



City of Seattle

Department of Planning and Development

D. M. Sugimura, Director

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

Project Number: 3010394

Applicant Name: Brian Palidar, grouparchitect
for Europa, LLC

Address of Proposal: 717 Dexter Ave N

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a seven-story structure containing 99 apartments with 1,325 sq. ft. of retail and two live/work units (1,367 sq. ft.) at ground level. Parking for 90 vehicles to be provided below grade. Project includes 18,000 cu. yds. of grading. Existing structure to be demolished.

The following approvals are required:

Design Review - pursuant to Seattle Municipal Code (SMC) Chapter 23.41, involving three departures from development standards:

- SMC 23.54.030 G, sight triangle.
- SMC 23.53.035 A4, Structural Building Overhangs (2 distinct departures)

SEPA - Environmental Determination – SMC Chapter 25.05.

SEPA DETERMINATION: [] Exempt [X] DNS¹ [] MDNS [] EIS

[X] DNS with conditions

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

¹ DPD published early DNS on November 16, 2009.

BACKGROUND DATA

Project Description

The applicant proposes a seven story structure containing 99 apartments with 1,325 sq. ft. of retail and two live/work units (1,367 sq. ft.) at ground level. Parking for 90 vehicles to be provided below grade. Project includes 18,000 cu. yds. of grading. Existing structure to be demolished.

Vicinity and Site

The site is located in the South Lake Union neighborhood, on the southwest corner of Dexter Ave N and Valley St.

Both streets are minor arterials at the site. Valley St provides one-way access to Aurora Avenue N, a principal arterial located to the west of the site. Dexter Avenue N is an important route for bus transit and bicyclists.

The vicinity slopes down to the east. The property is located in the South Lake Union Hub Urban Village and is subject to South Lake Union neighborhood design guidelines.

The site is zoned Seattle Mixed with a 65-foot base height limit (SM-65, see Figure 2). Properties surrounding the site are also zoned SM-65. Land to the west across Aurora Ave N is zoned Commercial 1 with a 65-foot base height limit (C1-65), Neighborhood Commercial 3 with a 40-foot base height limit (NC3-40), and residential Lowrise 3 (L3). Aurora Ave N presents a strong edge condition for pedestrians and motorists.

Development in the vicinity reflects its zoning, though much does not approach full zoning potential, suggesting that the area could experience substantial future redevelopment. The Dexter Ave N corridor to the south is characterized primarily by low commercial buildings in various states of repair, and surface parking lots. To the north and mostly on the east side of Dexter Ave N, there are several midrise (six-story) mixed use and office developments. Several businesses have large accessory surface parking lots. Directly to the south is the six-story 701 Dexter Building (built 1984). To the west is a two-story office building.

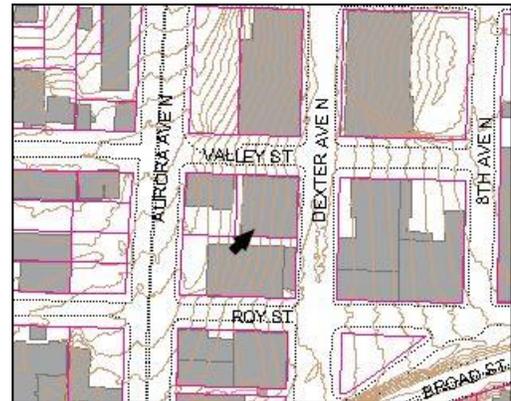


Figure 1. Local topography



Figure 2. Vicinity zoning



Figure 3. Aerial View

The site is roughly square, 121' E-W x 120' N-S, encompassing an area of 14,520 sq.ft. There is no alley. The adjacent right-of-way is almost flat along Dexter (the site's east side), and ascends roughly 12' toward the west along Valley (the site's north side, see Figure 1). No portion of the site is designated as Environmentally Critical Area on City maps. The majority of the site is developed with the existing structure, a single-story masonry and stucco building (ca 1928). The site's only vegetation is on its west side, where volunteer shrubs overhang a pedestrian egress route.

