



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 & DEVELOPMENT**

Project Number: 3008656

Applicants: Craig Belcher, Allen & Assoc., for Steve Yoon,
Harbor Properties

Address: 4550 38th Avenue SW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a six-story, 200-unit residential building, with 15,650 square feet of ground floor retail sales and services, and with parking for 153 vehicles located below grade. Review includes demolition of three existing structures (16,180 sq. ft.).*

The following Master Use Permit components are required:

Design Review - Section 23.41, Seattle Municipal Code (SMC)
Street-level Development Standards (setbacks) SMC 23.47A.008 A 3

SEPA-Threshold Determination (Chapter 25.05 SMC).

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

*The project was originally noticed as follows: “Land Use Application to allow a five-story, 206-unit, residential building with 15,000 sq. ft. of ground floor retail and parking for 196 vehicles.”

SITE BACKGROUND INFORMATION:

The site comprises the south two-thirds of the western half block bounded by Fauntleroy Way SW on the north, SW Alaska Street on the south, 38th Avenue SW on the west and the north-south alley separating 38th Avenue SW and 37th Avenue SW to the east. The rectangular site measures approximately 319 feet in the north/south direction and 115 feet in the east/west direction. The total area is approximately 36,648 square feet in extent. The 16-foot alley intervening between 38th and 37th Avenues SW slopes downwards approximately 14 feet between SW Alaska Street and the north property line of the site. Currently there are two structures on the site which are proposed for demolition in order to accommodate the envisioned development. The site is zoned Commercial 1 with a 65-foot height limit.



This triangular neighborhood, located west of SW 35th street and nestled between SW Fauntleroy Way and SW Alaska Street, is a part of the West Seattle Junction Hub Urban Village. Until recently it has been dominated by a variety low commercial buildings and surface parking areas given over to auto service related functions. Other uses in the immediate vicinity include dental clinic, animal clinic, American Legion and VFW Halls and, occupying a newer facility, the West Seattle YMCA. Fire Station Number 32 sits directly south of the proposal site, across SW Alaska Street.

The proposed development is for a six-story commercial/residential building with the ground floor occupied by retail/commercial uses. Approximately 200 residential units are proposed for the five upper floors. Parking will be subterranean and accessed from the alley.

Public Comment:

The Department received no letters during the SEPA public comment period that ended on June 25, 2008. Public comment, received at the Design Review public meetings is noted below in the discussion of those meetings.

ANALYSIS - DESIGN REVIEW

Early Design Guidance Meeting –April 10, 2008

Architects' Presentation

An Early Design Guidance meeting, attended by all five members of the Southwest Design Review Board, was held on Thursday, April 10, 2008, at 8:00 PM, in the library of Chief Sealth High School, which is located at 2800 SW Thistle Street. The presentation by the development team began with brief comments from Denny Onslo of Harbor Properties, the project's developer, indicating how the recent vacation of several of the auto servicing properties opened an opportunity for realizing the kind of mixed-use residential densities foreseen in the City's Comprehensive Plan and the opportunity of creating a vibrant and distinctive neighborhood within this clearly delineated triangular and bowl-like geographical area. As the first larger-scale residential and mixed-use building in the area, the proposed development intended to set a precedent for creative and affordable housing in West Seattle.

The architectural team, represented by Susan Busch of Baylis Architects, then presented an analysis of the immediate vicinity and development site. Three alternate massing models for the site were briefly presented to the Board. The first option established a strong six-story presence on both SW Alaska Street, along the alley and along the north property line, with the mass of the structure eroded and set back in a "U" shape from Avenue SW by providing a west-facing terrace above a series of live/work flats centered at street level within the west-facing façade.

The second option differed from the first primarily by providing above-grade offset terraces on both the alley and 38th Avenue SW sides of the structure. This option would provide for optimizing the city views of the alley-facing units and allow live/work townhouses along the west-facing façade.

The preferred third option showed a more-deeply recessed terrace overlooking the alley, a modulated setback along 38th Avenue SW that allowed for live/work townhouses with courtyard garden terraces at street level and with top floors stepped back to reduce apparent height from the street. In this articulation the building was set back from the north property line in order to provide a mid-block connection from the alley.

