



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

Application Number: 3007947
Applicant Name: Matt Driscoll, Driscoll Architects for U-Save Oil Co
Address of Proposal: 9072 Holman Road NW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a four-story building containing 3,800 sq. ft. of commercial and 9 live-work units at ground level with 105 residential units above. Parking for 125 vehicles to be provided within the structure at and below grade. Project includes 13,000 cu.yds. of grading. The existing structure to be demolished.

The following approvals are required:

Design Review – Seattle Municipal Code (SMC) 23.41

Development Standard Departures: As documented in the approved plans¹.

SEPA Environmental Determination – SMC 25.05

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

BACKGROUND INFORMATION:

SITE & VICINITY

Site Zone: Commercial 1 – 40’ (C1-40’)

Nearby Zones:
North: C1-40’
South: C1-40’
East: C1-40’
West: C1-40’



¹ Documented in the Master Use Permit plans, sheet AOO3

Lot Area: Approx. 30,000 sq. ft.

Current Development: A gas station and automotive repair shop.

Access: Pedestrian access from Holman Rd NW, 13th Ave NW, and 14th Ave NW.
Vehicle access from 13th Ave NW.

The site is an angled block end along the south side of Holman Road NW between 14th Ave NW and 13th Ave NW in the Crown Hill neighborhood. It is in an area of C1-40' zoning that follows Holman Road NW. All of the lots across the streets and adjacent to the south have the same C1-40' zoning. The zoning changes to SF5000 two and a half lots to the south of the site.

Neighborhood Character and Surrounding Development: The site, which is nearly flat, contains a gas station and automotive repair shop. Adjacent uses include apartments, drive-through restaurant, retail and office. Adjacent uses include apartments, drive-through restaurant, retail and office. Across the street to the north is a former elementary school used as a child care and community center. Whitman Middle School is a short distance to the northwest. A pedestrian bridge across Holman which is heavily used by schoolchildren since the nearest crosswalk is a block to the southwest lands across 13th Ave from the northeast corner of the site.

There are no similar structures to this proposal in the vicinity. There are some older multistory developments, but much of the building stock is single story retail, office and residential, often set back from the streets with surface parking lots.

ECAs: Salmon Watershed

Public Comments

Public comments were invited at the two Design Review public meetings and the Master Use Permit application. Comments from the Design Review meetings are noted within the Design Review process summaries which follow below.

PROJECT DESCRIPTION

The proposal is for a four story building with +/- 3,800 sf of commercial, 105 residential units and 9 live/work units. The concrete ground floor would cover most of the +/- 30,000 sf lot and contain the commercial spaces, live/work units, residential units, and parking. There would also be one floor of underground parking for a total of +/- 125 parking spaces. The residential units would be wood frame construction above the base. All three schemes proposed a right-in right-out vehicular access to Holman Road (requiring a departure) and a full access garage entrance on 13th Ave NW.

Master Use Permit Application

The applicant revised the design and applied for a Master Use Permit with a design review component on May 12, 2011. The public comment period ended on May 25, 2011. The Land Use Application information is available at the Public Resource Center located at 700 Fifth Ave, Suite 2000².

ANALYSIS – DESIGN REVIEW

Architect's Presentation:

Three alternative design schemes were presented. All of the alternatives include a concrete base covering most of the site with one level of underground parking and ground level parking within the building behind the commercial spaces. The variations between the alternatives were the street setback distance and the size of the second story residential courtyard.

The first scheme (Alternative A) preferred by the applicant. It shows a modest setback from the property line along most of the Holman and 13th frontages. Though not shown on the drawings the applicant indicates that this space would be developed with additional landscape and pedestrian amenities to serve either live/work units or commercial space. The corner would be developed out to the property line, which would still leave area for a plaza space due to the wide right-of-way at the intersection. A triangular courtyard would face toward the south, reducing the building mass along the edge adjacent to the existing residential development (zoned C1-40'). Though not shown, the applicant indicated that some setback of the residential units from the south was likely to allow for windows on that façade.

