the interior courtyard for better understanding of grade changes
- Include a variety of quality durable materials to further reduce the visual length of the Lake City Way NE and 32nd Ave NE facades
- Minimize the appearance of curb cuts, and maximize pedestrian safety at these points

DESIGN REVIEW BOARD RECOMMENDATIONS SUMMARY (APRIL 21ST, 2008)

On December 18th, 2007, the applicant submitted for a Master Use Permit. On April 21st, 2008, the Northeast Design Review Board convened for a Final Recommendation meeting. Additional graphics and display boards presented for the Board members' consideration included landscape plans, three dimensional graphics, materials and colors board, and light fixture information.

DESIGN PRESENTATION

Steve Leitzke of The Leitzke Architects gave the applicant presentation, with Neil Buchanan describing the landscape architecture.

Steve described the existing conditions near the site, the proposed apartment use, the streetscape development. Proposed departures include:

1. A second vehicular access point at 32nd Ave NE
2. Reduced residential setback at street level on 32nd Ave NE

Neil described the landscaping, including:

- Green screens on Lake City Way NE
- 32nd Ave NE street trees to continue existing street trees from the north
- Little Brook Park as an inspiration for the proposed landscape design
- The central courtyard, including curving pathways, a water feature, and a dry stream bed
- Roof gardens with Ipe boardwalk and planters, sedum green roof areas, and arbors by the stairways and elevator
- Landscaping at the south property line to provide privacy and transition to the townhouses to the south
- Wall lighting, path lighting, deck lights, and landscape uplights to provide security and enhance the courtyard areas

Steve described the proposed materials:

- Top floor would include corrugated box beam metal siding “mini box”
- The trellises shown above the top floor windows would not include vines
- Floors 3-5 would include:
 - Flush metal siding in green and blue, corresponding to extending building bays
 - The inset building bays would be khaki colored cement panel
- The building base would include face brick in a ruby red color at the street fronts, with stucco in the same color in the courtyard and building sides. The brick would wrap the corners to the first bay at the building sides. A pre-cast concrete or other material cap would be located above the brick/stucco level.
- Metal canopies would be painted with a charcoal color, with some fabric awnings

Steve explained other aspects of the proposed design:

- The roofline is varied to correspond to building bays, with three primary elements on Lake City Way NE and two primary elements on 32nd Ave NE
- A trellis is proposed over the parking entry at 32nd Ave NE to reduce the visual appearance of the opening
- Retail spaces on Lake City Way include 10’ high windows
- The south property line includes building setbacks of 10’ to 17’ to respect the townhouses to the south
- The significant visual building break at Lake City Way NE allows a visual connection from Lake City Way NE through to Little Brook Park, while blocking noise to the interior courtyard. The building is glass on both sides at the break on Lake City Way NE

BOARD QUESTIONS AND COMMENTS

The Board had the following questions and clarifying comments, with responses from the applicant:

- The site plan shows the courtyard ends near the north and south property lines, in a small break between the buildings. Would this area be fenced, or used openly by pedestrians?
 - There are no plans to gate or fence the courtyard. The north area would serve as a fire access area with stairs, but is not intended as a primary pedestrian access point.
- Would there be a gate at the west entrance across from Little Brook Park?
 - No, the applicant prefers not to gate or fence the courtyard unless it becomes necessary due to security reasons
 - The entry area will be well lit with wall lights in the seating walls and landscape up lighting
- Please explain departure request #1, the reduced setback for residences at street level.
 - The code requires a 10’ setback (or 4’ elevation difference) from the back of the sidewalk to the residential unit at street level. Since the applicant has proposed a wider sidewalk here, the departure is requested. One solution would be to narrow

the sidewalk and provide additional landscaping between the sidewalk and residential unit, making the departure unnecessary.

