



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 & DEVELOPMENT**

Project Number: 3011476
Applicants: Kate Smith, SMR architects, for Plymouth Housing Group
Address: 219 Pontius Avenue N

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 6-story building containing 84 low-income residential units above 6,908 square feet of accessory office space and common areas. Twenty-one bicycle parking spaces will be provided. Proposal includes demolition of two existing structures and 2,050 cubic yards of grading.

The following Master Use Permit components are required:

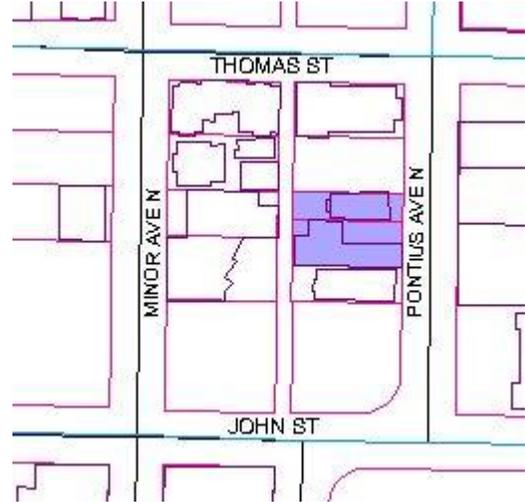
Design Review - Section 23.41, Seattle Municipal Code (SMC)

SEPA-Threshold Determination (Chapter 25.05 SMC).

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

SITE BACKGROUND INFORMATION:

The site is located at 219 Pontius Avenue N, midblock between Thomas Street and John Street in South Lake Union. The rectangular site, currently occupied by a one-story commercial structure and an unoccupied single-family residence, abuts an alley to the west, a small, older apartment building to the south and the parking lot of Immanuel Lutheran Church, a City of Seattle Landmark, to the north. "Alley 24," a commercial office, retail and residential development, fills the block across Pontius Avenue N. to the east. The south corner of the subject half-block is occupied by a recently completed residential structure dedicated to patients and families of patients undergoing treatment at the Seattle Cancer Care Alliance.



The property is zoned Seattle Mixed with a 75-foot height limit for the residential structure and use proposed (SM/R 55/75). The same zoning designation is applied to properties across the alley to the west and across Pontius Avenue N. to the east. The site is located within the Cascade Neighborhood South Lake Union Urban Village. The site lies just to the south of Immanuel Lutheran Church, a City of Seattle Landmark, and is directly across Pontius Avenue N. from the Richmond Laundry, another Landmark, whose façades have been incorporated the Alley 24 residential half-block development.

Project Proposal

The proposal as described was for a residential structure with 85 units intended for low-income, formerly homeless women. The structure will accommodate common amenity areas for the residents as well as office spaces for attending staff. No vehicle parking spaces are required and none are proposed. Parking spaces for 21 bicycles will be provided within the structure.

Public Comment

The Department received two written comments during the SEPA public comment period that ended on March 23, 2011. Comments were elicited at the Design Review public meetings and are noted below in the discussion of those meetings.

ANALYSIS - DESIGN REVIEW

Early Design Guidance (February 2, 2011)

ARCHITECT'S PRESENTATION

After a brief introduction about Plymouth Housing Group by Tom English, Kate Smith of SMR Architects presented the proposed project to the Board and members of the public attending the meeting. After review of the zoning and neighborhood character, the applicant presented three massing schemes focusing on entry articulation, screening/privacy, open space/green space and alley treatments.

Scheme A focused on providing a base, middle and top character to the massing with a strong emphasis given the pedestrian entry of Pontius Avenue N. The entry was located in the center of the building and aligned with the pedestrian alley access across Pontius Avenue North. The north and south facades were pulled back from the property lines to allow for green space between the adjacent developments. The alley façade was stepped back to comply with the upper level setback required by SMC 23.48.012. This configuration of the massing provided 81 units, short of a desired 84 units.

Scheme B focused on vertical massing to emphasis the entry. A majority of the Pontius Avenue N. first floor façade was recessed to provide openness as well as screening along the sidewalk between the public and private space. The north and south facades were pulled back from the property lines to allow for green space between the adjacent developments. The massing was pulled back along the alley façade approximately twelve feet the entire height of the building to allow for green space and light. Due to the setback along the alley, residential units were placed on the first floor to meet the desired unit count. Given this massing configuration a departure from SMC 23.48.012 would be required. It was explained that the applicant considered providing green space along the alley and stepping the entire building back was a greater benefit to the neighbors and community than having a setback at the upper floor of the proposed building.

