



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: 3007688
Applicant Name: Brandon Nicholson, NK Architects
Address of Proposal: 201 W Harrison Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 6-story, 40-unit apartment building. Project includes five live work units and 1,873 sq. ft. of retail, located at ground level. Parking for 20 vehicles will be located in a below grade garage. Project also includes removal of existing surface parking lot and 3,200 cu. yds. of grading.

The following approvals are required:

SEPA - Environmental Determination – Chapter 25.05 SMC

Design Review – Chapter 23.41 SMC -

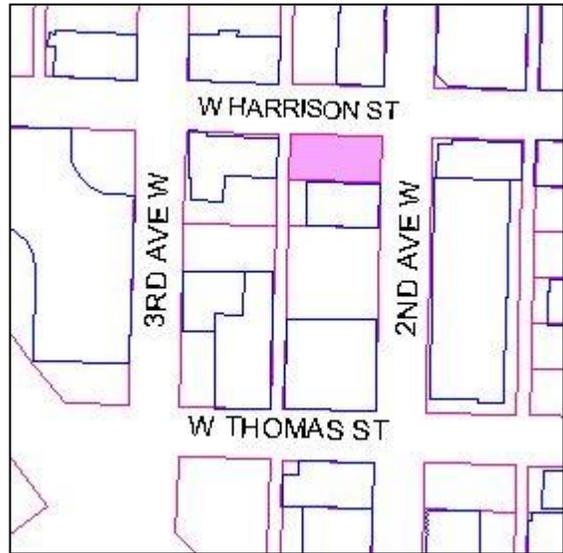
SEPA DETERMINATION: [] Exempt [] DNS [] MDNS [] EIS
[X] DNS with conditions
[] DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The proposal site is located in the Uptown neighborhood at the southwest corner of the intersection of W Harrison Street and 2nd Avenue W. The site is zoned NC3-65 with 60 feet of frontage on W Harrison Street and 118 feet along W Harrison Street. The surrounding area is within the Uptown Urban Center, and is zoned NC3-65 for several blocks on all sides. Currently the site is used as a surface parking lot with stalls for 26 vehicles. The area is a mix of office buildings and mixed-use apartment buildings built between the 1960s to the 1990s as well as numerous surface parking lots. Immediately to the south of the site is a two story concrete masonry warehouse followed by a surface parking lot and a 4 story 1970s office building.

Across 2nd Avenue W from the site are a 6-story stucco apartment building and a two story Allstar Fitness gym. To the north of the site across W Harrison Street is a four story office building over an open parking garage. Across the alley to the west is a two story office building and the former Mountaineers Building to the south. There is a proposal under review for a 7-story 195 unit mixed-use apartment building for this entire half-block on the west side of the alley containing the Mountaineers site (project 3007073).



ANALYSIS – DESIGN REVIEW

Early Design Guidance

An early design guidance (EDG) meeting was held on October 17, 2007 where ideas for the design were discussed and design priorities identified by the Board. No members of the public attended.

Summary of Board Guidance

- Minimize or eliminate any blank walls of the garage on Harrison street and focus the design on the spatial relationship between the live-work units and the sidewalk.
- Central location of the residential lobby in preferred.
- Knit together the upper floors with the ground level.
- Simplify the design expression.

EDG PRIORITIES & BOARD RECOMMENDATIONS

The Design Review Board members identified the following siting and design guidelines from the City of Seattle’s “*Design Review Guidelines for Multi-family and Commercial Development*” of highest priority to this project:

A complete report of the EDG meeting is available in the Master Use Permit file.

- A-2 Streetscape Compatibility
- A-3 Entrances Visible from the Street
- A-4 Human Activity
- A-7 Residential Open Space
- A-8 Parking and Vehicle Access
- A-10 Corner Lots

- C-2 Architectural Concept and Consistency
- C-3 Human Scale
- C-4 Exterior Finish Material

- D-9 Commercial Signage
- D-10 Commercial Lighting

D-11 Commercial Transparency
D-12 Residential Entries & Transitions

E-2 Landscaping to Enhance Building and/or Site

MASTER USE PERMIT APPLICATION

The applicant updated the design and applied for a Master Use Permit with a design review component on January 14, 2008.

After initial land use and zoning review addressing code items and aspects of the SEPA (environmental) analysis, a recommendation meeting was scheduled with the Design Review Board.

RECOMMENDATION MEETING

A recommendation meeting was held May 7, 2008. While five persons signed in on the attendance sheet, most are associated with the project. Brandon Nicholson presented the project as follows:

The immediate neighborhood contains a mixture of office uses with some housing, but little retail activity at this time. There is an extended stay hotel across the street.