On Dexter Ave N and Valley St, there are existing curbs and sidewalks, and sufficient width to accommodate full sidewalk improvements. Neither street contains a planting strip or street trees.

The site is served by public transit. Several bus routes pass along Aurora Ave North and Dexter Ave N, and bus stops are located within a block of the site.

DESIGN REVIEW PROCESS

The Early Design Guidance (EDG) meeting took place on August 5, 2009, in the Queen Anne Community Center. The applicant submitted an early design packet, which provides a site and vicinity analysis that informs this report. The packet is available for public review at the Department of Planning and Development (DPD) Public Resource Center, located on the 20th floor of Seattle Municipal Tower, 700 5th Avenue, and online at <http://bit.ly/3010394edg>. The design Recommendations Early Design Guidance (EDG) meeting took place on January 20, 2010, in the Queen Anne Community Center. The applicant submitted a recommendations packet, which provides substantial detail that informs this report. The packet is available for public review at the Department of Planning and Development (DPD) Public Resource Center, located on the 20th floor of Seattle Municipal Tower, 700 5th Avenue. The packet is also available online: <http://bit.ly/3010394rec>.

8/5/2009 EDG: Architect's Presentation

Brian Palidar of Grouparchitect presented the project's program and described the site and vicinity, referring to some of the information presented above. The program is to create a market rate apartment building with below-grade parking. At sidewalk level, particularly along Dexter, the design intent is either to provide a sense of respite from a heavily trafficked arterial, or alternatively to present a harder edged, more active commercial storefront.

The site has served as a car sales facility for decades. Nearby businesses include an electronics manufacturing building and a dry-cleaning facility, among other traditionally commercial and industrial uses. Newer projects include mixed use and office structures. Slated projects in the vicinity include Amazon's major development to the southeast, and the Gates Foundation's campus to the southwest. The project does not seek the 20' height bonus available in certain SM zones for buildings with dedicated interstitial mechanical spaces.

Nearby structures are generally "boxy, massive, and grounded to their sites". They exhibit little modulation and generally lack detail or texture. For older vicinity buildings, the datum line appears to be about 25'. More recent construction is generally built to its zoning envelope.

The design team has identified streetscape compatibility as a major design focus, noting that the site to the south is largely built out, but that the site to the west might redevelop later, presenting a challenge to anticipate.

Mr. Palidar presented four distinct design concepts, all of which would abandon the existing curb cut and locate it instead toward the site's southeast corner, adjacent to the southern neighbor's garage entry.

Concept 1 involves a recessed courtyard and auto entry. As adjacent buildings are very close, the design team notes the west side is a big challenge. Along Dexter, the central entry is recessed "to provide some separation from the auto-oriented feel of Dexter." Residential apartments in this concept face in all directions.

Concept 2 reflects the same overall massing and flips the original concept, so that the massing is located more to the south, providing for a pedestrian courtyard at the corner, where people would have a chance to stop for some recreational or social reason. In this concept, residential apartments face primarily south, and there's somewhat less privacy in relation to the adjacent offices to the south. Mr. Palidar noted the courtyard approach would be unusual in this neighborhood.

Concept 3 holds the corner. Its L-shaped plan would provide for a courtyard at the upper level. This approach allows for a podium to register against adjacent structures, and requires a zero-lot line approach to the southern façade.

Mr. Palidar described the preferred Concept 4 as a combination of Concepts 1 and 3, involving a staggered corner, a residential entry off Valley St, and a "focused" retail space to the south of the driveway. A courtyard would be located on a second level. At the tower level, the partial step helps to break up the south façade, providing visual relief to neighbors.

The design packet provides a summary of each concept's proposed amenities and siting considerations – see page 21 of the EDG packet.

8/5/2009 EDG: Clarifying questions by the Board

Related to the neighboring site to the west of this one, how close will this be to the property line? We're primarily looking at the west side as a zero lot line condition. Further south we can provide windows to address light concerns.

Where are the windows of the north wall of the south building? They have standard strip office fenestration. We're trying to respect their views and light access.

