



## City of Seattle

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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

**Application Number:** 3011758

**Applicant Name:** Leah Ericksen, for Community Psychiatric Clinic

**Address of Proposal:** 12517 33<sup>rd</sup> Avenue NE

#### **SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a four-story residential structure with 21 units above a 1,500 sq. ft. community center at ground level. Existing structures to be demolished.

The following Master Use Permit components are required:

**Design Review** – Seattle Municipal Code Section 23.41

**SEPA Environmental Review** - Seattle Municipal Code Section 25.05

**SEPA DETERMINATION:** [ ] Exempt [X] DNS [ ] MDNS [ ] EIS

[ ] MDNS with conditions

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

#### **SITE AND VICINITY**

The site is located on the west side of 33<sup>rd</sup> Avenue NE, slightly north of NE 125<sup>th</sup> Street in the Lake City neighborhood. The site is zoned Commercial 1 with a 65' height limit (C1-65). A riparian corridor is identified in the adjacent right-of-way of 33<sup>rd</sup> Avenue NE.

Two structures are located on the site: a single-family house and a small building in which the Mennonite Church operates "God's Lil Acre," a homeless drop-in program. In general, the site slopes from west to east, with the western property line roughly six to eight feet higher than the eastern property line. 33<sup>rd</sup> Avenue NE abutting the site is developed with curbs, gutters and sidewalks.

The site is located in a Commercial 1 zone with a 65' height limit (C1-65). This zoning continues north, south, and west of the site. Property on the east side of 33<sup>rd</sup> Avenue NE is zoned Neighborhood Commercial 3 with a 65' height limit (NC3-65). To the southeast and southwest of the site, parcels on the north side of NE 125<sup>th</sup> Street are zoned NC3P-65. Further to the west of the site, parcels along east side of Lake City Way NE are zoned NC3P-85.

The western edge of the site backs up to a large parking area serving businesses that front on Lake City Way and 125<sup>th</sup> Avenue NE. An office/retail building is located to the south of the site, with residential developments to the north and east. The site directly to the east is planned as a future park, to be developed by Seattle Parks and Recreation. More broadly, the site is in a transition area between commercial development along Lake City Way to the west and residential development to the east. The site is located within the Lake City Hub Urban Village/Civic Center.

### **PROJECT DESCRIPTION**

The proposed development is for a four story building of approximately 21,000 square feet, providing 21 one-bedroom residential units with residential common and amenity space on the ground floor. The residential units will be independent living units for low-income veterans, and will be operated by the Community Psychiatric Clinic. The ground floor also will provide 1,499 square feet of non-residential space for operation of a homeless drop-in center operated by the Seattle Mennonite Church. Two existing houses will be demolished, one of which is being used for the homeless drop-in program which will be relocated in the new structure.

### **PUBLIC COMMENTS**

Approximately seven members from the public attended the Early Design Review meeting on February 27, 2012. The following comments, issues and concerns were raised:

- Site development should be aware of the presence of the (riparian) critical area, and the need to hold back water from the riparian corridor.
- The design should break up the long façade along 33<sup>rd</sup> Avenue NE.
- The proposed open space on both sides of the structure is a positive feature.
- The current sidewalk alignment has been bumped out into the street; it should be realigned as the site is developed.

The applicant applied for a Master Use Permit on May 24, 2012. Notice of Application was published on June 14, 2012, with a 14-day comment period ending on June 27. Several comment letters were received; additionally, a petition with over 100 signatures requesting a SEPA public meeting was submitted. This meeting was held on January 9, 2013.

Approximately 30 – 40 people attended the meeting, many of whom spoke. Concerns raised in the comment letters and at the meeting included demands on emergency services, tenants potentially 'hanging out' in public areas, hazardous litter, loss of tree canopy, parking, and cumulative impacts with other recent developments in the vicinity.