The proposed design has been broken into 3 masses with an external breezeway and walkway system that allows many of the LEED (Leadership in Energy and Environmental Design) goals to be met. Each unit within the building has natural light on 2 to 3 sides. The external circulation allows for natural ventilation through each unit and eliminated the need to have stairwells, interior lobby and interior corridors illuminated during the daytime. The units are smaller – 525 s.f. with the space well laid-out to provide for all residential needs in an affordable manner.

The floor plates have been broken to allow the live-work units on Harrison Street to follow grade and eliminate the projecting garage mass below. The ground floor spaces range between 14' at the corner and 16' as the grade drops along Harrison Street. The live-work units are recessed at street grade, 6 1/2' behind the sidewalk and 4' – 4" from the edge of the building above.

Exterior materials consist of:

- Siding: phenolic resin flat panels
- Base: concrete with reveals and patterning
- Aluminum windows
- Concrete decking
- Metal railings
- Decorative metal gate at entry with call box for security

Green features of the building include hydronic heat and collection of storm water from the green roof that will be channeled into a rain garden in the courtyard area.

The project is working with the adjacent project to underground utilities on Harrison Street. If this is achieved, the flowering plum street trees on Harrison will be replaced with Sweet gums.

Public Comments

- Will the trash chute be insulated for noise? They can be very noisy as the trash is thrown and falls to the bottom.
- What will be the interface with the property to the south when it redevelops?

Board Discussion:

Questions & Clarifications

- Will the retail have visibility into the courtyard behind? *Yes.*
- Has the issue of the trash chute noise been contemplated? *The architect was unaware of this issue.*
- What will be the diameter of the railings? *They will be light and transparent with 1/2" metal material and 4" between the rungs.*
- What color will the aluminum windows be? *Dark anodized and will match the storefront.*

Initial Feedback and Discussion

The Board is supportive of the overall design and agrees that it has responded adequately to the EDG guidance. The Board liked the design's central concept of natural ventilation and its architectural consistency. The design is clean and simple with separated masses that relate to each other. The Board was also impressed with the proposed massing for the small site and the variety of unit types, ranging from efficiency to live-work and some 2-story units in the back building.

A concern was expressed by one Board member that the prevalence of railings could be distracting to other elements of the design. These railings should be as lightweight as possible to blend in rather than draw attention.

There was also discussion that in some buildings which have included the phenolic resin panels, the materials have become discolored over time; however, this has occurred more with the lighter shades than with the darker colors. The Board also discussed whether the dark Prodema color choice here contrasted enough and whether a brighter color would be better; the Board agreed that a brighter or lighter color could be a benefit, but did not require a change.

The potential noise issue of the trash chute was discussed, including the potential for use to be limited after 10 pm. The architect will explore the noise issue.

The land use planner brought up the lack of overhead weather protection for the project – there are awnings over the retail entries, but not along the rest of the retail façade. The live-work entries are recessed, but there is no overhead weather protecting extending to the sidewalk. There will be more pedestrian activity in the area with the new overpass that is being built to the waterfront (connecting to Thomas street a block to the south). The redevelopment of the Mountaineers site with the Avalon Bay project will also bring more pedestrian traffic to the area.

However, the Board was okay with the overhead weather protection as designed since the site is not currently a high pedestrian traffic area.

Board Recommendation: After considering the proposed design and the project context, hearing public comment, and reconsidering the previously stated design priorities, the Design Review Board members came to the following conclusions on how the applicant met the identified guidelines in the City of Seattle’s “*Design Review: Guidelines for Multifamily and Commercial Buildings*” that were determined at the EDG meeting to be of highest priority to this project. The recommendations made were agreed to by the four Board members present, unless otherwise noted. While the priority guidelines noted below discuss the guidelines the Board found most important, all of the Guidelines for Multifamily and Commercial Buildings apply.

Site Planning

A-2 Streetscape Compatibility – The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

The project has located the retail at the corner, and along 2nd Avenue as discussed with the Board at the EDG meeting. The quality of the interface between the live/work units and the sidewalk on Harrison Street has been improved by having the entries follow the grade, eliminating the projecting blank walls of the garage as the grade slopes. The live-work units are set back several feet to allow for a sense of individuality for each unit.

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

The main residential entry has been located mid-block on Harrison Street. The central location with projecting landings on each level above brings attention to the entry and knits together the upper levels with the ground floor.

The setback for the live-work units allow for landscaping adjacent to each entry. A substantial amount of glazing has been added along this section of the façade to facilitate the commercial function of the live-work uses.