For the parking entrance, some concepts move it over one bay, with a separate retail space between the driveway and the neighbor's driveway. How many square feet is the smaller retail? 600-800 sq.ft. It would be flanked by two parking garages.

What are the rationales behind the siting of the pedestrian entry? Applicant discussed considerations of a lobby located on Dexter, or a larger retail presence along this façade.

Do you propose to share parking with retail and residential? Yes, there would be a shared elevator with controlled access to the upper floors.

Do all four options meet the general development objectives? Largely, yes. Option 2 forced us to go with smaller than desired units and more studios. It doesn't offer the same flexibility.

Option 3 provides bays with recessed balconies. Are you intending to bring that around to the Valley façade? We plan to locate decks at the areas that have view potential. Along Valley and the back side, facades will be flatter and more enclosed.

Are you requesting departures? We might request a departure from the sight triangle standard (SMC 23.54.030 G), based on a rationale that it diminishes the overall width of the garage entry. If the parking entrance is located along the south line, we have to work harder to make the layout work.

8/5/2009 EDG: Public Comment

No members of the public signed in at the Early Design Guidance meeting on August 5, 2009.

DPD received a single message from a neighboring property owner, who asked to receive notice of further action on this project.

A summary of the priority Guidelines begins on page 7 below.

1/20/2010 Recommendations: Architect's Presentation

Brian Palidar of Grouparchitect presented the updated design and the team's response to the Board's early guidance. Where the team had originally envisioned a single departure from Land Use Code development standards, they now request three – elimination of the required sight triangle (as originally proposed), and two modifications to standards related to structural building overhangs in the public right-of-way.

Mr. Palidar briefly summarized the outcome of the Early Design Guidance meeting, focusing primarily on the third and fourth design concepts, which the Board had discussed in some detail. He characterized the updates as a "hybrid response" drawing on the strengths of both concepts.

The updated design "tries to balance what the units needed in order to be functional, as well as to provide the desired massing." It carries forward the bay window pattern of Concept 3, incorporating a "shoes, coat, and hat approach", in line with Board guidance.

Also in response to guidance, the updated design locates the driveway entrance toward the south of the site, and consolidates the retail spaces. Exterior wall lighting wraps to the exposed walls within the garage. Live-work spaces along Dexter are recessed, in order to support their own identities. The residential entry is now located along Valley St – and all street trees and other vertical plantings now start further uphill, in order to provide an open view to the entry. Signage above the residential entry would be distinct from the commercial signage.

The Board was concerned about this project's relationship to two abutting sites, to the south and west. On the south side, it introduces a light well that allows for better light and air to the units, and visual modulation in any views along the southern party wall. On the west side, the design steps back enough to provide large windows that will enjoy afternoon sun, at least until the adjacent site redevelops. In that event, the design team assumes that the neighboring design might reflect this setback to create a sympathetically located open space on its site.

The design's base would be architecturally finished concrete, ground and sacked. Its residential levels integrate a restricted materials palette, a principal (dark) color and two different accent colors. Bays would be finished in metal siding. For portions of the building, lightly colored cement panels make up the body of the massing, with closed joints. Storefront and upper residential windows will be a dark bronze, matching throughout.

The retail space might be demised into spaces for two separate tenants, or for a single larger tenant. Awnings for the retail space are higher, residential awnings are lower.

Tom Rengstorff presented the landscape design, noting that the site is located along a principal bicycle corridor. The project name, "Europa", also inspires attention to streetscape and active urban spaces. Along Dexter, sidewalks are 12' wide. "The tragedy of Valley is there isn't too much pedestrian traffic there", as it leads to heavily-trafficked Aurora Avenue N. Along Valley, the sidewalk area is a generous 16' wide, allowing for substantial plantings and a rainwater-activated water feature. As encouraged by the Board, it appears a sidewalk curb bulb is possible at the corner, to be occupied by more plantings.

Second-level units all have access to their own patio spaces. At the roof level, it's possible to integrate planters with soil, to allow for bamboo. Decking would probably be composed of ipe.

1/20/2010 Recommendations: Clarifying questions by the Board

How far back is the garage door recessed? We've recessed it 40', to allow for better movement and improved pedestrian visibility.