Public Comments:

There was sizable representation of members of the public who attended the meeting, many with concerns regarding the future of the Montessori School where some were employed or, in the majority of cases, where their children attended. Comments solicited from the public included the following:

- Would like the design explorations to include the feasibility of an interior courtyard, especially as this might provide for a play area for students "shared" after hours by the residents of the building;
- The massing of the building and the proposed height was "too great" for West Seattle and out of line with existing patterns of development;

- The proposed structure did not take the Montessori school seriously enough, if it was the sincere intention to provide for school functions and activities as shown. The most glaring omission was incorporation of an adequate and secure play area within or adjacent to the structure;
- If courtyards within or adjacent the structure were to be provided they need to be sun-lit spaces;
- The design should take adequate account of how the drop-off/pick-up of children in the alley currently functions and what needs to be done to ensure that same or enhanced functionality with the new structure in place;
- Questioned the desirability of providing a cross-block connector, especially as it would appear to compromise the security of any play area afforded the Montessori students.

Board's Deliberations:

The Board complimented the development team on its thoughtful presentation. The Board noted that they thought that the preferred proposal was generally appropriate for the neighborhood and the site, but noted that the final design should relate to the specific requirements of the site, notably that it was a very long building and still needed work so as not to overwhelm the street. They noted that the challenge of integrating the school into the scheme of things still had a ways to go. There was concern expressed that retail was being proposed below grade and a desire expressed that every effort be made to have the retail meet the sidewalk.

After visiting the site, considering the analysis of the site and context provided by the proponents, hearing public comment, and addressing their major concerns regarding the proposal, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those siting and design guidelines found in the City of Seattle's *Design Review: Guidelines for Multifamily & Commercial Buildings* and the *South Lake Union Design Guidelines* and in *West Seattle Junction Urban Village Design Guidelines* of highest priority to this project.

DESIGN GUIDELINES

A. Site Planning

A-2 Streetscape Compatibility

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

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 deigned to encourage human activity on the street.

A-7 Residential Open Space

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

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.

The guidelines above were all chosen by the board to be of high priority. Human activity on the street should be promoted by the interface of sidewalk and the retail spaces (and the interface of sidewalk grade and interior space was essential for success here). Guideline A-7 was cited to re-enforce the Board's concern that children's play space for the school be provided and this needed to be coordinated with open space being provided the residents of the building and to be accomplished heeding the public's concerns about adequacy and security. Guideline A-10 was cited to qualify the design team's importance given that guideline: the Board felt that the building did not need to address the corner at 38th Avenue SW and SW Alaska Street so much as to address the interface of the south façade as it addressed the building's presence along the expanse of the lot's exposure on the arterial, SW Alaska Street.

B. Height, Bulk and Scale

Projects should be compatible...and provide for transitions

There is an inherent potential conflict between any new development and the existing pattern in the neighborhood of lower residential and commercial buildings built on smaller parcels of land. There is an established fabric in the area and this new development should continue to demonstrate sensitivity to that fabric and, given the zoned development potential, to provide for refined transitions in height, bulk, and scale.

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.

C-3 Human Scale

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

The Board noted that the project should explore opportunities to achieve a good human scale, especially the way various entrances address the different street fronts.

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, patterns, or lend themselves to a high quality of detailing are encouraged.

Architectural materials scale and details should be integrated within a building whose concept is appropriate for the site and its surroundings as well as its programmatic uses. The Board was not prescriptive regarding materials, but would expect to see a choice of durable and sustainable materials and to be presented with samples of proposed colors and materials at the subsequent recommendation meeting. The new development, the first of its kind and size within the immediate vicinity will be setting the precedent and establishing the desirable characteristics for other developments to follow.

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.
The Board cited this guideline as cautionary and as being in particular applicability, with Guideline D-8, cited below, to the alley façade.

D-8 Treatment of Alleys

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

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 provide for a visually interesting street front for the pedestrian. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements....