Scheme C, presented as the preferred scheme, focused on simplifying the massing while introducing gestures to break up the massing. The entry was identified with an arch to relate to a historic brick building in the neighborhood. A strong horizontal band distinguished the first floor residential services from the residential floors above. Vertical notches in the east and north façades added interest while identifying a residential unit stack and a stair tower. The north and south facades were pulled back from the property lines to allow for green space between the adjacent developments. The alley façade resembled the Pontius Avenue North façade by reflecting the arch. The stated goal was to have a transparent connection from the alley to the pedestrian connection across Pontius Avenue N. Horizontal elements were introduced along the alley to minimize the massing. A departure from SMC 23.48.012 would be required for Scheme C. It was explained that the applicant felt that providing green space along the alley and steeping the entire building back was a greater benefit to the neighbors and community than having a setback at the upper floor of the proposed building.

Following the three massing schemes, the applicant presented some elements of further design development for preferred Scheme C, indicating window and material articulations, a color palette, together with an analysis of the several neighborhood building façade treatments.

PUBLIC COMMENT

Approximately 12 members of the public attended this Early Design Review meeting. The following comments, issues and concerns were raised:

- Most agreed the proposed project should pay attention to the nature of the alley, allowing for green space, providing for garbage storage within building, and providing a safe environment.
- A representative of the childcare facility directly across the alley requested to see at the next Design Review meeting a sun/shade study that would show the impacts on the outdoor play area that bordered on the alley.

- Another member of the public encouraged a clean, well organized roof and requested to see examples at the next meeting.
- A member of the public noted a preference for Scheme B because of the way it was articulated.
- A few members of the public preferred the exterior residential amenity space private from the public green spaces.

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following design guidance, identifying the following Citywide Design Guidelines & Neighborhood specific guidelines to be of highest priority for this project.

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.**
- A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.**
- A-4 Human Activity. New development should be sited and designed to encourage human activity on the street.**
- A-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.**
- A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.**

The Board agreed that the residential open space should be private and separate from public open space. This was a priority for the Board, but they noted it was lower on the rating scale.

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.**

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.**

The Board agreed to the layout Scheme C achieved, but would like to see the massing intent of Scheme A and Scheme C combined. Scheme A's base/ middle/top concept was favored with a more symmetrical approach to the entry and façade. Scheme C's setback from the alley and transparency through the building was favored.

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

The Board encouraged different window types for the residential units different from those them had been shown.

- 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 encouraged the use of masonry to reflect the historic buildings in the neighborhood and encouraged using cladding materials other than metal.

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 Board agreed with the applicant's approach to align the main building entrance with the pedestrian 'alley' connection across Pontius Avenue North. The alley behind the proposed structure was also a focus of concerns for security and the Board conveyed a conviction that the applicant and owner would adequately provide for a secure environment.

- 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.**

The Board would like the project to respectfully address the wall treatment along the north façade facing the Immanuel Lutheran Church. The applicant and owner will be meeting with the church members to receive comments and coordinate responses to their concerns and wishes.

- 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 applicant noted that the dumpsters will be located inside the building, off of the alley and will be accessible to trash collection by means of a hard-surface access route. The preferred Scheme C layout proposes the utility and service areas along the alley which will be screened with green space.

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

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

The Board preferred the Scheme C layout which provides transparency through the building and locates office space adjacent to the alley providing ‘eyes on the alley’. The Board encouraged setting back from the alley and providing green space there.

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.

E. Landscaping

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

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

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

DEVELOPMENT STANDARD DEPARTURES

The Board supported the requested departure from SMC 23.48.012 in order to modify the amount of required Upper Level Setback along the alley facade. The Board’s recommendation will be reserved until the final Board meeting.