- What material is on the façades facing the interior courtyard?
 - The materials of the street level facades wrap the building on all sides, except for the brick. Stucco in the same color as the brick will be used on the interior facades at the bottom two floors (varies on floors 1 to 2, depending on building modulation)
- What material is proposed for the awnings?
 - The awnings would be canvas. The canopies would be metal frame with ‘mini-rib’ lids
- Is there a primary building sign?
 - Yes, there would be one that says “Bella Lago” over the entry canopy on Lake City Way NE
 - Retail signs would be on blade signs attached to the canopies
- How do guests know where to enter the building?
 - The pedestrian entry is signified by the building break. There could be a sign at the garage entry on NE 143rd St showing guest parking locations. The intent is that the retail spaces used during the day could become residential guest parking at night.
- Where are the loading and unloading areas?
 - Inside the garage; larger trucks such as moving vans would need to park on 32nd Ave NE.
- Explain the trash and recycling collection
 - Trash chutes are located inside the building, transferring waste to compactors in the garage. Staff would roll a few dumpsters out to the street on trash collection day and return the dumpsters to the garage.
- Are there any particular areas for the dumpsters at the street on collection days?
 - By the driveway inside the curb cut at 32nd Ave NE
 - The applicant has also looked into getting a permit from SPU/SDOT to place the containers on the street during certain hours
- Is all the interior courtyard landscaping located over the garage levels? Is there enough soil depth for the trees shown?
 - Yes, it is all over the garage. Because of the grade change, there is the opportunity to mound soil in certain areas to provide sufficient depth for trees (shown grouped on the landscape plans)

PUBLIC COMMENT

Two members of the public attended the Recommendation meeting. No public comments were offered.

DESIGN GUIDELINE PRIORITIES

After considering the proposed design and the project context, hearing public comment and reconsidering the previously stated design priorities, the three Design Review Board members came to the following conclusions on how the proposed design met the identified design

objectives from City of Seattle's *Design Review: Guidelines for Multifamily and Commercial Buildings* of highest priority to this project.

A. Site Planning

- A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.**

During EDG review, the Board noted concerns with the length of the Lake City Way NE façade and directed the applicant to include a significant break in this façade. The Board also directed the applicant to design the proposal in response to the context of Little Brook Park to the west and provide a visual connection to the park.

The applicant has include a significant visual break in the Lake City Way NE façade, include an inset entry and corresponding building bay, glazing on either side of the building break, and a visual connection to Little Brook Park. The proposed landscape design includes pathways leading to the Park, both visually and physically. The proposal meets this guideline.

- A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.**

Guidance from EDG directed the applicant to provide a prominent residential entry at Lake City Way that would be in scale with the length of that façade. The proposal includes a residential entry as described above, and meets this guideline.

- 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.**

In response to EDG guidance, the applicant has provided varied and increase setbacks and landscape buffers at the south property line, to buffer the existing townhouses to the south. Window placement is off-center from most of those in the townhouses, maximizing privacy where possible. The proposal meets this guideline.

- A-6 Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.**

At EDG, the Board noted that experience with this area indicates some concerns of crime and has concerns about the impact of the setting on residential units closer to the street. Proposed departure #1 would place street level residential units closer to the sidewalk and very close to grade at 32nd Ave NE.

After some discussion, the applicant agreed to provide landscaping instead of sidewalk at 32nd Ave NE, so there is a minimum of 10' between the sidewalk and the residential units at street level. The proposal meets this guideline, subject to the conditions listed below.

A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

The proposed landscape plan offers several different opportunities for residential open space, including the interior courtyard, the rooftop garden and deck areas, and individual balconies. The landscape plan is high quality and responds well to the context of Little Brook Park. The proposal meets this guideline.

B. Height, Bulk and Scale

B-1 Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.

In addition to the comments in A-1, the applicant has worked to reduce the building scale using modulation, colors and materials, and varied roof design. The proposal meets this guideline.

C. Architectural Elements and Materials

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 proposed finish materials include brick, stucco, metal siding, and fiber cement panels. The combination and application of materials corresponds well to the building design and provides a high quality varied street level façade. The proposal meets this guideline.

C-5 Structured Parking Entrances. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

The Land Use Code allows a single curb cut at NE 143rd St, but the applicant has requested a departure for a second curb cut at 32nd Ave NE, due to the size of the site and the location of site. Guidance from EDG directed the applicant to include traffic calming measures at 32nd Ave NE due to the proximity of Little Brook Park. The applicant has proposed to include special paving at the sidewalks near driveway entries.

The Board noted that additional safety measures such as signage and mirrors should also be provided. The placement of trash dumpsters may block sight lines; clear sight lines should be provided at all times.

DPD has discussed the possibility of traffic calming with Seattle Department of Transportation and found that a mid-block curb extension on 32nd Ave NE would provide additional pedestrian safety for people wishing to access Little Brook Park.

The proposal meets this guideline, subject to the conditions listed below.

D. Pedestrian Environment

- 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.**

The applicant has proposed a number of pedestrian areas, including street level development and interior courtyard areas. All areas are design to provide pedestrian comfort, security, and visual interest. The proposal meets this guideline.