Where is the secondary entrance, other than the garage door? The northern stairway exits out the residential lobby.

Is there any commercial parking proposed? No.

How would the water feature function – recirculated rainwater? Not recirculated. Water will flow when its raining. Dry otherwise.

Describe the depth of the various canopies. 4' generally, measured from the building face. The overall projection is 3'

Are all the street trees new? Yes.

Along Valley, as the sidewalk rises to the west, are those the only windows for residential units at sidewalk level? Yes.

1/20/2010 Recommendations: Public Comment

One member of the public signed in at the design Recommendations meeting on January 20, 2010. Her comments addressed opportunities for better access to light and air at the design's southeast corner, and better articulation of the residential entry.

DPD received no further written comments.

GUIDELINES

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 design guidance and recommendations described below and identified by letter and number those siting and design guidelines of highest priority to this project, found in the City of Seattle's Design Review: Guidelines for Multifamily and Commercial Buildings (supplemented 1/20/2007), and further supplemented by the South Lake Union neighborhood 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.

SLU neighborhood-specific guideline

- Provide pedestrian-friendly streetscape amenities, such as:
 - tree grates;
 - benches;
 - lighting.
- Encourage provision of spaces for street level uses that vary in size, width and depth. Encourage the use of awnings and weather protection along street fronts to enhance the pedestrian environment.
- Where appropriate, configure retail space so that it can spill-out onto the sidewalk (retaining six feet for pedestrian movement, where the sidewalk is sufficiently wide).

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.

SLU neighborhood-specific guideline

- New development should be sited and designed to encourage human activity on the street.
 - Create graceful transitions at the streetscape level between the public and private uses.
 - Design facades to encourage activity to spill out from business onto the sidewalk, and vice-versa.

- Reinforce pedestrian connections both within the neighborhood and to other adjacent neighborhoods. Transportation infrastructure should be designed with adjacent sidewalks, as development occurs to enhance pedestrian connectivity.
- Reinforce retail concentrations with compatible spaces that encourage pedestrian activity.
- Design for a network of safe and well-lit connections to encourage human activity and link existing high activity areas.

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-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.

SLU neighborhood-specific guideline

- Consider designing the entries of residential buildings to enhance the character of the streetscape through the use of small gardens, stoops and other elements to create a transition between the public and private areas.

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

Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

8/5/2009 Guidance – Site Planning

Board members discussed at some length the tradeoffs involved in locating the residential entry on Valley or on Dexter. Board consensus appeared to support an active commercial storefront along Dexter (guideline D-11), to offer an engaging face for passersby. Some Board members also voiced concerns that any residential entry on Valley should be carefully designed to communicate its safety and stature (A-3, A-6).

Board members generally supported Concept 3, with qualifications, stating that it fits its context better, they appreciated the simplicity and elegance of its L-shaped massing, and its commercial space engages the sidewalk. Sidewalks should be wider along Dexter, or the design should offer some at-grade “deference”, such as recesses that make the pedestrian space more comfortable.

The Board appeared to accept the design rationale for locating the driveway on Dexter. However, Board members differed about the most appropriate driveway location. Most agreed that the driveway should not divide available retail space into two, and they preferred that it be located adjacent to the south wall (A-9).

Two Board members stated a concern for providing light and air to a future building to the west. Board members also asked for some analysis of how this design will relate to the building to the south (with regard to spacing and vertical datums). Option 3 appears to relate successfully to the southern neighbor.

1/20/2010 Recommendations – Site Planning

Board members recognized the design’s substantive response to the early guidance, and offered no further recommendations in this regard.

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 façade walls.

SLU neighborhood-specific guideline

- Design the “fifth elevation” — the roofscape — in addition to the streetscape. As this area topographically is a valley, the roofs may be viewed from locations outside the neighborhood such as the freeway and Space Needle. Therefore, views from outside the area as well as from within the neighborhood should be considered, and roof-top elements should be organized to minimize view impacts from the freeway and elevated areas.

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.

8/5/2009 Guidance – Architectural Elements and Materials

Board members stated that articulation of the principal façade is important along Dexter.

