



City of Seattle
Edward B. Murray, Mayor

Department of Planning and Development
D. M. Sugimura, Director

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

Application Number: 3009726
Applicant Name: Neal Thompson
Address of Proposal: 2406 32nd Avenue West

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow a four-story, 24-unit residential structure with 6,392 square feet of commercial use at grade and 32 below-grade parking spaces. Existing structures to be demolished.

The following approvals are required:

Design Review - Seattle Municipal Code (SMC) Section 23.41
SEPA - Environmental Determination pursuant to SMC 25.05

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

* Notice of the Early Determination of Non-significance was published on August 15, 2013.

PROJECT DESCRIPTION

The applicant provided four design options to DPD and the Design Review Board at the EDG meeting. The variations in the concept schemes focus on location of the residential entry, garage access from the alley and massing. The primary residential entry located in the center of the parcel facing 32nd Ave W in option #1 shifts to the south property line for the three other options. In the first option, the residential entrance splits the commercial space into two equal spaces. The ramp to the parking garage varies within options as well. In Options # 1 and # 3, the garage ramp to the garage hugs the south property line. Options #2 and # 4 illustrate a ramp descending from the alley along the north property line beginning at the higher portion of the site.

The schemes or alternatives share the proponent's desire to create a commercial storefront along 32nd Ave W and place apartment units directly behind and above the first floor. Option #2 alters this condition somewhat by proposing to establish a mezzanine parking level close to the alley. Massing for Option #1 illustrates a large unarticulated cube housing apartments along a double loaded corridor. Units would either face east or west. Option #2 varies the massing only in the carving of a deep residential entry into the lower southwest corner of the building. The third

option increases the size of the void at the southwest corner and terraces the two upper floors. The units resemble those of the other options with the exception of those on the fifth floor. The fourth and final scheme forms a symmetrical plan with the corners of the mass equally eroded away from the property lines. This option acknowledges the importance of the penetration of natural light into the units yet doesn't necessarily recognize the potential influence of varying site and vicinity conditions. A core of stairs and elevator would form a vertical circulation spine pushed to the south property line.

The applicant presented two designs at the Recommendation meeting. One alternative complied with the Board's guidance from the EDG meeting requesting a residential entrance at the north end of the street frontage and the garage ramp on the south end closer to the bank. The other scenario flipped the scheme by placing the residential entrance close to the bank drive-thru and the ramp at the north property line.

SITE & VICINITY

The 11,065 sq. ft. site lies within a multifamily Neighborhood Commercial Two (NC2 40) zone with a 40 foot height limit within Magnolia Village. Two commercial structures occupy the two parcels comprising the development site. The site's declension totals approximately eight feet from the highest point along the alley to the lowest point on the southwest. The site does not have a mapped environmentally critical area.

The site sits within the heart of Magnolia Village a low and mid-rise neighborhood comprising commercial uses (numerous restaurants, offices and retail uses), newer mid-rise residential structures and institutions. West Magnolia playfield forms a strong edge along the north portion of the neighborhood. To the east of the development site, two churches flank 31st Ave W. Shops and a variety of commercial uses line 32nd Ave W with the Magnolia Garden Center anchoring the neighborhood south of the playfield. The commercial district continues west toward 35th Ave W and south across W. McGraw St. The neighborhood has a strong identity with single family homes nearby and a pedestrian character.

ANALYSIS - DESIGN REVIEW

Public Comments

Eight members of the public affixed their names to the EDG sign-in sheet. Those who spoke raised the following issues:

- Consider the visibility of the south façade which will rise above the bank building and be seen by those in the village. (mentioned by several speakers)
- Set back the south façade from the bank.
- Use a modern vernacular. Go bold. Be inspiring. Emphasize glass.
- Adjust the ceiling height of the commercial space. The area needs effective commercial spaces.
- Don't use the building context as clues to the building design.
- Use the site for its full effect. Build as high as the zone allows.
- Redevelopment of the site is exciting.
- Consider the people-scape of the street. This neighborhood has intense pedestrian use. Activities include summerfest and Halloween. Make a gathering space for pedestrians.
- Enliven the streetscape. Placing the entry at the southwest corner is awkward with its adjacency to the bank drive-thru lanes.
- Create a space for tables near the sidewalk.

- The neighborhood lacks adequate on-street parking. The proposal should have enough parking to accommodate the tenants.
- The east side should have decks and windows. The east façade will also have considerable visibility.
- A roof deck creates an opportunity for excessive noise which would be bothersome to the people who live nearby.

GUIDELINES

After visiting the site, considering the analysis of the site and context provided by the proponent, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified highest priority by letter and number from the guidelines found in the City of Seattle’s “Design Review: Guidelines for Multi-family and Commercial Buildings”. 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-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

The proposed demolition of the existing building provides an opportunity to create a viable retail and/or office space(s) that enhances the neighborhood commercial district. The Board agreed with the applicant’s approach of not splitting in half the commercial space with a residential lobby.