The Design Review Recommendation meeting was held on September 17, 2012. Approximately seven members of the public attended this Recommendation meeting. The following comments, issues and concerns were raised:

- Concerned that a secure fence is not necessary, and that the project will appear as a fortress. Will there be security on the project, and could persons using the drop-in space not exit directly onto 33<sup>rd</sup> Avenue NE? The area currently has problems with persons hanging out and behavior issues.
- Mid-century modern is an appropriate design ethos, but the project is a bit disappointing; hoped to see a more dramatic use of shape.
- Pleased to hear that the project's landscaping will tie into street landscaping and the future parking on the east side of 33<sup>rd</sup> Avenue NE.
- Will the project provide a passageway open to the public to connect to the lots to the west of the site?
- Fencing should be more attractive than chain-link.
- In response to a question from the public, the project architect clarified that roof runoff will be channeled to the rain garden.

## **ANALYSIS - DESIGN REVIEW**

At the Early Design Guidance (EDG) meeting, the design team presented three alternative design options for the proposed four-story structure. The first option presented a concept with a strong frontage along 33<sup>rd</sup> Avenue NE and a backyard intended to provide quiet open space. The commercial space on the ground floor was on the south side of the structure, oriented towards NE 125<sup>th</sup> Street. The second option proposed a narrower building, with more substantial setbacks along the north and south property lines. The commercial space was moved to the north side of the building and the residential amenity space to the south side. A private outdoor space for the tenants was provided in back, enclosed by the building on three sides. The third option (the applicant's preferred alternative) consolidated the residential indoor and outdoor common spaces on the south side of the site. Commercial indoor and outdoor spaces were located to the north. This site design would provide privacy for the outdoor spaces through careful siting, planting, and fences. The building was moved further off the north and south property lines compared to Alternatives 1 and 2.

At the Final Recommendation meeting, several modifications to the design were presented to the Board, including:

- Breaking down the long façade along 33<sup>rd</sup> Avenue NE and creating a unique feature at the building entry;
- Providing a controlled pedestrian environment on the north side of the site;
- A more detailed material palette;

## **PRIORITIES & BOARD RECOMMENDATIONS**

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines of highest priority for this project. For the full text please visit the [Design Review website](#).

## Site Planning

### A-1 **RESPONDING TO SITE CHARACTERISTICS**

The siting of buildings should respond to specific site conditions and opportunities such as nonrectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

#### North District/Lake City Guidelines (Civic Core):

**Lake City Solar Corners.** Within the Lake City Civic Core, street corners are key locations for pedestrian-oriented spaces with good solar exposure. This is especially true at the ends of triangular-shaped blocks, like at Northeast 125th Street and Lake City Way.

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

#### North District/Lake City Guidelines (Hub Urban Village):

- Encourage welcoming, slightly recessed main building or shop entrances consistent with a traditional storefront design.
- Clearly indicate main entries to new commercial and multiple family residential buildings through design, material changes, lighting and street visibility.

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

#### North District/Lake City Guidelines (Hub Urban Village):

- For large developments, consider pulling back from the street edge for open spaces, such as plazas or gracious fore-courts, provided continuity of the building definition of the street is not excessively interrupted along the majority of the block.
- Maximize the solar exposure of open spaces to the extent possible.
- Locate open spaces intended for public use at/or near street grade to promote a physical and visual connection to the street and sidewalk.
- Link outdoor spaces with walk ways to create a network of open spaces within and around the project site.

#### North District/Lake City Guidelines (33<sup>rd</sup> Avenue NE, NE 125th Street to NE 130th Street)

- Create diversity in the block building face or wall by adding small pedestrian indentations for seating, outdoor eating.
- Pedestrian-friendly building entrances should face 33rd Avenue Northeast. Consider orienting the building to define the public street and civic spaces in this area and to encourage walk-in traffic.
- Wider sidewalks are encouraged with planting strips and natural system approaches to drainage due to the proximity of Little Brook Creek.

### 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 approved of the preferred Option (#3). The Board indicated that the project should focus on the design of the edge between the sidewalk and the building. The Board also indicated that the project should show how the rear yard will relate to the parking areas to the west of the project site.

At the Final Recommendation Meeting, the Board indicated that the project should push the design of the residential entry to be more distinctive; see C (Architectural Elements and Materials). The Board was satisfied with the development of the rear yard as a rain garden.