BOARD DIRECTION

At the conclusion of the Early Design Guidance Meeting, the Board focused on the massing, alley treatment, entry and functionality of the first floor layout. The Board preferred the symmetrical massing of Scheme A with a base, middle, top approach. The Board also preferred the massing at the north & south elevations and alley provided in Scheme C. The location of the entry, transparency through the building, and relationship to the pedestrian connection across Pontius Avenue North is a strong element to be developed. The layout of Scheme C was preferred; creating transparency through the building, ‘eyes on the alley’ and functional residential floor plans. The Board is in favor of window type variation and maximizing the proportion of glazing to the units. The Board would like to see some cladding options developed and encouraged the use of

brick while discouraging metal siding. For the next meeting, the Board requested that the applicant present sun/shade studies, especially as these illustrate impacts on the properties west of the alley, and provide roof-treatment examples.

Design Review Board Recommendation Meeting—May 18, 2011

Four Board members attended the Recommendation meeting held on May 18, 2011.

DESIGN PRESENTATION

After a brief review of the zoning, neighborhood character and building program, the applicant addressed the responses to the Design Guidelines specified of highest priority for the success of the project at the Early Design Guidance Meeting.

A. Site Planning:

- A-1 Responding to Site Characteristics.**
- A-2 Streetscape Compatibility.**
- A-3 Entrances Visible from the Street.**
- A-4 Human Activity.**
- A-6 Transition Between Residence and Street.**

Applicant Response: The mid-block site is located on pedestrian friendly connections between downtown Seattle and the Cascade Neighborhood, along Pontius Avenue North as well as the alley to the west. The main entry to the building strongly aligns with the mid-block pedestrian passageway of Alley 24, located directly across Pontius Avenue North. The recessed entry and first floor common rooms allow for privacy between the public sidewalk and the private uses interior to the building. Landscaping at the recesses, between the curb and the sidewalk, and two new street trees that highlight the proposed entry enhance the pedestrian experience on the west side of Pontius Avenue North. The building is setback from the alley with a landscaped buffer and residential p-patch. This allows for a walk-able alley that has a strong connection to the Cascade P-Patch that can be seen at the north end of the alley.

A-7 Residential Open Space.

Applicant Response: The exterior residential open space is located in the south court area where it maintains a sense of privacy. The height of the exiting retaining wall is broken up by raised planters and green screens. The open space can be seen from Pontius Avenue North through the storefront windows that create a transparent first floor.

B. Height, Bulk and Scale

B-1 Height, Bulk, and Scale Compatibility.

Applicant Response: This site, located on and west side of Pontius Avenue North, has the same zoning (SM/R 55/75) as the property located on the east side of the street. The proposed height is approximately 65'-0" above grade plane which is 10'-0" below the allowable zoning. The proposed massing and height are very similar to those elements in the Seattle Cancer Care Alliance which is located south of the site.

C. Architectural Elements and Materials

C-1 Architectural Context.

C-2 Architectural Concept and Consistency.

Applicant Response: The proposed building successfully combines the massing preference of the Early Design Guidance Scheme A ('base/middle/top') and the transparency of Scheme C at the first floor plan layout. A strong base with brick and concrete anchors the building to the site. The centrally located entry establishes a symmetry that extends to the middle and top of the façade. Window alignment and siding elements of the 'middle' strongly connect the base to the top. While the top mimics the horizontality of the base, the proportion of the windows creates a light and open feel.

C-3 Human Scale.

Applicant Response: There are three window types and spacing variety of spacing provides interest on the exterior and to the interior of the units. The alignment on the exterior creates relationships between the 'base/middle/top'. On the interior, each studio unit has at least two different window types.

C-4 Exterior Finish Materials.

Applicant Response: Brick has been proposed on the 'base' of the building to relate to the numerous historic building in the neighborhood. A fiber cement siding scheme has been proposed for the 'middle & top' of the building to present an option for the Design Review Board. While it was suggested at the Early Design Guidance meeting that the applicant look at other siding options, it is felt that metal siding is an appropriate siding material for the neighborhood. The long term durability of metal siding and richness of the finish will provide a strong and clean façade. Over time, the metal siding will hold up better than fiber cement siding which requires ongoing and frequent maintenance.

D. Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances.

Applicant Response: The proposed main entry is aligned with the pedestrian passageway across Pontius Avenue North and reinforced with lighting and street trees. Landscaping encompasses the sidewalk with planting areas along the building and the curb, enhancing the pedestrian experience on the west side of the street. The alley is improved by setting back the proposed building to allow for landscaping and lighting to provide a pedestrian-friendly pathway to the Cascade P-Patch and Playground. Adequate lighting and security cameras will be monitored 24/7 by the desk staff. A staff lounge is located along the alley to improve the security and safety.