As in all of the schemes the applicant requested a departure to allow a right-in right-out garage entrance (pedestrian and vehicular) would be from 13th Ave, a lower volume street.

The second scheme (Alternative B) would build to the property lines along Holman and 13th, but set back the second story 15 to 20 feet along the southern property line. There would be no courtyard. Access would be the same as in Option A.

The third scheme (Alternative C) would create a "V" shaped building with a larger courtyard to the south. Other than that the building would extend to all the other property lines. The fourth story units would be setback on the south, other floors may have some setback to allow for windows though that was not shown. Access would be the same as in Option A.

At the Final Recommendation Meeting (October 22, 2012)

The preferred scheme (Alternative A) was reintroduce by the applicant. It illustrates various setbacks from the property line the street rights-of-way frontages. Shown on the drawings is an indication that these spaces will be developed with additional landscape and pedestrian amenities to serve the live/work units, commercial, and residential spaces. The corner would be developed out to the property line, which would leave an area for a plaza space due to the wide right-of-way at the intersection. A triangular courtyard would face toward the south, reducing the building mass along the edge adjacent to the existing residential development (zoned C1-40'. The plans also indicated that the

² <http://www.seattle.gov/dpd/PRC/LocationHours/default.asp>

setback of the residential units from the south will allow for windows on that façade and a pedestrian pathway that would extend to the abutting rights-of-way.

BOARD CLARIFYING QUESTIONS/COMMENTS — *at the Early Design Guidance meeting*

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

- What is the lot coverage and what will face the residences to the south?
 - *Coverage will be almost 100% on the ground floor, except for the streets setbacks shown in Alternative A. A solid, blank concrete wall containing the parking area will face the properties to the south on the first floor. Above that would be three stories of residential, likely with some setback and windows.*
- There is no floor plan shown for the apartments, will they be on double-loaded corridor?
 - *Yes.*
- Why wasn't a code compliant scheme presented (without garage access from Holman)?
 - *Eliminating the access point wouldn't significantly change the massing of the alternatives.*
- How will the landscape change between alternative? Have you coordinated streetscape changes with SDOT?
 - *Streetscape would not change much between alternatives and we have not talked with SDOT about their requirements. The courtyards would be developed differently in alternatives A and C.*
- What is the width of the existing right-of-way between the curb and the property line along Holman and 13th? What would occur in that setback?
 - *Approximately 20 feet for both: there are no sidewalks on curbs on 13th. The area not needed for sidewalk would be landscaped to buffer the ground floor uses.*

PUBLIC COMMENT — *at the Early Design Guidance meeting*

Approximately 15 members of the public attended the Early Design Review meeting. The following comments, issues and concerns were raised:

- Several members of the public commented that the Holman Road façade appeared to be blank and massive in the schematic design and needed to be modulated, broken into smaller segments, well detailed and perhaps screened by trees due to its length and the desire to calm the traffic in that area. Any blank walls have the potential to attract graffiti.
- There were several comments about the congested street parking on 13th Ave and concerns that the number of parking spaces provided would be inadequate for the number of units proposed. *The board chair responded that this was not a DRB issue and would be dealt with according to the Land Use Code requirements and SEPA review at the time of MUP Submittal.*
- Another resident stated that this site was within the Crown Hill urban village and wanted the project to emphasize a friendly, walkable village feel with a rhythm of windows and pedestrian entrances along the ground floors of both street frontages. There was interest expressed in neighborhood-serving retail along the 13th Ave frontage that would echo the small scale, 40' to 50' lot with pattern of the residences to the south.
- Questions were raised about the right-of-way improvements proposed and how the transition would be made along 13th since the street currently has no curb or sidewalks.
- Walkability, open space and greenery are all important to the neighborhood groups. A representative of the Crown Hill Business Association passed a copy of a report they had prepared,

“GREENING CROWN HILL — Crown Hill Improvement and Art Master Plan.” There is an effort to develop the field across Holman into a park.