## Height, Bulk and Scale

### **B-1 HEIGHT, BULK AND SCALE**

**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 created a step in perceived height, bulk, and scale between the anticipated developments potential of the adjacent zones.**

#### **North District/Lake City Guidelines:**

**Buildings along Lake City Way from Northeast 130th Street to Northeast 123rd Street can reduce potential “canyon effects” by setting back upper level floors. Consider stepping back at least 5 feet above the 30-foot height; an additional 10 feet above the 50-foot height in NC-65’ zones; and an additional 5 feet above the 65-foot height in 85 foot zones. Other design features should also be considered for these buildings to reduce the appearance of height, such as bay windows, overhangs, decks, solar screens and other appendages at different heights along the building façade.**

**Combinations of edge factors can increase the need for design features to create a positive transition, especially when the lots in question are abutting. Sensitive edges can be partially mitigated when street rights-of-way or alleys can provide some of the needed transition. (see Neighborhood Guidelines for potential solutions). Within the Hub Urban Village, when design methods are used to create a positive transition along sensitive edges, departures from development standards may be appropriate to offset a significant loss of development opportunity.**

#### **North District/Lake City Guidelines (Hub Urban Village):**

- **Along commercial streets employ simple, yet varied masses, and emphasize deep enough window openings to create shadow lines and provide added visual interest.**
- **Monolithic buildings lacking articulation are discouraged.**
- **Consider stepping back upper stories to maintain scale compatibility, provide for light and air on streets and avoid a canyon effect for structures in 65-foot and higher zones.**

- **Design structures to appear less overwhelming at the street level, for example, consider giving emphasis to the horizontal dimensions of taller buildings**
- **Where there are zone edges between commercial and residential parcels, a vegetated buffer is encouraged between the differing zones. This, along with street trees and wider sidewalks, will be critical to creating the transition desired by the community that will make increased heights and densities compatible with surrounding areas.**

**North District/Lake City Guidelines (Civic Core):**

**While existing development in the Civic Core is varied in height, bulk and scale, the zoning generally allows new structures up to heights of 65 and 85 feet. The development potential of these zones should be utilized where possible to provide the density needed for a successful mixed-use area with retail and housing that is well served by transit. Focusing density in the Civic Core helps protect single family areas outside the Hub Urban Village. If not using the development potential on a site, developers are encouraged to provide the foundation and support for maximizing the zoning in the near future.**

The Board noted that the development program could be articulated through the building, and encouraged the architects to develop the architectural concept to exhibit the logic as to why things change, while noting that the shorter building could help reduce the scale of the building. A project designed to a larger scale should be acceptable, given the future park to be developed across the street.

At the Final Recommendation Meeting, the Board indicated that more should be done on the west side of the southwest corner, to provide visual interest to the blank wall. The Board suggested that exterior treatment could reflect the interior circulation, similar to other external representations, and/or this treatment could include transparency. See also C (Architectural Elements and Materials).

## **Architectural Elements and Materials**

### **C-2 ARCHITECTURAL CONCEPT & 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 forms 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.**

**North District/Lake City Guidelines (Hub Urban Village):**

- **The proper articulation of a building's façade should add to the quality and variety of Lake City's Hub Urban Village architecture.**
- **Establish a building's overall appearance based on a clear set of proportions. A building should exhibit a sense of order.**
- **Employ a hierarchy of vertical and horizontal elements. Use materials to unify the building as a whole. Façade articulation should reflect changes in building form and**

function, from the base, to the middle, to the top. Vertical lines should be carried to the base of a building.

- Provide a clear pattern of building openings. The pattern of windows and doors should unify a building's street wall—not detract from it—and add to a façade's three-dimensional quality. Recessed windows are encouraged to create shadow lines and further promote three-dimensional expression.
- Large expanses of blank walls should be avoided.