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

The deep residential entry court was discouraged as being too far removed from the life of the street and in the wrong location. The depth of the court and the structure over it placed the entry in shadow much of the year. Move the residential entry closer to the north property line.

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

See guidance for A-2, A-6, .B-1, C-1, D-1 and D-7.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

The roof of the structure will be visible to residents living up the hill to the east. The architect should consider the roof as a fifth elevation and devote considerable attention to its design. The roof garden and the penthouses (mechanical and stair/elevator) should have a higher quality design than most comparable projects.

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

The Board discouraged the covered, deep residential entry. Both the commercial spaces and the residential entry should take advantage of the western exposure.

- 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.**

Parking access should occur from the alley and descend along the south property line to the garage.

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.**

The Board encouraged the applicant to achieve the maximum height in the prevailing zone.

The schematic modulation of the façade in option #4 suggested a thoughtful consideration of unit design, views, and solar access. Not as well evident in the concept diagrams was the critical relationship of the commercial base and the upper floors. How does the massing of the base visually support the upper levels? How does the storefront appear distinct and yet part of a larger whole?

C. Architectural Elements and Materials

- C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.**

The architect's useful pictorial analysis of contextual architectural elements (awnings, entrances, finish materials signage etc.) should assist in the process of designing a viable commercial storefront or base. The Board encouraged the architect to create commercial spaces with heights exceeding the minimum of 13 feet.

- 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.**

This will be an important consideration as the design develops. See Board guidance discussion for B-1.

- 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.

The successful choice of finish materials must relate to the architectural concept and its consistency (Guidance C-2). This will represent an important consideration at the Recommendation meeting.

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

The Board strongly recommended that placement of the driveway from the alley should occur at the lower portion of the site closest to the south property line. The Board also liked the mezzanine parking level as it would provide the units directly above the parking level with better access to light.

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.

As the architect studies programming and design of the commercial space(s) along 32nd Ave. W., he should consider creating a small plaza to accommodate the potential for a sidewalk café or seating. The business district thrives on pedestrian activity.

- 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-5 **Visual Impacts of Parking Structures.** The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

Placing the driveway ramp along the south property line would benefit the project by shortening the ramp's length and freeing a larger area for below grade parking.

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

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

The Board strongly recommended placing the residential entrance to the northern portion of the site's 32nd Ave. frontage in order to prevent pedestrian conflicts with the bank drive thru lanes. The closer proximity to the playfield was also seen as beneficial.

D-8 Treatment of Alleys. The design of alley entrances should enhance the pedestrian street front.

Scheme #4's idea of placing commercial uses or live/work units facing the alley intrigued the Board members. The applicant should continue to study the viability of this concept. See C-5. The Board requested an analysis of pedestrian movement on the alley. Is the entry stairs to the neighboring church used extensively? Do other pedestrians use the alley?

The design of the alley façade should be carefully considered.

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.

By the Recommendation meeting, the applicant shall prepare a signage concept plan.

D-10 Commercial Lighting. Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.

By the Recommendation meeting, the applicant shall prepare a lighting concept plan.

D-11 Commercial Transparency. Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

The use and detailing of the glazing influences the success of commercial storefronts with the result of creating an active street frontage. The Board welcomes tall commercial spaces with extensive glazing.

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.

See Board guidance for D-7. After considerable deliberation, the Board strongly encouraged the placement of the primary residential entry away from the bank's drive thru lanes.

E. Landscaping

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

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

The roof top amenity space should be as capacious as possible. Ensure quality landscaping on the roof.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a design review component on June 25, 2013.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted the Final Recommendation meeting on April 16, 2014 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meeting, site plans, elevations, floor plans, landscaping plans, and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

Public Comments

Four members of the public affixed their names to the Recommendation sign-in sheet. One speaker indicated her preference for placing the garage access and ramp closer to the north property line.

A. <u>Site Planning</u>

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

Based on their review of the plans and elevations, the Board did not choose to alter the building's relationship to the streetscape. Placement of the residential entrance to one side allows for greater flexibility to combine or subdivide the commercial space.

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

See Guideline D-12 for recommendations for the residential entry.

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.

At the EDG meeting, the Board requested a high quality design for the roof garden due to its visibility from the uphill neighbors. The Board accepted the roof top design at the Recommendation meeting.

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

See guidance and recommendations for D-12.

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.

Reversing course from the EDG meeting, the Board recommended allowing the placement of the garage ramp near the north property line.

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.

Discussion did not focus on height, bulk and scale issues. The Board addressed the extensive blank wall on the north elevation in guideline D-2.

C. Architectural Elements and Materials

C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

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.