- The pedestrian overpass on the corner of the site generates a great deal of foot traffic, some of which will pass along the site frontage.
- Concern was expressed by residents directly adjacent to the project on the south about the loss of privacy due to the proposed four story building. They would prefer tall trees for screening and minimizing windows that overlook the lots to the south.
- Questions were raised about road noise echoing off the new building and possible increasing noise impacts o adjacent buildings. *The board chair responded that this would be a SEPA issue and not something the DRB could address, although the modulation proposed to meet design guidelines may help to disperse the noise.*

BOARD CLARIFYING QUESTIONS/COMMENTS and DELIBERATIONS — at the Final Recommendation meeting *(the applicant response is shown in italics)*

- Can the commercial corner at Holman Rd NW and 13th Ave NW be designed for a ‘central entry’ and without the planter/seating walls at the edge of the rights-of-way? *Yes.*
- Along 13th Ave NW — the commercial materials appear to be constructed of concrete or concrete block. Would you consider replacing this material with ‘standard brick?’ *Yes*
- Left (south) of the garage entry is a blank wall segment. Will you consider adding a ‘green wall’, with vertical plantings, and exterior lighting to this area? *Yes*
- Further left (south) is an exit stair. Will you also consider adding screening and a ‘green wall’, with vertical plantings to this area? *Yes*
- Continuing along this eastern façade — the residential entries on 13th Ave NW appear to be need additional screening or separation from the pedestrian walkway. Will you consider adding screening or some addition physical separation here? *Yes*
- Is the fencing along 13th Ave NW, the southern property line, and 14th Ave NW made from the same materials and have the same design? *Yes*
- The pedestrian pathway along the southern portion of the site and the ‘dog run’ appear to dead-end. Can this be re-designed to connect from street to street? And can you provide access to the building for the ‘dog run’? *Yes*
- On the southern façade there are blank walls that appear to need vertical landscaping added to these areas or some type of material’s treatment. Will you consider this for these areas? *Yes*

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

PUBLIC COMMENT — at the Final Recommendation meeting

Approximately three members of the public attended this Early Design Review meeting. The following comments, issues and concerns were raised:

- Encouraged the applicant to add a bus stop to the site.
- Concerned with the vehicle traffic from the proposal.

DESIGN GUIDELINE PRIORITIES & BOARD RECOMMENDATIONS

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 following siting and design guidance. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

The Neighborhood specific guidelines are summarized below. For the full text please visit the [Design Review website](#).

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.*

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

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

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.*

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

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.*

A-10 Corner Lots. *Building on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.*

At Early Design Guidance

The Board thought that the primary site characteristic driving the design was the triangle shape of the lot, so the corners merited special design treatment. While the wide right-of-way at the intersection of 13th Ave lends itself to a plaza area, a similar treatment should be explored at the corner with 14th Ave to “bookend” the building. The pedestrian volumes at the base of the overpass should be accommodated.

The visibility of building pedestrian entrances from the street was less important to the Board on Holman than on 13th Ave where they would be important to establish a neighborhood scale. The Board would like to see evidence that the community concerns about human scale, active street frontages and neighborhood serving businesses have been heard and incorporated into the design.

While the adjacent single story residences to the south are zoned commercial, they are likely to remain in residential use for some time and a sensitive response including screening and setbacks was emphasized by the Board. Open space along that southern property line could provide both an amenity to project residents and opportunity for landscape screening.

The Board was concerned about the departure requested for garage access onto Holman Road shown in all three Alternatives due to concerns about pedestrian safety. They wished that an alternative without any vehicular access on Holman had been presented and want the need for the Holman access to continue to be evaluated.

At the Final Recommendation Meeting

The Board was satisfied with the detailed preferred alternative. However, several recommendations were made as addressed above in the **BOARD CLARIFYING QUESTIONS/COMMENTS and DELIBERATIONS** — *at the Final Recommendation meeting section.*

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.*

At Early Design Guidance

The Board agreed with the many public comments calling for a reduction in the massiveness of the building wall along Holman and to a lesser degree along 13th. They suggested the use of multiple strategies including breaking the building mass into two sections, significant modulation and use of color, material and texture to differentiate portions of the wall. Along 13th a rhythm of storefronts and entrances reflecting the lot widths south of 13th that is carried up the façade could be used to meet this guideline.