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

**North District/Lake City Guidelines (Hub Urban Village):**

- Design buildings when possible to encourage multi-tenant occupancy and walk-in traffic at the street level.
- Generous street-level windows and entrances will animate the street.
- Use façade treatments and changes in materials to distinguish the ground level of a building from the upper levels, especially where a building orients to the street and/or defines public space.
- Establish a rhythm of vertical and horizontal elements along the street-level façade. For instance, the regular cadence of display windows and shop entrances enhances the pedestrian experience.
- Use design elements such as exterior light fixtures, blade signs, awnings, and overhangs to add interest and give a human dimension to street-level building façades.
- Provide continuous overhead protection for pedestrians in the core commercial areas between 28th and 35th Avenues Northeast, and between Northeast 123rd and 130th Streets.
- Transparent materials, allowing light to penetrate to the street, should be considered for overhead protection.

**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.

**North District/Lake City Guidelines:**

**Signs in the North District Neighborhoods.** Design signs that are appropriate for the pedestrian scale and character that is envisioned for the area. Signs should be oriented and scaled for both pedestrians on sidewalks and persons in vehicles on streets within the immediate neighborhood.

**North District/Lake City Guidelines (Hub Urban Village):**

- Consider each building as a high-quality, long-term addition to the Lake City neighborhood; exterior design and building materials should exhibit permanence and quality appropriate to an urban setting. A well-built structure contributes to a more pleasant and humane built environment.
- Employ especially durable and high-quality materials at the street level, minimize maintenance concerns, and extend the life of the building. Examples of appropriate

**building materials for use at the street level include: brick, stone, terra-cotta or tile, and transparent glass. These materials should be applied at a scale appropriate for pedestrian use.**

- **Use materials, colors and details to unify a building’s appearance; buildings and structures should be built of compatible materials on all sides.**
- **Consider limiting the number of materials and colors used on the exterior of an individual building so that there is visual simplicity and harmony. If intense color is used it should only be used as an accent in a carefully executed and balanced color scheme. Buildings sided primarily in metal are discouraged.**
- **Design architectural features that are an integral part of the building. Avoid ornamentation and features that appear “tacked-on” or artificially thin.**

**North District/Lake City Guidelines (Civic Core):**

**Consider using brick, cast stone, brick-like materials, and/or brick combined with other accent materials as the primary material for projects in the Civic Core. Brick is the preferred material to lend a sense of strength and permanence, and promote cohesiveness with existing brick structures.**

The Board noted that the residential use should be kept in scale with the rest of the building. The Board also indicated that the material palette is important; the material used should be high quality, which doesn’t necessarily mean expensive. How the material is used will be key to developing a successful design that is as simple as the illustrations presented. The street façade is not large, and the composition and material palette should be simple. The Board noted the general neighborhood context of mid-century modern.

At the Final Recommendation Meeting, the Board was pleased with the materials selected. The Board encouraged the architects to develop the residential entry design further with architectural details, such as a canopy or trellis. The commercial entry also should be highlighted. The architect should explore the junctures where materials join, and consider emphasizing them with slight projections or recesses.

## **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.**

**North District/Lake City Guidelines (Hub Urban Village):**

- **Plazas and courtyards or other setbacks should be located on sites at major entries into and within the Civic Core area.**
- **Plazas and vegetated setbacks should be considered on sites located immediately across from and adjacent to natural drainage areas including Thornton Creek.**

- **Public pedestrian mid-block passage-through sites, plaza and courtyards should be considered in long blocks of commercial or mixed-use developments. Open spaces with pedestrian access that include public art, art as landscape into the design, planted areas and seating areas are also encouraged.**
- **When portions of a building are set back, consider providing small pedestrian open spaces with seating amenities to create a lively streetscape.**
- **The use of opaque or highly reflective glass is discouraged.**
- **Define outdoor spaces using a combination of building and landscape. Scale outdoor spaces for human comfort. Outdoor spaces should be proportioned to their surroundings and envisioned use.**
- **Appropriate lighting, including at-grade lights, should be considered to help ensure safe pedestrian areas.**