Noting its preference for the interrupted fascia by brick piers, the Board sought to preserve this architectural attribute as a condition of the Master Use Permit.

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.

The Board, preferring the stack bond, recommended ensuring this style of brick masonry rather than the use of other patterns. The Board desires to keep the dark grouting for the masonry.

Other conditions include securing the specification of dark mullions and providing a reveal at the corner of the spandrels.

D. Pedestrian Environment

- D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.**

The color illustrations in the packet suggest that the useable area for sitting areas in the streetscape lies in the middle of the sidewalk. The Board, however, did not recommend changes to the slight setbacks at the north and south ends of the street frontage.

- 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.**

With its exposure above the ACE hardware building, the north elevation's blank brick wall discomfited the Board members. The applicant will need to revise the facade by providing a vertical band of fiber cement panels similar to the ones flanking the brick or possibly use some other appropriate material to diminish the expanse of brick.

- D-5 Visual Impacts of Parking Structures. The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.**

The Board endorsed placing the garage ramp on the project's north side after the architect stated that the position of the ramp vis-a-vis the north and south property lines would not impact its length or steepness.

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

The Board reserved its most effusive praise for the deft placement of the enclosed waste and recycling storage area near the alley.

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

The Board, convinced by the sight lines drawn on the plans, reversed its earlier guidance and recommended approval of the residential entrance adjacent to the bank drive-thru. The planter along the south property line must have a sense of permanence (not easily moved) and integration with the overall design in order to ensure the safety of pedestrians using the residential entry next to exiting vehicles.

After endorsing the departure request to reduce significantly the width of the garage ramp, the Board recommended installation of a warning light to decrease the amount of conflict generated by vehicles entering and exiting the ramp at the same time.

D-8 Treatment of Alleys. The design of alley entrances should enhance the pedestrian street front.

Deliberation did not focus on the placement or design of the commercial space facing the alley.

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.

Discussion of the commercial signage concept plan did not occur.

D-10 Commercial Lighting. Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.

The Board did not comment upon the applicant's lighting concept plan.

D-11 Commercial Transparency. Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

The glazed southern wall of the commercial space helped persuade the Board to endorse the south residential entry. This wall will need to remain quite transparent as it provides quality natural light into the storefront and creates a strong connection between the movement of the pedestrians using the residential entry and the activity in the commercial space.

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.

Reversing its earlier guidance, the Board endorsed the deeply set residential entry on the south side of the project. In order to ensure a more prominent or visible residential entry, the Board recommended the following changes: add signage announcing the residential entrance that is distinct from the commercial signage; use a different paving material than the sidewalk's concrete; design a gateway or portal to signal the entry path; provide lighting along the outdoor corridor; and design a door more residential in character than the one shown in the Recommendation booklet.

E. Landscaping

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.

In order to maintain the thin planting trays as part of the overhead weather protection along the street frontage and projecting from the residential decks on all four elevations, the applicant will need to provide an irrigation system and a maintenance plan.

Discussion lit on the adequacy of solar exposure on the roof garden; however, no recommendation or condition emerged from the deliberation.

The Board appeared satisfied with the overall design of the roof.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the April 16th 2014 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the April 16th public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the five Design Review Board members present unanimously recommended approval of the subject design.

The Board recommended the following **CONDITIONS** for the project. (Authority referenced in the letter and number in parenthesis):

- 1) Maintain the interrupted fascia with the brick piers. (C-2)
- 2) Use stack bond style of brick as shown in the drawings rather than other masonry patterns. Keep the dark grouting for the masonry. (C-4)
- 3) Specify dark mullions for the windows and provide a reveal at the corner of the spandrels. (C-4).
- 4) Revise the north facade by providing a vertical band of fiber cement panels similar to the ones flanking the brick (or possibly use some other appropriate material) to diminish the expanse of brick masonry. (D-2)
- 5) Design the planter along the south property line to have a sense of permanence (not easily moved) and integrate it with the overall building design. (D-7)
- 6) Specify on the plans and install a warning light to decrease the amount of conflict generated by vehicles entering and exiting the ramp at the same time. (D-7)
- 7) In order to create a more visible residential entry from 32nd Ave. W., revise the plans to include the following: add signage announcing the residential entrance that is distinct from the commercial signage; use a different paving material than the sidewalk's concrete; design a gateway or portal to signal the entry path; provide lighting along the outdoor corridor; and design an entry door residential in character. (D-12)
- 8) In order to maintain plantings on the shallow canopies along the street frontage and on the residential decks of the four elevations, provide an irrigation system for the planting trays and a maintenance plan. (E-2)

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure(s) are based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departure(s).