- D-6 Screening of Dumpsters, Utilities, and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.**

The Board noted concern with the proposal to place dumpsters near the driveway entries on trash collection days. The applicant should provide a dedicated area for dumpsters on trash collection days, either near the garage entries in an area that provides clear sight lines for cars and pedestrians, or in an exterior location. If the dumpsters are located in an exterior location, they should be fully screened from adjacent residents on or off the site. The proposal meets this guideline, subject to the conditions listed below.

- D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.**

In addition to the comments found in C-5, the Board noted that the interior courtyard entry at 32nd Ave NE may need to be gated for security at some point in the future. The applicant noted that they prefer not to gate or fence the project, but would consider a gate if necessary for security reasons. The Board directed the applicant to provide some sort of physical framing on which a future gate could be installed, if necessary. This may include side supports, an arch, building façade extensions, or some other method that provides opportunity for mounting gates and/or fencing. The framing and any future gate or fencing should be designed to blend with the proposed fencing at 32nd Ave NE

adjacent to the street level residences. The proposal meets this guideline, subject to the conditions listed below.

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.

The proposal includes building signage over the entry canopy and blade signs for individual retail businesses. The proposal meets this guideline.

D-10 Commercial Lighting. Appropriate levels of lighting should be provided in order to promote visual interest 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, in landscaped areas, and/or on signage.

The proposal includes wall lights in seating walls, wall lights near retail entries, landscape up lighting, and balcony lights. The proposal meets this guideline.

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.

Comments reflect the guidance found in A-3, A-6, and D-1. The proposal meets this guideline, subject to the conditions listed below.

E. Landscaping

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

E-2 Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.

The applicant has provided a thoughtful landscape plan that refers to the context of Little Brook Park and enhances both the building and the site. The proposal meets this guideline.

RECOMMENDATION AND CONDITIONS

The recommendations summarized below were based on the recommendation packet date stamped April 15th, 2008 and materials presented at the April 21st, 2008 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plan set and other drawings from the public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members recommended APPROVAL of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed above). The Board recommends the following CONDITIONS for the project. (Authority referred to via letter and number in parenthesis):

1. The 32nd Ave NE street level development should be revised to include at least 10' between sidewalk and residential street-level façade. The applicant should replace some of the proposed sidewalk with additional landscaping to achieve this setback. The applicant should work with the Land Use Planner to document this design prior to issuance of a Master Use Permit. (A-6, D-12)
2. Additional safety measures such as signage and mirrors should be provided at the 32nd Ave NE garage entry. The applicant should work with the Land Use Planner to document this design prior to issuance of a Master Use Permit. (C-5)
3. The placement of trash dumpsters should not block vehicular or pedestrian sight lines at any time from garage entries. The applicant should work with the Land Use Planner to document this design prior to issuance of a Master Use Permit. (C-5)
4. A mid-block curb extension on 32nd Ave NE to provide additional pedestrian safety should be provided. The applicant should work with the Land Use Planner to document this design prior to issuance of a Master Use Permit. (C-5)
5. Provide a dedicated area for dumpsters on trash collection days, either near the garage entries in an area that provides clear sight lines for cars and pedestrians, or in an exterior location. If the dumpsters are located in an exterior location, they should be fully screened from adjacent residents on or off the site. The applicant should work with the Land Use Planner to document this design prior to issuance of a Master Use Permit. (D-6)
6. Provide some sort of physical framing on which a future gate could be installed at the 32nd Ave NE entrance to the interior courtyard. The framing and any future gate or fencing should be designed to blend with the proposed fencing at 32nd Ave NE adjacent to the street level residences. The applicant should work with the Land Use Planner to document this design prior to issuance of a Master Use Permit. (D-7)

DEVELOPMENT STANDARD DEPARTURES

STANDARD	REQUIREMENT	REQUEST	APPLICANT'S JUSTIFICATION	BOARD RECOMMENDATION
Residential street level requirements SMC 23.47A.008.D.2	Either the first floor of the structure at or above grade shall be at least 4 feet above sidewalk grade <u>or</u> the street-level façade shall be set back at least ten 10 feet from the sidewalk.	Provide an average of 8.4' to 11' setback between the sidewalk and the residential street-level units	A wider sidewalk may be provided on 32 nd Ave NE	The applicant should revise the proposal to include a narrower sidewalk than proposed on 32 nd Ave NE, providing landscaping in the required setback between sidewalk and residential street level façade. Departure denial recommended by three Board members
Parking location and Access SMC 23.47A.032.C and 23.47A.032.A.1.c	If the lot does not abut an improved alley but abuts two or more streets, access to parking must be from the street with the fewest lineal feet of commercially zoned frontage	Provide one curb cut at NE 143 rd St for commercial parking access, and a second curb cut at 32 nd Ave NE for residential parking access	The street frontage at NE 143 rd is very narrow and close to the intersection of NE 143 rd & Lake City Way NE. The amount of traffic at that point would result in backed up traffic at the intersection and in the proposed garage.	Recommended approval by 3 Board members, subject to the conditions listed above

The proposed design and Development Standard Departure for SMC 23.47.008.D.2 is **DENIED**.