D-2 Blank Walls.

Applicant Response: The Owner and Design Team met with the Immanuel Lutheran Church to review the north elevation and project as a whole. The Church is pleased with the treatment of the north façade and the opportunity to provide this type of housing. The landscaping along the north property line will be integrated with the project. (Adjacency review by the Landmarks Board Coordinator, based on applicant's plans, did not require additional mitigation in the design of the project.)

D-6 Screening of Dumpsters, Utilities, and Service Areas.

Applicant Response: The dumpster storage will be located inside the building screened by an overhead door. The landscape buffer will soften the mechanical room and the Seattle City Light vault along the alley. Since the gas service is located in Pontius Avenue North, the gas meter will be required to be located on the east façade. The gas meter will be shielded from the sidewalk with landscaping and screening while maintaining required access.

D-7 Personal Safety and Security.

D-8 Treatment of Alleys.

Applicant Response: Pedestrian safety will be upgraded upon the completion of this project along Pontius Avenue North and the alley. Street lights as well as building lighting will encourage the use of the west side of the street. An office that is staffed 24/7 faces Pontius Avenue North and will provide constant ‘eyes on the street’. The proposed building maintains the transparency shown in Early Design Guidance Scheme C from the main entry through to the alley. A staff lounge and copy area are adjacent to the alley to provide ‘eyes on the alley’. The alley is improved by setting back the proposed building to allow for landscaping and lighting to improve the pedestrian-friendly pathway to the Cascade P-Patch and Playground. Adequate lighting is provided and there are security cameras monitored 24/7 by staff. A staff lounge is located along the alley to improve the security and safety.

D-12 Residential Entries and Transitions.

Applicant Response: The main entry along Pontius Avenue North is recessed and the common rooms north and south are set back from the east façade to remove the more private areas away from the more public sidewalk. The building is buffered from the sidewalk by landscaping, although transparency is still maintained through large storefront windows.

E. Landscaping

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites.

E-2 Landscaping to Enhance the Building and/or Site.

E-3 Landscape Design to Address Special Site Conditions.

Applicant Response: Landscaping surrounds the building and every recess is planted with native, drought-tolerant plants and trees. Pontius Avenue North will have landscaping at the building’s edge and along the curb, with two new street trees to enhance the symmetry of the building and to highlight the main entry. Along the north property line, the landscaping will be integrated with the church property so as to appear seamless. Planting beds, raised planters and pervious pavers will define the exterior residential open space in the south courtyard. The alley provides considerable opportunity for the building and its neighbors. There is a 10’-0” buffer between the alley and the building where human-scale planting and p-patches will soften the building and create a pedestrian-friendly experience.

The applicant also addressed two specific requests from the Board and public. A shade study was presented to reveal that there will be little or no shade cast on the childcare play area as a result of

this building. A well-organized roof was presented tout of respect for neighbors that may be looking down on this building.

Two exterior finish schemes were presented by the applicant. Both schemes incorporated the Board's request for: a strong entry, a differentiated 'base-middle-top,' and a variety of windows. The strong base was represented with concrete and brick in both schemes with a focus on the entry enhanced by a brick arch. The middle was represented with a metal siding and fiber cement color scheme. The metal siding scheme tied the entry vertically through the 'middle' to the 'top', while the fiber cement scheme separated the 'base-middle-top.' The 'top', in both schemes, wrapped the building and had a different window type than the 'middle.'

REQUESTED DEPARTURES

SMC 23.48.012: The applicant requested a departure to the upper level setback requirement along the alley. The entire building is setback approximately eleven feet (15' required) from the alley allowing for pedestrian level landscaping and openness at the ground level enhancing the walkability of the alley.

SMC 23.48.020: The applicant requested a departure from the Residential Amenity Area calculations. The request includes a departure from both the requirement that no more than 50% of the requirement be comprised by exterior space and the minimal dimensional (15') and minimal square foot (225) requirements. The applicant is providing more that the total amount of amenity space required.

PUBLIC COMMENT

Four members of the public attended the Design Review Meeting. The following question was asked by one of the members of the public, "Is parking provided on site? Information supplied by the applicant provided the following response:

No parking is proposed or required per 23.54.015. The low-income residents are not expected to have vehicles and the on-site staff will take public transportation. A total of 21 bicycle parking spaces will be provided.