At the next design meeting the Board would like to see north-south sections showing how the proposed building would related to the existing houses to the south in order to judge the effectiveness of the buffering proposed.

At the Final Recommendation Meeting

The Board was satisfied with the detailed preferred alternative. However, several recommendations were made as addressed above in the **BOARD CLARIFYING QUESTIONS/COMMENTS and DELIBERATIONS** — *at the Final Recommendation meeting section.*

C. Architectural Elements and Materials

C-2 Architectural Concept and Consistency. *Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.*

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

At Early Design Guidance

The Board is expecting a well-modulated design that reflects the community concerns while creating a quality urban streetscape by combining greenery, open space and walk ability. They are looking for a variety of high quality materials such as masonry along the base of the building with a minimum of exposed concrete. Since no specific materials were called out in the alternative the Board was unable to provide more specific guidance.

The design and location of the garage entrances(s) should be well thought out to maximize safety and minimize their visual impact. The Board suggested that perhaps setting them back would help.

At the Final Recommendation Meeting

The Board was satisfied with the detailed preferred alternative. However, several recommendations were made as addressed above in the **BOARD CLARIFYING QUESTIONS/COMMENTS and DELIBERATIONS** — at the Final Recommendation meeting section.

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.*
- D-2 Blank Walls.** *Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.*
- D-7 Personal Safety and Security.** *Project design should consider opportunities for enhancing personal safety and security in the environment under review.*
- 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.*

At Early Design Guidance

The heavy traffic volumes and high speeds along Holman combined with the presence of nearby schools and the neighborhood desire for a more walkable community made pedestrian safety and comfort a very important issue to the Board. The Board would like the applicant to explore the possibility for creation of publicly accessible open space with the Crown Hill community groups. The setback from 13th Ave proposed in Alternative A to buffer the live/work units could start to serve this function.

The Board wants to see the treatment proposed for any blank walls on the next design. They suggested buffering wall with greenery and stepping them back to allow for windows. The Board noted that they expected to see more detail about the commercial signage, lighting and transparency as the project design is developed further.

At the Final Recommendation Meeting

The Board was satisfied with the detailed preferred alternative. However, several recommendations were made as addressed above in the **BOARD CLARIFYING QUESTIONS/COMMENTS and DELIBERATIONS** — at the Final Recommendation meeting section.

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.*
- E-3 Landscape Design to Address Special Site Conditions.** *The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.*

At Early Design Guidance

The Board emphasized that due to the configuration of the site with lengthy street frontages and two corners the treatment of the perimeter streetscape was key to integration with the community and to set a tone for future development. They strongly encouraged the applicant to work with DPD and SDOT in developing a plan for right-of-way and street level façade improvements and planting areas that could be complemented by landscaping on the site. They also suggested exploring the possibility of on-street parking on 13th to create an additional buffer.

At the Final Recommendation Meeting

The Board was satisfied with the detailed preferred alternative. However, several recommendations were made as addressed above in the **BOARD CLARIFYING QUESTIONS/COMMENTS and DELIBERATIONS** — at the Final Recommendation meeting section.

DEVELOPMENT STANDARD DEPARTURES³

At the time of the **Final Recommendation** meeting, the following departures were requested:

1. Street-level uses. SMC 23.47.005.C. Residential Uses
2. Street-level development standards. SMC 23.47A.008.D.2. Residential Use at street-facing façade.
3. Street-level development standards. SMC 23.47A.008.A.2. Blank facades along 13th Ave NW.
4. Street-level development standards. SMC 23.47A.008.B.2.a. Transparency along 13th Ave NW.

BOARD DIRECTION

At the conclusion of the Final Recommendation meeting, the Board asked the *applicant to work with the DPD Planner to resolve* the recommendations noted in the **BOARD CLARIFYING QUESTIONS/ COMMENTS and DELIBERATIONS** — *at the Final Recommendation meeting section*.