A-4 Human Activity – New development should be sited and designed to encourage human activity on the street.

Locating the retail/commercial space on the corner has created a good opportunity to enliven the street.

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

While the Board had advised keeping the courtyard open to the west to keep light and air access in the future, a new 6-story development is being proposed on the half block to the west that will create shadows from that direction. The open space area at the ground floor is being treated as a shade garden that provides visual relief to the surrounding units as viewed from above, as well as serving the green building function of a rain garden. A row of bamboo at the south provides a vegetated screen from the building to the south. The roof deck will provide for year-round access to light.

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.

Access to the parking garage continues to be from the alley, as shown in the draft schemes and recommended by the Board, and as required by code. An external trash chute facilitates residential disposal of waste. The chute extends down to the trash pick-up area accessible from the alley. The project will likely employ a private garbage hauling service that picks up trash daily. The Board recommended that lining the trash chute to reduce noise will be investigated further by the architect.

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.

Retail use wraps the corner with two retail entries on Second Avenue, and a leasing office for the residential on Harrison Street next to the main residential entry. The building fronting on Second and the building fronting on Harrison Street are integrated with the connecting residential stairway between the two, featuring projecting landings at each level that help to emphasize the location of the residential entry below.

At the EDG meeting, the Board had suggested knitting together the retail and residential segments in the facades to visually ground the corner and liked the way the bay at the corner in Option 3 partially achieved this objective. The Board is pleased with how the revised design presents a cohesive concept. The projecting balconies at each level, visible from the Second Avenue and Harrison Street façades, provide visual orientation to the building's functions and create a satisfying sense of organization and grounding. The proximity of entry functions for the various uses at ground level also help to create a cohesive design.

C. Architectural Elements

- 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 roof line or top of the structure should be clearly distinguished for its façade walls.**

The architectural concept has been simplified from that presented at the EDG meeting, and the Board is pleased with both the architectural as well as functional design of the structure. The penthouse expression at the top of the building, which the Board had appreciated in earlier concepts was retained and developed; a metal canopy wraps the elevator penthouse, mirroring the metal banding and canopy projections over the ground level entries.

- C-3 Human Scale – The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.**

The building materials, including Prodema cladding and color, the decorative metal entry gate, exterior lighting, vegetation at ground level, and a transparent store-front system with a suspended metal and canvas sign system create detail and visual interest for a successful pedestrian experience.

- C-4 Exterior Finish Material – 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 materials are durable with both texture and variety: Flat and ribbed metal siding; wood grain phenolic resin panels for accent; aluminum store-front system and exposed concrete with a smooth architectural finish.

D. Pedestrian Environment

- 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 design includes a metal support system for hanging signs above the live/work unit; retail signage will be limited to the face of the entry canopies.

- 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 weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or signage.**

Light fixtures that complement the building materials have been chosen to illuminate pedestrian areas.

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.

Ample commercial transparency has been provided through the store-front system along both 2nd Avenue W. and W. Harrison Street.

D-12 Residential Entries & 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 main residential entry has been centrally located on Harrison Street as suggested by the Board. A decorative metal leads to the breezeway and stairs accessing the units. The interior rain garden courtyard is visible from the entry gate. For the live-work units, a 6' transition space behind the sidewalk has been created with room for individualized landscaping.

E. Landscaping

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

Expanding on the ample landscaping already in the neighborhood, the street landscaping will be enhanced by removing the asphalt entry from 2nd Ave W. and extending the planting strip. The existing Oak on 2nd Avenue W will be matched with 2 additional Oaks. In conjunction with undergrounding of utilities along Harrison Street, the Purple Leaf Plums will be replaced with Sweet Gums. Landscaping is also provided in the 2' between the sidewalk and the property line, near each live-work entry, in the interior courtyard, and on the green roof.

DEPARTURE REQUESTS

Two departures were requested at the recommendation meeting:

DEVELOPMENT STANDARD	DEPARTURE REQUEST	JUSTIFICATION	Recommendation
<p>Residential Uses at Street Level SMC 23.47A.008D.2.</p> <p>When a residential use is located on a street-level street facing façade, either the first floor of the structure at or above grade shall be at least 4’ above the sidewalk grade or the street-level façade shall be set back at least ten feet from the sidewalk.</p>	<p>Remove dimensional restrictions on residential use location at ground level to allow leasing office and lobby passageway at grade.</p>	<p>Location of a main residential entry and leasing office at grade makes sense; no vertical or horizontal separation is needed for privacy.</p> <p>(Policies A-2, D-12)</p>	<p>The Board voted unanimously in favor of the proposed departure.</p>
<p>Solid Waste & Recyclable Materials Storage SMC 23.47A.029D</p> <p>For front-loading containers, any proposed gates or access routes shall be a minimum of 10’ wide, and when accessed directly by a collection vehicle into a structure, a 21’ overhead clearance shall be provided.</p>	<p>Allow for a 6’ rather than a 10’ wide door.</p> <p>Eliminate the 21’ overhead clearance requirement.</p>	<p>A 6’ wide door is sufficient for Seattle Public utilities.</p> <p>The truck will not enter the building, but will load from the alley.</p> <p>(Policies A-8, C-3)</p>	<p>The Board voted unanimously in favor of the proposed departure.</p>

BOARD RECOMMENDATIONS:

At the recommendation meeting on May 7, 2008, the 4 members of the Queen Anne/Magnolia Design Review Board present unanimously recommended Approval of the project with the following recommended condition to be worked out administratively by the DPD prior to approval of the final MUP plans:

1. Explore quieting the potential noise of the trash chute.

DIRECTOR’S ANALYSIS AND DECISION - DESIGN REVIEW

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines. In most aspects of the design, the Director agrees that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design.

However, while not prioritized by the Board, the Director finds that overhead weather protection is an important component of pedestrian street activity. Guidelines A-4, Human Activity, and C-

3, Human Scale promote design that encourages pedestrian activity at the street level and safety and comfort of pedestrians. The project is in an urban center where no parking is required; the location is 3 blocks from Key Arena and as residential development grows, pedestrian activity is likely to increase. Further, development of a pedestrian overpass across Elliott Ave W. and W. Alaskan Way to Myrtle-Edwards park is being planned. It will terminate mid-block between Harrison and Thomas on 3rd Ave W, 1 block away, contributing to increased pedestrian travel in the area. Harrison Street could be a primary route from Key Arena and other Seattle Center attractions to the overpass. For this reason, overhead weather protection shall be incorporated along both the 2nd Avenue W. façade and the W. Harrison Street façade adjacent to the proposed retail space. Translucent material is preferred to allow light transmission.

In all other respects, the Director agrees that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. As such, the Director agrees with the recommendation of the four Board members to approve the design.

DPD staff has also discussed the required depth of commercial and live-work frontage for the project. SMC 23.47A.008B3.a and .b require that the street-facing façade of the nonresidential space have a 13' floor-to-floor height, and be a minimum of 15' and average of 30' in depth. If the depth requirements would result in a space greater than 50% of the structure's footprint, the Director can modify the street-facing façade or depth requirements to reduce the space to 50% of the structure's footprint. The project design proposes floor to floor height of the live-work along Harrison Street with a mezzanine, at a depth of about 13' from the front facade, while the commercial space facing 2nd Avenue W has a more than adequate depth with a full commercial height. The application of the 50% rule to this project is complicated by the unique structure design in which the structure involves three buildings that are joined by common external walkways (is it 3 structures, or one structure? What constitutes the footprint?). The unique configuration allows an open ventilation system which enhances the human interior environment by allowing more light and air throughout the project than internal corridors would. This helps to achieve Design Guidelines A-7 (Residential Open Space) and C-3 (Human Scale). Due to the difficulty of applying the 50% rule to the project, the closeness of the calculations to the code specifications, the Board's support for the open ventilation aspect of the design, and the recognition through Section F that some discretion should be provided for application of street-level development standards even for projects not subject to design review, the Director has determined that the depth of the live-work space for this project should be allowed as designed and shown in the Recommendation Packet, even through the depth was not specifically discussed at the Recommendation meeting.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**, subject to the previously stated Board recommendation and the additional requirement to provide overhead weather protection as outlined under the Director's analysis. The conditions of Design Review approval are found at the end of the document.

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant's agent (dated 1/14/08) and annotated by the Land Use Planner, and by the Preliminary Parking Demand and Spillover Analysis (dated 1/10/08). The information in the checklist, the supplemental information submitted by the applicant, and the experience of the lead agency with review of similar projects, form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) 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 25.05.665D1-7) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, streets and parking impacts as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include commercial offices and residential uses (a 9-story residential building is located across 2nd Ave W. from the project). Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to these 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.

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

Construction activities outside the above-stated restrictions may be authorized upon approval of a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. The Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short -term transportation impacts that result from the project.

As conditioned, noise impacts to nearby uses are considered adequately mitigated.

Air Quality

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the adjacent residential building.

PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. In order to ensure that PSCAA will be notified of the proposed demolition, a condition will be included pursuant to SEPA authority under SMC 25.05.675A which requires that a copy of the PSCAA permit be attached to the demolition permit, prior to issuance. This will assure proper handling and disposal of asbestos.

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.

Earth

The Stormwater, Grading and Drainage Control Code (SGDCC) requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The proposed project involves removal of 3000 cubic yards of material; no fill is proposed.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion

control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

An excavation to construct the lower level of the structure areas will be necessary. The one level of underground parking reaches to 11 feet below grade. Excavation of 3000 cubic yards of material will be removed from the site and disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed during trips to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Traffic and Parking

Construction of the project is expected to last approximately one year. The soil removed for the garage structure will not be reused on the site and will need to be disposed of off-site. Excavation and fill activity will require approximately 172 round trips with 20 cubic yard hauling trucks. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. There is a large residential project proposed across the alley that may be under construction at the same time.

Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections and alley access around the site will be maintained during the construction period. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

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, and replacement of existing large street trees on Harrison Street with smaller new trees to allow for undergrounding of utilities.

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.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: 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. However, due to the location of this proposal, traffic and parking impacts warrant further analysis.

Traffic and Transportation

The proposed project would generate a moderate amount of new traffic, primarily during the off-peak hours, that is anticipated to be handled by the existing streets. The 40 residential units and 5 live-work units are anticipated to generate 190 daily residential trips and 18 PM peak hour trips. The retail is anticipated to serve mostly the local offices and residences; however estimating that 30% of the draw may arrive by automobile, 25 new daily trips and 2 PM peak trips would be generated. The ground floor live-work space would likely have traffic impacts that at most are equivalent to office space of 2000 sq. ft.; at this rate, 22 daily trips and 3 PM peak trips would be generated. These totals of 237 daily and 23 evening rush hour trips are not considered to be a significant impact warranting mitigation.

Parking

The amount of parking overspill from the new project, and the impact of eliminating the existing parking lot were analyzed. Based on Census data of car ownership and trips to work from the subject Census Tract, it is estimated that in the evening, there will be approximately a 17 car overspill from the residential onto the streets, including the residential component of the live-work. Evening parking is currently only 28% utilized; this brings the utilization to 33%, which indicates that on-street parking is not an issue in the evening hours.

During the day, due to the number of households with cars that drive to work, there is not anticipated to be any spillover from the residential component. The small amount of retail that draws from the local area, and the business portion of the live-work is assumed to have a minor impact since any visits to these establishments would be of short duration. The current utilization rate is 73%. The 20 car spillover pushes the daytime rate to 79%. There are 10 public pay lots in the area that could also accommodate daytime spillover. Since the utilization rate is still under 85%, no mitigation is warranted.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to mitigate impacts not regulated by codes or ordinances, per adopted City policies.

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 43.21C.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 (2) (C).

CONDITIONS-DESIGN REVIEW

Prior to Issuance of the Master Use Permit

1. Revise the plans to show overhead weather protection with translucent material to allow light transmission to the sidewalk adjacent to the retail uses in the eastern building along 2nd Avenue W and W Harrison Streets.
2. Embed the MUP conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings

Prior to Issuance of the Building Permit

3. Provide methods to quiet the potential noise impact of the trash chute.
4. Embed the MUP conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.

During Construction

5. Ensure that all materials and design elements presented in the Recommendation packet and on the material boards are included on the building.
6. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the DPD Land Use Planner (Holly Anderson, 233-7909) or Design Review Program Manager. 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.

Prior to Building Final Inspection

7. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD Land Use Planner (Holly Anderson, 233-7909), or by the Design Review Program Manager (233-3823). An appointment with the assigned Land Use Planner must be made at least three (3) working

days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

CONDITIONS-SEPA

Prior to Issuance of a Demolition, Grading, or Building Permit

8. Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT Traffic Operations Division (Marilyn Vancil) for review and approval prior to the beginning of construction. This plan also shall indicate how pedestrian connections and alley access around the site will be maintained during the construction period. Large trucks (greater than two-axles) will be prohibited from entering or exiting the site after 3:30 PM.

During 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. 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 weatherproofing material and shall remain in place for the duration of 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 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized upon approval of a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. The Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts, and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short -term transportation impacts that result from the project.

10. Measures identified in the construction traffic management plan and construction noise management plan (if submitted) shall be implemented.

Signature: _____ (signature on file) Date: May 11, 2009
Holly E. Anderson, Land Use Planner
Department of Planning and Development

HEA:lc