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION	RECOMMENDATION
1. Driveway Widths SMC 23.54.030D.2.a.2	The minimum two-way driveway width for non-residential uses is 22'.	The applicant requests a two-way driveway of 11'7". Driveway widens to 13' at the top of the driveway.	<ul style="list-style-type: none"> ▪ A narrower driveway provides a greater amount of commercial space. 	Approved

DIRECTOR'S ANALYSIS - DESIGN REVIEW

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. The Director agrees with the conditions recommended by the four Board members and the recommendation to approve the design, as stated above.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated October 30, 2013. The information in the checklist, project plans, 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 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

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, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. 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 analyzes construction-related noise, air quality, earth, grading, construction impacts, traffic and parking impacts as well as its mitigation.

Noise

Noise associated with construction of the mixed use building and future phases could affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Although there is adjacency to residential uses, the Noise Ordinance is found to be adequate to mitigate the potential noise impacts.

Air Quality

Construction for this project is expected to add temporarily particulates to the air that 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 nearby residential buildings.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition.

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 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

Excavation to construct the mixed use structure will be necessary. The maximum depth of the excavation is approximately 10 feet and will consist of an estimated 3,800 cubic yards of material. The soil removed will not be reused on the site and will need to be 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 enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Impacts

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Traffic and Parking

Duration of construction of the apartment building may last approximately 16 months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 3,800 cubic yards of soil represent the amount of excavation at the project site. The soil removed for the structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 380 round trips with 10-yard hauling trucks or 190 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that

truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

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 around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along Broadway. Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area; increased demand for parking; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, green house gas emissions, historic preservation, traffic, and parking impacts.

Greenhouse Gas Emissions

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 expected to be significant.

Historic Preservation

A review by the Department of Neighborhoods (LPB137/14) determined that the existing single family structures are unlikely, due in part to a loss of integrity, to meet the standards for designation as an individual landmark.

Transportation

According to the transportation consultant, Heath & Associates Inc., the 24 dwelling units and 6,400 square feet of commercial use would likely generate 434 new average daily vehicle trips (ADT) with 32 trips occurring in the PM peak hour. DPD staff believes, based on experience with similar projects in the project vicinity, the ADT estimate is conservatively high as the analysis neglected to deduct trips generated from the existing uses. DPD does not anticipate that the impacts to level of service on nearby streets would be significant. No SEPA mitigation of traffic impacts to the nearby intersections is warranted.

Parking

The proposal's 32 parking spaces exceed the city requirements for residential and commercial spaces which total 28, one space per dwelling unit (24 stalls) and one space per 2,000 sq. ft. of commercial space (four stalls). Any potential spillover parking would be minimal and not have any adverse impact on the existing on-street parking. No SEPA mitigation of parking impacts is warranted.

DECISION - SEPA

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

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

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance

- 1) Maintain the interrupted fascia with the brick piers.
- 2) Use stack bond style of brick as shown in the drawings rather than other masonry patterns. Keep the dark grouting for the masonry.
- 3) Specify dark mullions for the windows and provide a reveal at the corner of the spandrels.
- 4) Revise the north facade by providing a vertical band of fiber cement panels similar to the ones flanking the brick (or possibly use some other appropriate material) to diminish the expanse of brick masonry.
- 5) Design the planter along the south property line to have a sense of permanence (not easily moved) and integrate it with the overall building design.
- 6) Specify on the plans a warning light to decrease the amount of conflict generated by vehicles entering and exiting the ramp at the same time.
- 7) In order to create a more visible residential entry from 32nd Ave. W., revise the plans to include the following: add signage announcing the residential entrance that is distinct from the commercial signage; use a different paving material than the sidewalk's concrete; design a gateway or portal to signal the entry path; provide lighting along the outdoor corridor; and design an entry door residential in character.
- 8) In order to maintain plantings on the shallow canopies along the street frontage and on the residential decks of the four elevations, provide an irrigation system for the planting trays and a maintenance plan.

Prior to Commencement of Construction

- 9) Arrange a pre-construction meeting with the building contractor, building inspector, and land use planner to discuss expectations and details of the Design Review component of the project.

Prior to Issuance of all Construction Permits

- 10) Embed the MUP conditions in the cover sheet for all subsequent permits including updated building permit drawings.

Prior to Issuance of a Certificate of Occupancy

- 11) Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 206.615-1392). An appointment with the assigned Land Use Planner must be made at least five 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.
- 12) Install a warning light warning light at the garage entrance to decrease the amount of conflict generated by vehicles entering and exiting the ramp at the same time.

For the Life of the Project

- 13) Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce Rips, 206.615-1392). 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.

CONDITIONS – SEPA

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

- 14) A construction traffic management plan shall be submitted to DPD and SDOT prior to the issuance of the permit. This plan will identify construction materials staging area; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.

During Construction

- 15) Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Bruce Rips, (206-615-1392) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.

Signature: (signature on file) Date: May 5, 2014
Bruce P. Rips, AAIA, AICP
Department of Planning and Development