Serious consideration should be given to providing the courtyard as a through-block public pathway, a neighborhood semi-public amenity, at least for specified hours of the day. Expression should be given to clear path-finding details and to appropriate lighting and signage.

The design team should provide studies of the proposed pedestrian environment along both the streets. The applicant should be prepared to present details for a variety of streetscape and pedestrian pathway amenities, including lighting, overhead weather protection, signage and other elements calculated to generate a friendly and lively environment both within and without the block.

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. should reinforce the character of neighborhood properties and abutting streetscape.

Landscaping should be designed with the goal of realizing the prioritized guidelines, should soften the edge conditions where appropriate, and should contribute to an attractive and usable interior open space if contemplated. The design should incorporate specific treatments to provide for the attractiveness and security of a children's play area which seems essential to the successful incorporation of the school within the project. The Board would expect to see a comprehensive Landscape Plan, one that treats not only any on-site open space but the streets' edges as well.

Departures from Development Standards:

The architects noted that they had identified no departures from development standards that would be needed for the preferred option. The Board noted, however, that they would be willing to entertain the granting of departures for the project, should such be identified, provided the project proceeded along the promising direction indicated at this schematic stage of design and provided the design responded to the guidelines as set forth as being of highest priority for the success of the project as well as to the other provisions provided in their guidance.

Staff Comments:

It was the expectation of the Design Review Board and DPD that the applicant proceed to further design development, which included a demonstrable response to the guidelines and guidance noted above, and to a Master Use Permit application. Subsequent to a successful application, the proposal would then be returned to the Design review Board for a recommendation of approval meeting.

Recommendation Meeting- September 25, 2008

A Recommendation meeting, attended by all five members of the Southwest design Review Board, was held at 8:00 PM, September 25, 2008, at the Seattle Police Department Southwest Precinct Station, in the Community Room. The design team's comments began with the announcement that the Montessori school that was located on the site and to the north of the site was no longer considering being a part of the new development. Another significant change from the direction indicated at the Early Design Guidance meeting was the abandonment of the idea of incorporating live-work units at the center of the proposed structure, units that had been proposed with courtyard garden terraces and facing onto 38th Avenue SW. These had been replaced by a number of residential units opening to common terraces on both the alley and 38th Avenue SW sides.

Public Comments:

Three members of the public signed the sign-in sheet. Comments solicited from the public included the following:

- Regret of the loss of the ground-floor live-work units that had been part of the proposal at the Early Design Guidance meeting;
- Favorable response to pedestrian link from alley to the street and alley façade and to the remark from the development team that there was "no backside to the building."

Board's Deliberations:

Members of the Board noted slight disappointment with the proposed structure which they otherwise found generally appropriate for the neighborhood and the site. Regret was expressed at the decision to eliminate the live/work units at ground level within the middle portion of the structure. It was the Board's perception that the live/work units would have provided a greater potential for enlivening the pedestrian realm through a series of individual connecting stoops. While in plan view, it was pointed out, the proposed building clearly showed a composition of three distinct masses, this differentiation was largely lost in the massing of the upper stories of the structure. The overall impression was noted to be "too monolithic," and the attempt to differentiate the building into parts was thought to be "too subtle" to be entirely effective in conveying that intent. That said, the Board was generally pleased with the overall design and the project's specific articulations. It was felt that the design related attractively to specific requirements of the site: the relationship to the alley and the need to relate to 38th Avenue SW and to SW Alaska Street differently. The Board affirmed the choice to take vehicular access solely from the alley. They commended the design of the proposed public passage between alley and 38th Avenue SW, at the north end of the site, since it exploited an opportunity for relating the inside of the building to the outside. They acknowledged the special challenges imposed on the design by the nearly one-story downward slope of alley and sidewalk between the SW Alaska Street and north property lines. They were agreed that the project overall had responded in a favorable manner in its responses to the Guidelines identified as of highest priority for the project and the Board's guidance articulated at the Early Design Guidance Meeting.

Having expressed their concerns about certain choices in design elements, the five Board members present recommended that the design should be approved.