Those recommendations have been incorporated into the revised Master Use Permit plans. The Board has recommended that the *departures be approved*.

DIRECTOR'S DECISION — *Design Review*

The Board's recommendation was based on the design review packet and the presentation by the applicant at the Design Review meetings. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, (all those present) of the Design Review Board **recommended APPROVAL** of the subject design⁴.

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed recommendations, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the recommendations and decision of the Design Review Board made by the members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multi-family and Commercial Buildings, and is consistent with SEPA requirements or state and federal laws. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design with the conditions summarized at the end of this Decision.

The Director of DPD has reviewed the recommendations of the Design Board members present at the Final Design Review Recommendation meeting and finds that the Board acted within its authority and the Board's recommendations are consistent with the guideline's and do not conflict with regulatory requirements.

CONDITIONS

Design Review conditions are listed at the end of this report.

³ Documented in the Master Use Permit plans, sheet A003

⁴ See the Recommendation Report for the Board members present.

ANALYSIS – SEPA

This analysis relies on the *Environmental (SEPA) Checklist* for the proposed development submitted by the applicant which discloses the potential impacts from this project. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

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

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: “*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,*” subject to some limitations. Under specific circumstances (SMC 25.05.665 D 1-7) mitigation can be required.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the environment are subject to the Overview Policy (e.g., Traffic and Transportation). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate.

Short-Term Impacts

The following temporary construction-related impacts are expected: temporary soils erosion; temporarily decreased air quality due to dust and other suspended air particulates during construction and demolition; increased noise from construction operations and equipment; increased traffic and parking demand from construction personnel; tracking of mud onto adjacent streets by construction vehicles; conflict with normal pedestrian movement adjacent to the site; and consumption of renewable and nonrenewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)). Although not significant, these impacts may be adverse, and in some cases, mitigation is warranted.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Most short-term impacts are expected to be minor. Compliance with the applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, noise and construction traffic warrant further discussion.

Earth

The project will require excavation and DPD anticipates further study and design associated with the grading and construction permits. DPD geotechnical staff indicates that existing Codes (Grading and Drainage Control Ordinance, SMC [22.800](#)) provide authority to require appropriate mitigation for this project, and that no specific conditioning is warranted in this regard.

Environmental Health

State law provides for the cleanup and appropriate disposal of hazardous substances. The Model Toxics Control Act (WAC [173-340](#)) is administered by the Washington Department of Ecology (DOE) and establishes processes and standards to identify, investigate, and clean up facilities where hazardous substances have come to be located. DPD alerts the applicant to this law and provides a contact: Joe Hickey, DOE, (425) 649-7202.

Discharge of contaminated groundwater to the sewage system is regulated by the King County Department of Natural Resources under Public Rule [PUT 8-14](#). A [factsheet](#) and permit application is available online or by calling (206) 263-3000.

Disposal of contaminated fill is regulated by the City/County Health Department, contact: Jill Trohimovich, (206) 263-8496.

Existing regulations adequately address potential impacts to environmental health. In addition, there is no evidence of environmental health issues on the project site. No further conditioning of site cleanup or hazardous waste treatment is warranted pursuant to SEPA policies.

Construction Parking

During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities. Construction workers can be expected to arrive in early morning hours and to leave in the mid-afternoon. Surrounding residents generate their peak need for on-street parking in the evening and overnight hours when construction workers can be expected to have departed. In addition, most of the commercial uses in the surrounding area include enough on-site parking such that street parking is not an issue. Construction parking impacts will be insignificant and therefore SEPA mitigation of parking impacts during construction is unwarranted.

Traffic and Circulation

Site preparation would involve removal of the existing on asphalt pavement and excavation for the foundation of the proposed building. Approximately 13,000 cubic yards of material would be excavated and removed from the site.

Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with the removal of the existing building and excavation for the foundation of the proposed building will be of short duration and mitigated in part by enforcement of SMC [11.62](#). This immediate area is subject to traffic congestion during the PM

peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675 B (Construction Impacts Policy) and SMC 25.05.675 R (Traffic and Transportation) additional mitigation is warranted.