BOARD ASSESSMENT OF RESPONSES AND RECOMMENDATIONS

The Board agreed the applicant succeed in appropriately responding to the Board's Early Design Guidance and designated priority Guidelines. The brick and concrete base was acknowledge as appropriate in creating a strong base; it provided a strong welcoming element and created a connection to the neighborhood. The Board asked the applicant to focus on the detailing of the brick, especially at the entry, to ensure that it is of high quality. The Board preferred the bronze anodized windows for the storefront in the base. The Board would like the differentiated 'base-middle-top' to become less differentiated by reducing the contrast in colors. It was suggested that it might help to have the darker color in the 'middle' and the lighter color in the 'top' to provide a better progression. The Board was in favor of the simpler 'middle' of the second scheme that allowed each element to stand on its own. "Keep it simple, keep it clean" was the Board's consensus advice.

The Board also preferred the second scheme's window pattern. Linking the center windows to the 'top' has the effect of creating an emphasis on the entry and providing a unity of 'base-middle-top'. Providing two different window styles, single-hung and picture-with-slider was also preferred to create interest on both the exterior and the interior.

Given the guidance and considerations noted above, the Board recommended approval of the design of the project as presented.

DEVELOPMENT STANDARD DEPARTURES

The Board supports and recommends granting both requested departures: SMC 23.48.012 and SMC 23.48.020.

ANALYSIS AND DECISION - DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the Design Review Board and finds that the proposal is consistent with the *City of Seattle Design Review Guidelines for Multifamily & Commercial Buildings Design Guidelines*. The Director **APPROVES** the subject design consistent with the Board's recommended conditions which are noted at the end of the decision and approves the requested departures from the development standard requirements of SMC 23.48.012 and SMC 23.48.020.

This decision is based on the Design Review Board's final recommendations, on the plans, drawings and other materials presented at the public meeting on May 18, 2011 and the plans on file at DPD. The design, siting, and architectural details of the project are expected to remain substantially as presented at the recommendation meeting except for those alterations made in response to the recommendations of the Board or in response to correction notices and incorporated into the plan sets subsequently submitted to DPD.

ANALYSIS - STATE ENVIRONMENTAL POLICY ACT (SEPA)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (March 1, 2011). The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision. This decision also makes reference to and incorporates the project plans submitted with the project application.

The Seattle SEPA Ordinance provides substantive authority to require mitigation of adverse impacts resulting from a proposed project (SMC 25.05.655 and 25.06.660). Mitigation, when required, must be related to specific environmental impacts identified in an environmental document and may be imposed to the extent that an impact is attributable to the proposal, and only to the extent the mitigation is reasonable and capable of being accomplished. Additionally, mitigation may be required when based on policies, plans and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675 inclusive (SEPA Overview Policy, SEPA Cumulative Impacts Policy, SEPA Specific Environmental Policies). In some instances, local, state or federal regulatory requirements will provide sufficient mitigation of an impact and additional mitigation imposed through SEPA may be limited or unnecessary.

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

ENVIRONMENTAL IMPACTS

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

Short - Term Impacts

Anticipated short-term impacts that could occur during demolition excavation and construction include; increased noise from construction/demolition activities and equipment; decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by construction activities; potential soil erosion and potential disturbance to subsurface soils during grading, excavation, and general site work; increased traffic and demand for parking from construction equipment and personnel; conflicts with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794).

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

Earth

It is not anticipated that perched groundwater will be encountered during the minor amount of excavation required for the project; any construction dewatering can be handled with ditching and sumps within the excavation. The Seattle Stormwater Grading and Drainage Control Code requires that water released from the site be clean and limits the amount of suspended particles therein. Specifically, the ordinance provides for Best Management Practices to be in place to prevent any of the water or spoil resulting from excavation or grading to leave the site inadvertently. No SEPA policy based conditioning of earth impacts during construction is necessary.

Traffic and Parking

Traffic during some phases of construction, such as excavation and concrete pouring, will be expected to be great enough to warrant special consideration in order to control impacts on

surrounding streets. Seattle Department of Transportation will require a construction phase truck transportation plan to deal with these impacts. The applicant(s) will be required to submit a Truck Trip Plan to be approved by SDOT prior to issuance of any demolition or building permit. The Truck Trip Plan shall delineate the routes of trucks carrying project-related materials.