The proposed design and Development Standard Departure for SMC 23.47.032.C and 23.47A.032.A.1.c is **CONDITIONALLY GRANTED**, subject to the conditions listed at the end of this decision.

II. SEPA

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist (December 17, 2007), and supplemental information in the project file submitted by the applicant's agent. The information in the checklist, the supplemental information, 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 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during demolition and construction; increased noise and vibration from construction operations and equipment; and increased traffic and parking demand from construction personnel. These impacts are not considered significant because they are temporary and/or minor in scope.

Compliance with existing ordinances, such as the Street Use Ordinance and the Noise Ordinance will provide sufficient mitigation for most impacts. The other impacts not noted here as mitigated by codes or conditions are not sufficiently adverse to warrant further mitigation by conditioning. These impacts are not considered significant; however some of the impacts warrant further discussion and review.

Air Quality

Demolition of structures and surface paving and transport for demolition will create dust, leading to an increase in the level of suspended particulates in the air, which could be carried by winds out of the construction area. The Street Use Ordinance (SMC 15.22) requires watering the site, as necessary, to reduce dust. In addition, the Puget Sound Clean Air Agency (PSCAA regulation 9.15) requires that reasonable precautions be taken to avoid dust emissions. Demolition could require the use of heavy trucks and smaller equipment such as generators and compressors. These engines would emit air pollutants that would contribute slightly to the degradation of local air quality. Since the demolition activity would be of short duration, the associated impact is anticipated to be minor, and does not warrant mitigation under SEPA.

Earth/Soils

The applicant has submitted "Geotechnical Engineering Study, Bella Lago Apartments, 14027 Lake City Way Northeast, Seattle, Washington," dated August 7, 2007 and prepared by Earth Consulting Incorporated for Carlton Development Group. These reports have been reviewed by geotechnical engineers in DPD.

The construction plans, including shoring of excavations as needed and erosion control techniques will receive additional and separate review by DPD. Any additional information showing conformance with applicable ordinances and codes (ECA ordinance, The Stormwater,

Grading and Drainage Control Code, DR 33-2006 and 3-2007) will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are utilized. Given the existing codes and ordinances and the minor amount of potential settling from dewatering the site, no additional conditioning is warranted pursuant to SEPA policies.

Noise

Excavation will be required to prepare the building sites and foundations for the new building. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding residential uses. Due to the proximity of neighboring residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted. The hours of construction activity shall be limited, subject to the conditions listed below.

Traffic

The proposed development is located adjacent to Lake City Way (State Route 522) and is subject to high volumes of existing traffic. NE 145th St (State Route 523, located two blocks to the north) is also a principal arterial with large volumes of traffic. Traffic congestion is typical in this area, especially during the PM peak hours of travel.

In consultation with DPD's Transportation Planner it was determined that the anticipated number of construction vehicle trips would further exacerbate traffic congestion in this area during PM peak hours of travel. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted. The hours of construction truck trips to and from the site shall be limited during PM peak hours, subject to the conditions listed below.

Pedestrian circulation in this area lacks connections across Lake City Way NE. The nearest signalized crosswalks are located at NE 145th St and NE 137th St. Lake City Way NE is a principal arterial that is five lanes wide and difficult to cross outside of a signalized intersection. The subject property has three street frontages and sufficient areas for construction access and staging away from Lake City Way NE. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted. The west side of Lake City Way NE shall include a clear pedestrian path at all times during construction, subject to the conditions listed below.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased bulk and scale on the site; increased traffic in the area; increased demand for parking; and increased demand for public services and utilities.

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

requires on site collection of stormwater with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies, except as noted below.

Height, Bulk and Scale

There will be increased height, bulk and scale on this site due to the proposed project. The proposed structure has gone through the Design Review process as noted above and has been conditioned accordingly. The proposed development is allowed in this zone and no additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Parking

There will be increased parking demand created by the project. Ten existing parking spaces on site will be removed. Parking for 432 vehicles will be provided in below grade parking, accessed from curb cuts at NE 143rd St and 32nd Ave NE. Parking for 76 bicycles will be located at grade and in the below grade parking garage.