One Board member cautioned against too many material changes. The Board supported a design that exhibits strong vertical integration, and with a pronounced base, middle and top.

The Board appeared to support the requested departure to reduce the size of the required sight triangle, provided that the design provide for safe vehicle egress across the sidewalk.

1/20/2010 Recommendations – Architectural Elements and Materials

A Board member raised concerns about the proposed modulation and whether the updates effectively addressed the Board’s stated preference. He felt the proposed modulation along Dexter isn’t in keeping with the rest of the design – particularly the larger central bay that projects into the right-of-way. Other Board members disagreed, resulting in no recommendation for change in this regard.

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 spaces should be considered.

SLU neighborhood-specific guideline

- New developments are encouraged to work with the Design Review Board and interested citizens to provide features that enhance the public realm, i.e. the transition zone between private property and the public right-of-way.

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.

D-7 Personal Safety and Security

Project design should consider opportunities for enhancing personal safety and security in the environment under review.

SLU neighborhood-specific guideline

- Enhance public safety throughout the neighborhood to foster 18-hour public activity. Methods to consider are:
 - enhanced pedestrian and street lighting;
 - well-designed public spaces that are defensively designed with clear sight lines and opportunities for eyes on the street;
 - police horse tie-up locations for routine patrols and larger event assistance.

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.

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.

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.

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.

8/5/2009 Guidance – Pedestrian Environment

As stated above, the Board appeared to accept the proposed siting of the residential entry on Valley St, provided that the updated design demonstrate attention to appropriate detailing, human scale, and enhanced safety (D-1, D-12, D-7).

The Board welcomed recesses and modulation along Dexter in order to create a more comfortable pedestrian environment, provided that it not detract from this façade’s viability as sidewalk-related storefront. One Board member cited the nearby Neptune building as a successful example in this regard.

Board members unanimously agreed that a curb bulb is a desired pedestrian feature at this corner.

1/20/2010 Recommendations – Pedestrian Environment

Board members stated that the design for the residential entry is largely successful. They recommended the inclusion of a low wall, perhaps a bench or seating area, scaled appropriately to better frame the entry. They also recommended that the design team further accentuate the visual importance of the residential entry by modifying its canopy – it should be larger, deeper, or potentially shaped differently.

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.

SLU neighborhood-specific guideline

- Consider integrating artwork into publicly accessible areas of a building and landscape that evokes a sense of place related to the previous uses of the area. Neighborhood themes may include service industries such as laundries, auto row, floral businesses, photography district, arts district, maritime, etc.

8/5/2009 Guidance – Landscaping

The Board offered no guidance in this regard.

1/20/2010 Recommendations – Landscaping

The Board offered no recommendations in this regard.

DEPARTURE FROM DEVELOPMENT STANDARDS

The applicant requested no departures from Land Use Code development standards.

<i>Requirement</i>	<i>Proposed</i>	<i>Comments</i>	<i>Board Recommendation</i>
SMC <u>23.54.030 G</u> , sight triangle. A 10' x 10' triangular setback, located between the sidewalk and the right side of the exit lane.	No sight triangle would be provided at the driveway exit along Dexter Avenue.	<ul style="list-style-type: none"> A reduced sight triangle would likely diminish the overall scale of the structured parking entrance, better meeting the intent of guideline C-5. 	Board members unanimously recommended approval of the departure, provided that the updated design offer a safe alternative.
SMC <u>23.53.035 A4e</u> , Structural Building Overhangs – bay window separation: ... a minimum of eight (8) feet along a line parallel to and at a distance of three (3) feet from the line establishing the required open area.	6.75' separation proposed	<ul style="list-style-type: none"> The design team added bay windows to the northern façade along Valley St in order to break up the uphill façade as well as to increase living area. The width of the unit and modulation design dictates the reduced spacing. Bays are narrower than allowed. 	Board members unanimously recommended approval of the departure.
SMC <u>23.53.035 A4c</u> , Structural Building Overhangs, bay window width: a maximum of nine (9) feet along a line parallel to and at a distance of three (3) feet from the line establishing the open area.	15'-5" width proposed	<ul style="list-style-type: none"> To integrate proposed bay window into façade modulation on a per-unit basis. Bay window width, combined with flanking decks (not subject to size regulation), create primary easternmost façade modulation as shown in concept sketches. 	Board members disagreed on this point, but a majority (3) recommended approval of the departure.