Noise-Related Impacts

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

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

Air Quality Impacts

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

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

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

Construction activities themselves will generate minimal direct impacts. However the indirect impact of construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project. No potential short term adverse impact to air is anticipated and therefore air quality mitigation is not necessary.

Another indirect impact of clearing and the demolition of existing structures on site is the possible redistribution of a resident rat population. As hosts to fleas, ticks and mites that spread a variety of diseases, the displaced rat population could pose a threat to the health of individuals inhabiting nearby buildings where the rats might seek refuge. Two nearby sites are of special concern: the childcare center directly across the alley and the Seattle Cancer Care Alliance building two doors to the south which provides temporary housing for cancer patients and their family members. The patients housed there are undergoing chemotherapy, radiation and various other treatments that leave them with compromised immune systems.

It is the intention of the developers of the property to address the rat redistribution problem and this decision will be conditioned to require confirmation that prior to demotion of existing structures and the clearing of foliage and grading a professional program of population confinement and rat removal/ extermination has been successfully undertaken on the site.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased carbon dioxide and other greenhouse gas emissions primarily from increased vehicle trips but also the projects energy consumption, increased demand for public services and utilities; increased height, bulk, and scale on the site; and increased area traffic and demand for parking. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use, parking requirements, shielding of light and glare reduction, and contains other development and use regulations to assure compatible development.

Air Quality

The number of vehicular trips associated with the project will increase the quantities of carbon dioxide and other greenhouse gas emissions in the area. Additionally, the project will create a level of electrical energy demand and natural gas consumption that does not currently exist on the site. Together these changes will result in ambient 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 over its life-cycle.

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.

Height, Bulk, and Scale

The proposal does not exceed the height of development (75 feet) allowed in the Seattle Mixed (SM/R 55/75) zone. The height, bulk and scale measures were addressed during the Design Review process. Pursuant to the Height, Bulk and Scale Policy of SMC 25.05.675 a project that is approved pursuant to the design review process shall be presumed to comply with the height, bulk and scale policies. The proposed structures have been endorsed by the Design Review Board as appropriate in height, bulk and scale for the project.

Historic Preservation

In accordance with City policies and interdepartmental agreements involving structures which are not yet designated as historical landmarks but which are fifty years in age or older and may be so designated, information for review, including historic and contemporary photos, were submitted by DPD to the Department of Neighborhoods (DON). DON has determined that the two structures located on site, although older than fifty years, were unlikely, due in part to loss of integrity, to meet the standards for designation as individual landmarks.

In accordance with SMC 25.05.675 H2d, DON also reviewed the proposed project for impacts it might have on the Immanuel Lutheran Church, a designated City of Seattle Landmark, located directly to the north of the development proposal. Based upon review of plans and elevation, the Landmarks Board Coordinator determined that the Board would not require additional mitigation in the design of the project.

DECISION - SEPA

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

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

CONDITIONS-SEPA

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

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

Prior to Issuance of any permits to grade or demolish

1. Provide confirmation that prior to demolition of existing structures or the clearing of foliage and / grading a professional program of pest population confinement and rat removal/ extermination has been successfully undertaken and completed on the site.

During Construction

2. The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction:

The hours of construction activity not conducted entirely within an enclosed structure shall be limited to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. unless this restriction is modified on a case by case basis, and a written request is submitted to DPD and approved at least a week before any extension in hours is contemplated.

Conditions-Design Review

Prior to Issuance of a Certificate of Occupancy

3. The design, siting, and architectural details of the project shall remain substantially as presented at the Design Review recommendation meeting of May 18, 2011, except for any alterations that may be made in response to the recommendations of the Board and incorporated into the plan sets re-submitted to DPD prior to issuance of the Master Use Permit. Compliance with the approved design features and elements, including exterior materials, architectural detail, facade colors, and landscaping, shall be verified by the DPD Planner assigned to this project. Inspection appointments with the Planner shall be made at least three (3) working days in advance of the inspection.

Signature: _____ (signature on file) Date: September 12, 2011
Michael Dorcy, Senior Land Use Planner
Department of Planning and Development
Land Use Services

MD:bg

H:dorcym/design review/ Decision 3011476.docx