The Institute of Transportation Engineers (ITE) Parking Manual indicates that the residential use would generate peak demand for approximately 498 vehicle parking spaces:

- 1.46 spaces per residential unit x 320 units = 467
- 3.4 spaces per 1,000 sq. ft. retail urban setting x 9,000 sq. ft. = 31

More parking will be provided than required by the Seattle Land Use Code. The site is located in a fairly dense urban area of the city on a principal arterial with several public transportation options. On street parking is available on NE 143rd St and 32nd Ave NE adjacent to the site, as well as several nearby streets. 76 bicycle parking spaces will also be provided with this development. The ITE Parking Manual is based on suburban assumptions that often do not include nearby on-street parking, pedestrian-oriented environments, bicycle facilities, or mass transportation. Several services are within blocks and will be located at the ground floor of this building, and it is reasonable to expect that the residents, employees and visitors of the proposed project would likely incorporate walking, cycling, or transit in their transportation options. For the remaining spillover parking demand of people driving to the site for these uses, there are numerous on-street parking spaces in the immediate vicinity of the site.

The difference between the parking demand shown in the ITE Parking Manual and the off-street parking provided on site would create a minimal impact, since people are able to walk or cycle to the site, use transit options to access the site, and park in on-street parking spaces if necessary. No further conditioning is warranted by SEPA policies.

Traffic

The applicant has stated that the proposed development would generate a total of approximately 2,186 vehicle trips per day and 191 peak hour trips in the afternoon/evenings. The existing uses on site currently generate 246 vehicle trips per day and 12 peak hour trips in the afternoon/evenings. The net result is an increase of 1,940 total trips a day, and 179 PM Peak hour trips. The proposed development is also located adjacent to Lake City Way (State Route 522) and is subject to high volumes of existing traffic. NE 145th St (State Route 523, located two blocks to the north) is also a principal arterial.

In consultation with DPD's Transportation Planner it was determined that the anticipated number of vehicle trips has been determined not to have a significant adverse impact on the existing traffic patterns in this area. Thus, the noted traffic-related impacts of the proposed completed project are not considered significant and no further mitigation is warranted under SEPA policies.

Summary

The Department of Planning and Development has reviewed 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 and this analysis, this action will result in probable adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

DECISION - SEPA

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

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

CONDITIONS – DESIGN REVIEW

Prior to Issuance of Master Use Permit

1. The 32nd Ave NE street level development should be revised to include at least 10' between sidewalk and residential street-level façade. The applicant shall replace some of the proposed sidewalk with additional landscaping to achieve this setback. This modification is subject to approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
2. Additional safety measures such as signage and mirrors shall be provided at the 32nd Ave NE garage entry. This modification is subject to approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
3. The placement of trash dumpsters shall not block vehicular or pedestrian sight lines at any time from garage entries. The applicant shall demonstrate this on the plans and the modification is subject to approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
4. A mid-block curb extension on 32nd Ave NE to provide additional pedestrian safety shall be provided. This modification is subject to approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
5. Provide a dedicated area for dumpsters on trash collection days, either near the garage entries in an area that provides clear sight lines for cars and pedestrians, or in an exterior location. If the dumpsters are located in an exterior location, they shall be fully screened from adjacent residents on or off the site. This modification is subject to approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
6. Demonstrate on the plans physical framing on which a future gate could be installed at the 32nd Ave NE entrance to the interior courtyard. The framing and any future gate or fencing should be designed to blend with the proposed fencing at 32nd Ave NE. This modification is subject to approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

For the Life of the Project

7. Materials and colors shall be consistent with those presented at the design recommendation meeting and the Master Use Plan sets. Any change to materials or colors shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

CONDITIONS – SEPA

Prior to Issuance of a Building Permit

8. The applicant shall submit for review of a Construction Transportation Management Plan (CTMP), to be approved by both SDOT and DPD prior to issuance of a building permit. The plan shall address:
 - Hours of truck operation. Due to existing high traffic volumes on surrounding streets, truck traffic to and from the site shall be prohibited between 4 pm and 6 pm on non-holiday weekdays.

- Pedestrian access on abutting streets.

During Construction

9. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7 am to 6 pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9 am and 6 pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noise generating activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov) when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

10. The west side of Lake City Way NE shall include a clear pedestrian path at all times during construction.

Signature: _____ (signature on file) Date: June 23, 2008
Shelley Bolser AICP, Land Use Planner
Department of Planning and Development

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