Departures from Development Standards

Although no request for departures had been anticipated at the Early Design Guidance meeting of April 10, 2008, the following departure was identified, requested and recommended for approval at the September 25, 2008, Design review Board Recommendation meeting:

<i>Development Standard</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Comment /Rationale by Applicant</i>	<i>Board Recommendation</i>
<i>1. SMC 23.47A.008A3 Street-level, street-facing façade requirements.</i>	<i>A 3. Setbacks. Street-level, street-facing facades must be located within ten (10) feet of the street lot line, unless wider sidewalks, plazas, or other approved landscaped or open spaces are provided.</i>	<i>The middle portion of the building whose long side faces onto 38th Avenue SW and whose street-level space is occupied by residential units is set back variously from between 9'-6" and 18'-6" from the street lot line. The residential lobby is set back 15'-6" from the street lot line. Various retail entries are set back 13'-3", 12'-8", and 16'-5" from street lot lines.</i>	<i>The building frontage along 38th Avenue SW has ground floor residential units which require greater setback to accommodate appropriate steps, private terraces and landscaping. The residential lobby setback provides a gentle transition to the sidewalk and accommodates a barrier-free ramp, planters and landscaping. The retail entries, in excess of 10 feet, provide for wider sidewalks, plazas and landscaping.</i>	<ul style="list-style-type: none"> ▪ <i>Approve, in keeping with Design Guidelines: A-7, D-1, D-12 and E-2.</i>

ANALYSIS AND DECISION - DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the Design Review Board and finds that the proposal is consistent with the *City of Seattle Design Review Guidelines for Multifamily & Commercial Buildings Design Guidelines*. The Director **APPROVES** the subject design consistent with the Board’s recommendations noted above.

Staff Note: Regarding SMC 23.47A.008, no departures from development standards are required since the Code subsection indicates that setbacks greater than ten feet may be allowed if “sidewalks, plazas, or other approved landscaped or open spaces are provided.” The recommendation for approval by the Board of the subject design and subsequent approval by the Director is sufficient to meet the requirements of the Code.

This decision is based on the Design Review Board's final recommendations, on the plans, drawings and other materials presented at the public meeting on September 25, 2008 and the plans on file at DPD. The design, siting, and architectural details of the project are expected to remain substantially as presented at the recommendation meeting except for those alterations made in response to the recommendations of the Board or in response to correction notices and incorporated into the plan sets subsequently submitted to DPD on December 30, 2008.

ANALYSIS - STATE ENVIRONMENTAL POLICY ACT (SEPA)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated May 23, 2008) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision. This decision also makes reference to and incorporates the project plans submitted with the project application.

The Seattle SEPA Ordinance provides substantive authority to require mitigation of adverse impacts resulting from a proposed project (SMC 25.05.655 and 25.06.660). Mitigation, when required, must be related to specific environmental impacts identified in an environmental document and may be imposed to the extent that an impact is attributable to the proposal, and only to the extent the mitigation is reasonable and capable of being accomplished. Additionally, mitigation may be required 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, SEPA Specific Environmental Policies). In some instances, local, state or federal regulatory requirements will provide sufficient mitigation of an impact and additional mitigation imposed through SEPA may be limited or unnecessary.

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 pertinent part that "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation." Under specific circumstances, mitigation may be required even when the Overview Policy is applicable. SMC 25.05.665(D).

ENVIRONMENTAL IMPACTS

The information provided by the applicant and its consultants, the public comments received, and the experience of DPD with the review of similar proposals form the basis for conditioning the project. The potential environmental impacts disclosed by the environmental checklist are discussed below. Where necessary, mitigation is called for under Seattle's SEPA Ordinance (SMC 25.05).

Short - Term Impacts

Anticipated short-term impacts that could occur during demolition excavation and construction include; increased noise from construction/demolition activities and equipment; decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by construction activities; potential

soil erosion and potential disturbance to subsurface soils during grading, excavation, and general site work; increased traffic and demand for parking from construction equipment and personnel; conflicts with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794).