ANALYSIS – DESIGN REVIEW

The Board identified several valuable elements of the design presented by the architect at the final meeting. Board discussion reflects those items which the Board felt were critical amenities that should be preserved and carried through to construction.

Outstanding Design Review Board concerns include the following:

- The applicant shall update plans to include a low wall, perhaps a bench or seating area, scaled appropriately to better frame the residential entry. The design team shall further accentuate the visual importance of the residential entry by modifying its canopy – it should be larger, deeper, or potentially shaped differently.

DECISION - DESIGN REVIEW

DPD finds that the project's design has successfully changed to address several issues raised by the Board in Early Design Guidance and through Recommendations. The Queen Anne/Magnolia/South Lake Union Design Review Board unanimously recommended that the design be approved, subject to their recommendations. The proposed design and the design departures listed above are **CONDITIONALLY APPROVED** subject to conditions listed on page 18 at the end of this report.

ANALYSIS – SEPA

The applicant provided the initial disclosure of this development's potential impacts in an environmental checklist dated October 20, 2009. The checklist references a traffic report prepared by Gibson Traffic Consultants in July 2009, and a Phase 1 and 2 Environmental Site Assessment prepared by Environmental Associates in November 2007 and December 2008, respectively. The applicant also submitted a historical report dated October, 2009, which DPD referred to Landmark preservation staff at the Department of Neighborhoods. DPD received no letters from the public. Staff at the King County Wastewater Treatment Division commented that the County's Central Trunk is located near the proposed project location, and they requested that DPD contact their staff regarding a possible conflict with shoring. This report discusses that issue below. This report anticipates short- and long-term adverse impacts from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction; potential soil erosion during excavation and general site work; increased runoff; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict 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 Section 25.05.794). Although not significant, these impacts are adverse.

The SEPA Overview Policy (SMC 25.05.665 D) states, “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 limitations. 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, SMC 22.800 (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of most potential adverse impacts. Thus, mitigation pursuant to SEPA is generally not necessary for these impacts. However, more detailed discussion of some of these impacts is appropriate.

Air and Environmental Health. This project includes demolition of the existing structure (the Europa Auto Center). Given the age of the existing structure on site, it may contain asbestos, which could be released into the air during demolition. The Puget Sound Clean Air Agency, the Washington Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. In addition, federal law requires the filing of a demolition permit with PSCAA prior to demolition. Pursuant to SMC Sections 25.05.675 A and F, to mitigate potential adverse air quality and environmental health impacts, project approval will be conditioned upon submission of a copy of the PSCAA “notice of intent to demolish” prior to issuance of a DPD demolition permit (see Condition #6). So conditioned, these anticipated adverse air impacts will be adequately mitigated.

The site has been occupied by a minor vehicle repair facility for many years, suggesting that hydrocarbon contaminants may be present in subsurface groundwater on the site. 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 has alerted the applicant to this law and has provided a contact: Joe Hickey, DOE, (425) 649-7098.

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 fact sheet 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) 296-3974.

Existing regulations adequately address potential impacts to environmental health. No further conditioning of site cleanup or hazardous waste treatment is warranted pursuant to SEPA policies.

Construction activities including 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 further conditioning is required in this regard.

Construction noise. Noise associated with construction of the building could adversely affect surrounding uses in the area, which include office uses. No residential uses are in the immediate vicinity, DPD received no comments about construction noise, and area activity includes existing traffic along Dexter and Aurora Avenues N. Considering the existing context, DPD finds the limitations of the Noise Ordinance to be adequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), no further mitigation is warranted.

Construction Parking. Offsite parking in the vicinity of the site is constrained by on-street parking limits and metering. Over the course of review, DPD staff identified ample on-street parking availability at various times of day. For surrounding uses, on-site parking appears to be generally available, sometimes for a fee.