**North District/Lake City Guidelines (Civic Core):**

- **New developments should augment Civic Core plazas and spaces by orienting their entrances to the public open spaces and by providing additional small open spaces or gathering spaces.**
- **Create strong aesthetic, visual and pedestrian connections between public space and neighboring development. Mid-block passages and dedicated easements are seen as ways to provide safe, pleasant and convenient alternatives to walking along Lake City Way.**
- **Incorporate civic art. Public spaces, private development projects, and infrastructure improvements are all encouraged to include a civic art component:**
  - **a. Use public art to identify areas with a unique identity or celebrate the entrance to a public place.**
  - **b. Make public art accessible to the public. Site public art to draw people through public spaces, but do not impede pedestrian flows.**
  - **c. Support the use of diverse media and art forms.**
  - **d. Encourage works of public art that celebrate local history and culture.**
- **Pedestrian-friendly building entrances should face all commercial streets in the Civic Core.**
- **Mini-Park (Intersection of Lake City Way NE & NE 125<sup>th</sup> Street). Walls adjacent to the Lake City mini-park (see map page XIII) should have entrances to the park and new developments should face the park and include windows on the wall facing the park to increase visibility to the park. Other visual connections to the park through design, building form, landscaping and public art are encouraged.**
- **East-West pedestrian pass-through arcades should be considered for blocks along Lake City Way from Northeast 127<sup>th</sup> Street to Northeast 123rd Street. Passages should be of a reasonable width and well lighted to provide for the safe, and comfortable movement of people. For long blocks between Northeast 125th and Northeast 130<sup>th</sup> Streets, mid-block, east-west passages are desired to be incorporated into new, full-block developments connecting the Civic Core, residential areas and commercial sections. Maintain existing pedestrian passage at about Northeast 126th Street.**
- **Consider design departures for increased lot coverage on upper levels when this aids in designing for ground level pass-through arcades.**

**North District/Lake City Guidelines** (33<sup>rd</sup> Avenue NE, NE 125th Street to NE 130th Street)

- Encourage a new development(s) to provide an open space pedestrian passageway, safe for pedestrians and secure for site tenants, which connects 33rd Avenue Northeast to 35th Avenue Northeast; and, 33rd Avenue Northeast to Lake City Way, preferably near Northeast 127th Street.
- Create visual interest in the block, building-faces or walls by adding small pedestrian indentations for seating and outdoor eating.
- New development is encouraged to support development of a new park mid-block to offset anticipated increases in low-income and affordable housing.

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

**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.

The Board indicated that exterior lighting should provide safe and secure open spaces for passersby and building residents, such as along the east-west pass-through on the north side of the building. At the meeting, two van spaces were shown on site plans; these spaces have been removed. The project is proposing no on-site parking.

At the Final Recommendation Meeting, the Board indicated support for the controlled pedestrian environment along the north side of the site, and noted that this would not be an appropriate area for a pedestrian pass-through. The Board recommended that more lighting should be provided at stairs in both the north and south open spaces, but that pole lights and overhead lights should be avoided.

## 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.

#### North District/Lake City Guidelines:

- Use landscaping to further define and provide scale for open space. Lush plants, warm materials and pleasing details are encouraged. Retain existing mature trees wherever possible.
- Use lighting to emphasize landscaping where appropriate.

#### North District/Lake City Guidelines (33<sup>rd</sup> Avenue NE, NE 125th Street to NE 130th Street)

Little Brook Creek could be used to enhance landscaping of new developments on 33<sup>rd</sup> Avenue Northeast, and at the proposed park site nearby.

At the Final Recommendation Meeting, the Board noted that the project should provide fencing that is more aesthetically pleasing than a standard chain link fence; it should integrate better with architectural components of the project, and not appear overly industrial.

At the Final Recommendation Meeting, the project requested no design departures.

## ANALYSIS & DECISION – DESIGN REVIEW

### Director's Analysis

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

*(If four or more members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision that makes compliance with the recommendation of the Design Review Board a condition of permit approval, unless the Director concludes that the recommendation of the Design Review Board:*

- Reflects inconsistent application of the design review guidelines; or*
- Exceeds the authority of the Design Review Board; or*
- Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- Conflicts with the requirements of state or federal law.*

Three members of the Northeast Area Design Review Board were in attendance and recommended approval of the proposed design. The Board members offered suggestions (listed above) to the Director based on key elements of the Design Guidelines.