Many of these impacts are mitigated or partially mitigated by compliance to existing codes and ordinances; specifically these are: Storm-water, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way); the Building Code (construction measures in general); and the Noise Ordinance (construction noise). The Department finds, however, that certain construction-related impacts may not be adequately mitigated by existing ordinances. Further discussion is set forth below.

Earth

It is not anticipated that perched groundwater will be encountered during excavation; any construction dewatering can be handled with ditching and sumps within the excavation. The Seattle Stormwater Grading and Drainage Control Code requires that water released from the site be clean and limits the amount of suspended particles therein. No SEPA policy based conditioning of earth impacts during construction is necessary.

Traffic and Parking

Traffic during some phases of construction, such as excavation and concrete pouring, will be expected to be great enough to warrant special consideration in order to control impacts on surrounding streets. Seattle Department of Transportation will require a construction phase truck transportation plan to deal with these impacts. The applicant(s) will be required to submit a Truck Trip Plan to be approved by SDOT prior to issuance of any demolition or building permit. The Truck Trip Plan shall delineate the routes of trucks carrying project-related materials.

Noise-Related Impacts

Residential, office, and commercial uses in the vicinity of the proposal will experience increased noise impacts during the different phases of construction (demolition, shoring, excavation). Compliance with the Noise Ordinance (SMC 22.08) is required and will limit the use of loud equipment registering 60 dBA or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays.

Although compliance with the Noise Ordinance is required, additional measures to mitigate the anticipated noise impacts may be necessary. The SEPA Policies at SMC 25.05.675.B and 25.05.665 allow the Director to require additional mitigating measures to further address adverse noise impacts during construction. Pursuant to these policies, it is Department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance may be necessary. In addition, therefore, as a condition of approval, the proponent will be required to limit the hours of construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 9:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m.

The Department also recognizes that in some cases work after normal hours could lessen traffic impacts or could substantially shorten the total construction time frame, and hence the duration of some impacts. Excavation below grade, below grade cement-pouring foundation work, and other construction activities with proper impact reducing technologies and management practices in place may be candidates for after-hours work and may be allowed if set forth in the approved Construction/Noise Impact Management Plan prepared and submitted for DPD approval before any phase of the construction begins. Otherwise the restrictions stated in the previous paragraph shall apply throughout the project's demolition, excavation and construction phases.

Air Quality Impacts

Demolition and construction activities could result in the following temporary or construction-related adverse impacts:

- Erosion from excavation and storm water impacts from ground clearing,
- Loss of Archeological Resources,
- Increased noise levels,
- Decreased air quality due to suspended particulates (dust) from excavation and construction, hydrocarbon emissions and greenhouse gas emissions from construction vehicles, equipment, and the manufacture of the construction materials.

Construction will create dust, leading to an increase in the level of suspended air particulates, which could be carried by wind out of the construction area. Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency regulations will require activities, which produce airborne materials or other pollutant elements to be contained with temporary enclosure. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne. The Street Use Ordinance also requires the use of tarps to cover the excavation material while in transit, and the clean up of adjacent roadways and sidewalks periodically. Construction traffic and equipment are likely to produce carbon monoxide and other exhaust fumes. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency ("PSCAA") prior to demolition. Thus, as a condition of approval prior to demolition, the proponent will be required to submit a copy of the required notice to PSCAA. If asbestos is present on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

Construction activities themselves will generate minimal direct impacts. However the indirect impact of 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. No potential short term adverse impact to air is anticipated and therefore air quality mitigation is not necessary.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased carbon dioxide and other greenhouse gas emissions primarily from increased vehicle trips but also the projects energy consumption, increased demand for public services and utilities; increased height, bulk, and scale on the site; and increased area traffic and demand for parking. 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, parking requirements, shielding of light and glare reduction, and contains other development and use regulations to assure compatible development.

Air Quality

The number of employee vehicular trips associated with the project is expected to increase from the amount currently generated by the site's three buildings (see *Traffic and Transportation* below) and the projects' overall electrical energy and natural gas consumption is expected to increase. Together these changes may 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.