The construction activities will require the export/import of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other building materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations. Assuming contractors use double loaded trucks to export/import grade/file material, with each truck holding approximately 20 cubic yards of material, thus requiring approximately 650 truckloads (1,300 trips) to remove the excavated material.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause truck trips to cease during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC 11.62.

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 en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Streets and Sidewalks

The proposed on-site demolition, excavation and construction are controlled by a demolition/building permit, separate from this Master Use Permit. The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation. It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675 R).

In this case, adequate mitigation is provided by the Street Use Ordinance, which regulates and provides for accommodating pedestrian access. Therefore, additional mitigation under SEPA is not warranted.

Greenhouse Gas Emissions

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, so mitigation is not required pursuant to SEPA.

Long-Term Impacts

Potential long-term or use impacts anticipated by the proposal include: increased height, bulk and scale of building in some areas of the site; increased light and glare from exterior lighting, increased noise due to increased human activity; increased demand on public services; increased traffic on adjacent streets; increased on-street parking, and increased energy consumption. These long-term impacts are not considered significant because they are minor in scope, but some warrant further discussion (noted below).

The likely long-term impacts are typical of this scale of mixed use development, and DPD expects them to be mitigated by the City's existing codes and/or ordinances (together with fulfillment of Seattle Department of Transportation requirements). Specifically these are: the Land Use Code (aesthetic impacts, height, light, traffic, setbacks, parking) the Seattle Energy Code (long-term energy consumption), and the Street Use Ordinance. However, more detailed discussion of some of these impacts is appropriate.

Several adopted City codes and/or ordinances provide mitigation for the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires provisions for controlled release to an approved outlet and may require additional design elements to prevent isolated flooding. 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.

Operational activities, primarily vehicular trips associated with the project and the project's 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 significant, so do not require mitigation pursuant to SEPA.

Height, Bulk, and Scale

SMC [25.05.675.G.2.c](#) states, "*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.*"

The site is surrounded by properties that are similarly zoned. The Design Review Board considered issues of height, bulk and scale in its review of this project and unanimously recommended approval of the project design. The proposed structure is located on an NC3-65 zoned site, and the structure conforms to zoning requirements, including height and bulk. No additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Light and Glare

The checklist discusses the project's potential light and glare effects on the surrounding area. The proposed project exterior design emphasizes a sympathetic arrangement of glazing and materials on the facades. Lighting will be downshielded but will provide enough light in the evening to provide a safe environment. DPD therefore determines that light and glare impacts are not substantial and warrant no further mitigation per SMC 25.05.675.K.

Other Impacts

Several codes adopted by the City will appropriately mitigate the use-related adverse impacts created by the proposal. Specifically these are: Grading and Drainage Control Ordinance (storm water runoff from additional site coverage by impervious surface); Puget Sound Clean Air Agency regulations (increased airborne emissions); and the Seattle Energy Code (energy consumption in the long term).

Greenhouse Gas

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.

DECISION – STATE ENVIRONMENTAL POLICY ACT (SEPA)

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

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

The proposed action is **APPROVED WITH CONDITIONS.**

CONDITIONS – SEPA

During Demolition, Excavation, and Construction — the owner(s) and/or responsible party(ies)

1. Truck vehicle trips to and from the project site shall cease during the hours between 4 PM and 6 PM on weekdays⁵.

CONDITIONS-DESIGN REVIEW

For the Life of the Project

2. Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval by the Land Use Planner assigned to the project.

⁵ This condition does not apply to single rear axle vehicles one-ton or smaller.

Prior Building Permit Final/Certificate of Occupancy

3. The applicant shall arrange for an inspection with the Land Use Planner to verify that the construction of the buildings with, sitting, materials, and architectural details is substantially the same as those documented in the approved/issued plans.

Signature: _____ (signature on file) _____ Date: April 18, 2013
Colin Vasquez, Senior Land Use Planner
Department of Planning and Development

CV:bg

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