Following the Recommendation meeting, the applicant submitted updated plans reflecting responses to the Board's suggestions. These included additional vertical landscaping at the southwest corner, an enhanced residential entry, and metal rather than chain-link fencing. The applicant also indicated that additional lighting will be provided at the exterior stairs for residential safety and security, and that special attention will be given to the detailing for attaching the signage to the canopy to provide visual interest to pedestrians. The Director agrees with and accepts the suggestions offered by the Board that further augment the selected Guidelines, and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings.

### Director's Decision

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. The design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision of the Design Review Board made by the members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendation and **APPROVES** the proposed design.

### **DIRECTOR'S ANALYSIS—SEPA**

The applicant provided the initial disclosure of this development's potential impacts in an environmental checklist dated May 17, 2012. The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant, reviewed the project plans, considered pertinent public comment; and forms the basis of this analysis and decision based on its experience as lead agency with review of similar projects.

As indicated in this analysis, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

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, 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. Adverse impacts are anticipated from the proposal. Thus, a more detailed discussion of impacts is appropriate and is provided below.

#### Short -Term Impacts

The following temporary construction-related impacts are expected: temporarily decreased air quality due to dust and other suspended air particulates during construction and demolition; increased noise from construction operations and equipment; increased traffic and parking demand from construction personnel; tracking of mud onto adjacent streets by construction vehicles; increased noise; and consumption of renewable and nonrenewable resources. Due to

the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)). Although not significant, these impacts may be adverse, and in some cases, mitigation is warranted.

City codes and/or ordinances apply to the proposal and will provide adequate mitigation for the identified impacts. Specifically these are: 1) Grading and Drainage Control Ordinance, SMC [22.800](#) (storm water runoff, temporary soil erosion, and site excavation); 2) Street Use Ordinance (tracking of mud onto public streets, and obstruction of rights-of-way during construction); and 3) Noise Ordinance (both construction and general noise impacts). Other agencies will provide adequate mitigation for the identified impacts, such as the Puget Sound Clean Air Agency (dust/air impacts during construction and demolition) and the Department of Ecology (environmental cleanup).

#### Construction: Traffic

Impacts to traffic and roads are expected from truck trips during demolition and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with transportation during construction. 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. In addition, delivery of concrete and other materials to the site will generate truck trips. Although adverse, this level of additional truck traffic is not expected to be substantial, and will be temporary, so no mitigation for increased truck volumes is warranted.

For the removal and disposal of the spoil materials, the 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.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

#### Construction: Noise

The proposal site is located adjacent to residential areas where construction of this scale would impact noise levels. The SEPA Construction Impacts Policy lists mitigation measures for construction noise impacts. It is the department’s conclusion that, due to the proximity of neighboring residences, limiting hours of construction beyond the requirements of the Noise Ordinance is necessary to mitigate impacts on surrounding properties.

Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7 a.m. to 7 p.m. Interior work that involves noisy construction equipment, including electrical compressors, may be allowed on Saturdays between 9 a.m. and 7 p.m. once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, and weather protection, shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessary for unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

### Construction: Parking

Construction of the project is proposed to last for several months. Parking utilization along streets in the vicinity is fairly high and the demand for parking by construction workers could reduce the availability of on-street parking in the vicinity. To reduce adverse parking impacts from construction activities, the contractor will be required to submit a construction parking plan prior to issuance of a building permit; this plan will indicate what parking or mode choice options will be available to construction workers to encourage them not to use on-street parking.

### Long-Term Impacts

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

### Height, Bulk, and Scale

The SEPA Height, Bulk, and Scale Policy (SMC 25.05.675.G) states that:

*...the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.*

In addition, the policy states that:

*A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk, and scale impacts documented through environmental review have not been adequately mitigated.*

The proposed project has been approved by the Design Review Board. The Board considered issues of height, bulk and scale in its review of this project and recommended approval of the project design. The structure conforms to zoning requirements, including those intended to specifically mitigate height and bulk. DPD finds that height, bulk, and scale impacts of the project have been fully mitigated through the design review process and no additional mitigation is required.