Height, Bulk, and Scale

The proposal does not exceed the height of development allowed in the Commercial 1 zone for mixed-use buildings. The height, bulk and scale measures were addressed during the Design Review process. Pursuant to the Height, Bulk and Scale Policy of SMC 25.05.675 a project that is approved pursuant to the design review process shall be presumed to comply with the height, bulk and scale policies. The proposed structures have been endorsed by the Design Review Board as appropriate in height, bulk and scale for the project.

Transportation

Those traffic impacts expected from the proposed project are disclosed in the Traffic Impact Analysis prepared by The Transpo Group and dated August 2008. According to the analysis, the project is expected to generate approximately 1,970 new off-site trips daily, with 117 net new trips expected to occur during the weekday PM peak hour (63 inbound and 54 outbound). In addition, a total of 16 weekday PM peak hour pass-by trips are expected to occur. The project is expected to contribute the greatest share of traffic at the unsignalized intersections on SW Alaska Street (37th Avenue SW, 38th Avenue SW and the alley access bordering on the east side of the development site. Project-related traffic would constitute approximately 7 percent of weekday PM peak hour traffic at the off-site intersections and approximately 16 percent of weekday PM peak hour traffic at the alley intersection with SW Alaska Street. The percent of traffic volume impacts at other intersections included in the study would be approximately 2 percent or less. These impacts would fall within typical daily fluctuations. Each of the study intersections, both signalized and unsignalized, would continue to operate at the same Level of Service (LOS) with the addition of project traffic as for future without-project conditions.

Transportation Concurrency

The City of Seattle has implemented a Transportation Concurrency system to comply with a requirement of the Washington State Growth Management Act (GMA). The system, described in DPD *Director's Rule 4-99* and the City's Land Use and Zoning Code, is designed to provide a mechanism that determines whether adequate transportation facilities would be available "concurrent" with proposed development projects. The screen-lines relevant to this project would have v/c ratios less than the respective LOS standard and the addition of peak hour traffic generated by the proposal would meet the City's transportation concurrency requirements.

Parking Impacts

The Seattle Land Use Code requires one parking space for each residential unit and one parking space for each 500 square feet of retail space above 12,000 square feet (1,500 square feet for each of the 8 businesses expected to occupy the retail space is exempt). With allowable reductions for transit reduction, shared parking and providing space for a City-recognized car-sharing program, the proposal is required to provide a minimum of 153 parking stalls. The proposed supply of 153 stalls meets the minimum required by Code.

Per SMC 23.54.020 J, in order to gain the reduction for participation in a City-recognized car-share program, the property owner must present for DPD approval an agreement with a recognized car-share program and must file with the property title a copy of that approved agreement and a notice that the agreement is the basis for the reduction in the number of parking spaces required. Per Code, this agreement must be approved and filed prior to issuance of a Master use Permit, and this decision is so conditioned. No other SEPA conditioning of parking impacts will be imposed.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the 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).

SEPA CONDITIONS

Based upon the above analysis, the Director has determined that the following conditions are reasonable and shall be imposed pursuant to SEPA and SMC Chapter 25.05 (Environmental Policies and Procedures).

Prior to Issuance of the Master Use Permit

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

1. The property owner shall provide DPD for approval an agreement between the property owner and a City-recognized car-sharing program meeting the provisions for an exception to parking requirements as specified in SMC 23.54.020 J, which agreement, once approved by the Director, together with a notice that the agreement is the basis for the exception to parking requirements under SMC 23.54.020 J, shall then be recorded with the title to the property.

Prior to Issuance of any Demolition Permits

2. Provide a construction phase truck transportation plan for approval by Seattle Department of Transportation in consultation with DPD.
3. File a Notice of Intent with the Puget Sound Clean Air Agency prior to the commencement of any demolition on the project site.

During Construction

4. 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. Since more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction:

The hours of construction activity not conducted entirely within an enclosed structure shall be limited to non-holiday weekdays between 7:00 a.m. and 9:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m. unless this restriction is modified by an approved Construction/Noise Impact Management Plan prepared and submitted to DPD for approval before any demolition or any phase of construction begins.