Off-site construction parking is likely to occur during excavation and construction of the parking levels, after which it will be possible to move vehicles entirely onsite. This construction-related impact is likely to be relatively minor and of short duration. DPD therefore determines that no further mitigation is warranted in this regard.

Construction Vehicles. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The subject site abuts major arterials on its east side, with direct access to Aurora Ave N. Traffic impacts resulting from grading truck trips will be of short duration and mitigated in part by enforcement of SMC 11.62. This 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 removal of material from the site and can be expected to generate truck trips to and from the site. 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.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause grading 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 (see Condition #8). As conditioned, and in conjunction with enforcement of the provisions of SMC 11.62, this impact is sufficiently mitigated.

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.

Wastewater trunk line. DPD received written comment from the King County Metro Wastewater division, identifying the presence of a trunk line in Dexter Avenue. Staff engaged in further discussion with Bob Isaac, a King County Metro construction manager for wastewater treatment facilities. Mr. Isaac’s stated concern is that King County must review any proposal that seeks to tie in to soils beneath the Dexter Avenue North right-of-way, in order to assess potential impacts to the trunk line.

The project is not located in an environmentally critical area. DPD requires detailed excavation and shoring drawings as part of the application submittal for a construction permit, and this information is not typically available during the review of the Master Use Permit. Considering the presence of the trunk line and its relation to policies discussed in SMC 25.05.675 B, C, and O (construction impacts, earth, and public facilities), DPD identifies a site-specific need to engage King County reviewers once the excavation and shoring plans are available (see Condition #5). So conditioned, no further mitigation is warranted.

Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g. increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased bulk and scale on the site; increased traffic and parking demand due to the new residential and commercial space; minor increase in airborne emissions resulting from additional traffic; minor increase in ambient noise due to increased human activity; increased demand on public services and utilities; and increased energy consumption.

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 adopted codes and/or ordinances (together with fulfillment of Seattle Department of Transportation requirements). Specifically these are: the Land Use Code (aesthetic impacts, height, 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.

Air. Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Parking. The project provides more than the minimum on-site parking required by the Land Use Code. The project site is in a centrally located neighborhood that is well served by transit. Additionally, the project site is located adjacent to a well-used bicycle corridor, and the project incorporates shared facilities for bicyclists. Considering these factors, DPD concludes that no spillover parking is likely to occur as a result of the project, and no further mitigation is therefore warranted.

Traffic. In the SEPA checklist, the applicant has provided a traffic analysis prepared by Gibson Traffic Consultants, which includes a spreadsheet analysis of proportional effects on vehicle trip volumes within the South Lake Union neighborhood. Based on a series of prioritized infrastructure improvements, the spreadsheet concludes that the project's pro-rata share of costs amounts to \$27,746. Payment of this amount to mitigate project impacts in South Lake Union should be required as a MUP condition (see Condition #7).

DPD determines that the identified mitigation is sufficient to address identified traffic impacts associated with the project.

Historic Preservation. The applicant submitted to the Department of Neighborhoods (DON) a preliminary analysis of the existing structure slated for demolition, for purposes of determining its status as a potential landmark. DON staff determined that landmark status would be highly unlikely in this case.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21C), 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).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS – DESIGN REVIEW

Prior to Issuance of the Master Use Permit

1. The applicant shall update the Master Use Permit plans to reflect plans shown to the Design Review Board on January 20, 2010, and the recommendations and conditions in this decision. The applicant shall embed conditions and colored landscape and elevation drawings into updated Master Use Permit and all building permit sets.

Prior to Issuance of the Construction Permit

2. The design team shall update plans to include a low wall, perhaps a bench or seating area, scaled appropriately to better frame the residential entry. The design team shall further accentuate the visual importance of the residential entry by modifying its canopy – it should be larger, deeper, or potentially shaped differently. Plans must be submitted for review and approval by the assigned land use planner.

Prior to and/or During Construction

3. Any changes to the exterior façades of the building, signage, and landscaping shown in the building permit must involve the express approval of the project planner prior to construction.