### Public Services

The residential portion of the project is being developed and will be operated by Community Psychiatric Clinic. Based on the applicant's experience with similar projects, the incidence of emergency medical response and other emergency calls is expected to be low. As with any multi-family residence, individuals can need emergency services. However, as the target population for this facility typically will not be medically compromised, the frequency of calls is not expected to be any greater than for other CPC apartment facilities. CPC also has an emergency response team that will be available to respond to a crisis at this site at any time, seven days a week. They note that this service has been an effective strategy in reducing calls to emergency responders in their other locations.

To the extent that the project provides housing to otherwise homeless individuals, it is expected to decrease demands on public services. A facility operated by the Downtown Emergency Services Center (1811 Eastlake) was the subject of a 2009 article in the Journal of the American Medical Association. The article noted that "the provision of housing reduced hospital visits, admissions, and duration of hospital stays among homeless individuals, and overall public system spending is reduced by nearly as much as is spent on housing". Testimony provided at a hearing for another facility for low-income formerly homeless adults, the Wintonia on Capitol Hill, noted that the surrounding neighborhood has not been 'blighted' by the presence of the project. Since the Wintonia opened, a number of new commercial businesses have been established nearby, 'upscale' condominiums have been developed directly across the street, and a market-rate assisted living facility opened nearby. Complaints about inappropriate behavior in the neighborhood have been rare.

Services provided by the Seattle Mennonite Church in the homeless drop in center on the project site would continue in the community center space of the new project. The church does not anticipate that the program or the numbers of persons using the facility will change with the project. The design of the new building has incorporated the need for security and effective program management. Spaces and entries have been developed with the intent of reducing the amount of loitering that occurs outside the building and in the public right-of-way. For example, the open space on the north side of the site, accessible to the drop-in center, will provide patios and seating, and will be fenced and gated from the sidewalk. For these reasons, the project is not expected to result in a noticeable impact to public services, including emergency responders and police.

Cumulative impacts on public services within the vicinity of the project site are not anticipated. As noted above, the project is not expected to generate a noticeable increase in emergency service calls. Demands on other public services, such as sewers and solid waste collection, likely will be low. No mitigation pursuant to SEPA policies is warranted.

### Parking

Parking demand from the project is likely to be low. The tenants in the building are not expected to own cars. Some parking will result from staff members at the apartments and at the drop-in center who bring their cars to the site. As the drop-in center already functions on the site, parking demand from these staff members is not likely to change.

The project is proposing no parking on-site; any additional parking demand from the project will occur in on-street parking spaces near the site. On-street parking is well-utilized; however, visual observation indicates that sufficient parking spaces are available on 33<sup>rd</sup> Avenue NE and adjacent streets to accommodate the small amount of additional parking demand expected to be generated by the project. Any parking impacts are expected to be minor, and no mitigation pursuant to SEPA policies is warranted.

### **DECISION – STATE ENVIRONMENTAL POLICY ACT (SEPA)**

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

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

### **CONDITIONS – SEPA**

The owner applicant/responsible party shall:

#### *During Construction*

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

1. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7 a.m. to 7 p.m. Interior work that involves noisy construction equipment, including electrical compressors, may be allowed on Saturdays between 9 a.m. and 7 p.m. once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, and weather protection, shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessary for unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

Prior to the Issuance of Building Permit

2. Submit a construction parking plan to DPD indicating parking or mode choice options that will be available to construction workers to encourage them not to use on-street parking.

Compliance with all applicable conditions must be verified and approved by the Senior Land Use Planner, John Shaw (206-684-5837) 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. **Prior to any alteration of the approved plan set on file at DPD, the specific revisions shall be subject to review and approval by the Land Use Planner.**

Signature: \_\_\_\_\_ (signature on file) Date: April 1, 2013  
John Shaw, Senior Land Use Planner  
Department of Planning and Development

JS:drm

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