



**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**

**Project Number:** 3012729  
**Applicants Name:** Paul Buchanan  
**Address of Proposal:** 133 14<sup>th</sup> Avenue East

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a four-story, 42 unit residential building over four live-work units. Parking for 24 vehicles located below grade. Existing structure to be demolished.

The following approvals are required:

**Design Review Departures (SMC Chapter 23.41)**

Development Standard Departure to allow less than 60% transparency on 14<sup>th</sup> Avenue E. (SMC 23.47A.008).

Development Standard Departure to allow residential uses less than 4' above or below the sidewalk, and closer than 10' to the sidewalk (SMC 23.47A.005.C.4.d)

**SEPA – Environmental Determination** –Chapter 25.05 Seattle Municipal Code.

**SEPA DETERMINATION:**     Exempt     DNS     MDNS     EIS

DNS with conditions

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

Current Development:

The current structure on site is a commercial building that was converted from a single family residence.

Access:

Proposed vehicular access is from the alley to the west.

Surrounding Development:

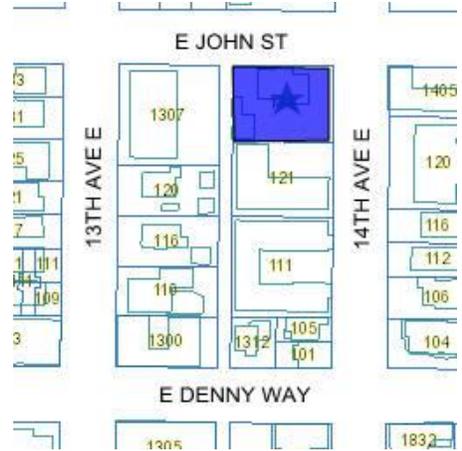
Structures ranging from two to five stories with a mix of single and multifamily buildings, commercial medical uses.

ECAs:

There are no Environmentally Critical Areas on the site.

Neighborhood Character:

Varied uses including residential, commercial and institutional with a mix of architectural styles. A historic Anhalt apartment building is across the street to the east. To the northeast is a large Safeway grocery store and surface parking lot. Two sites to the south a traditional garden court residential complex. Across John Street to the north is another single family structure that has been converted to commercial uses.



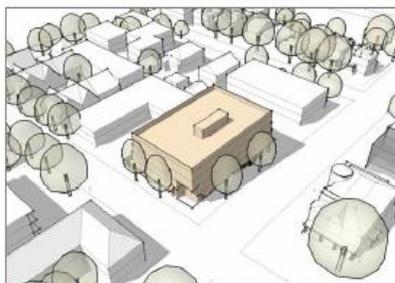
**EARLY DESIGN GUIDANCE MEETING: December 7, 2011  
DESIGN DEVELOPMENT**

Three alternative design schemes were presented. All of the options include access from the alley to the below grade garage.

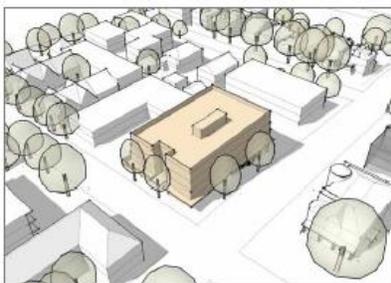
The first scheme (Option A) showed a rectangular building mass with articulation of the corner base.

The second scheme (Option B) showed a rectangular massing with a vertical notch on the east side facing 14th Avenue and a ground level entry courtyard.

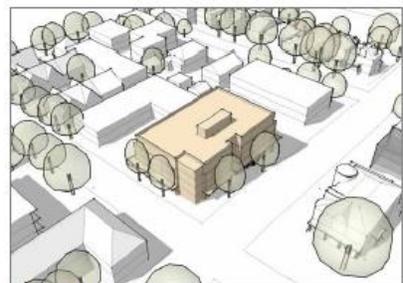
The third and preferred scheme (Option C) showed a rectangular massing with corner articulation and a vertical notch along the John Street facade.



MASSING OPTION A



MASSING OPTION B



MASSING OPTION C - PREFERRED SCHEME

## PUBLIC COMMENT

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

- Encouraged preservation or salvaging of building materials from the existing building. Would also like to see the character of the existing building kept intact.
- Complained of insufficient meeting notice. Concerned that true commercial space should be included along John Street that will support the walkability of the neighborhood. Noted that the corner location of the proposed development is a great opportunity. Open space at the rooftop should be provided to take advantage of the views. Concerned that the proposed concepts do not appear appropriate to this urban corner.
- Objected to the lack of information regarding the historic nature of the existing building. Felt that the proposed design concept is too timid and should be more dramatic and inventive. Suggested that the residential entry be located on 14<sup>th</sup>, rather than John Street given the more residential character of 14<sup>th</sup> Avenue.

## FINAL RECOMMENDATION MEETING: September 19, 2012

The packet includes materials presented at the Recommendation meeting, and is available online by entering the project number (3012729) at this website:

[http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp).

or contacting the Public Resource Center at DPD:

**Address: Public Resource Center**  
700 Fifth Ave., Suite 2000  
Seattle, WA 98124

**Email: [PRC@seattle.gov](mailto:PRC@seattle.gov)**

The applicant provided supplementary sheets for the Design Review packets at the Recommendation meeting, and also showed a materials and colors board. The applicant noted that the proposed materials include ceraclad, which is a high quality cementitious panel. The building bays would be clad in masonry on the east, north and northwest corner. The building bays on the southwest corner and south façade would be clad in metal panel. The windows are proposed as aluminum storefront at the base and on the northeast corner to the top level, with vinyl at the other upper level windows.

The applicant noted that since EDG, the slab at the live-work units has been lowered so the live-work unit entries are level with the sidewalk. Four live-work units are now proposed instead of the six units shown at EDG.

Due to the grade change across the north property line, the live-work entries will be at various levels to respond to the sidewalk grade. The applicant noted that this grade change was difficult to depict in the packets, and the grade change between the sidewalk and residential entry is much flatter than shown in the graphic.

The applicant provided schematic drawings of a design that would result from retaining the existing exceptional tree that occupies a large part of the southern portion of the site. A building could be placed in a “U-shape” around this tree, but the tree may not survive over time with reduced light and air. The resulting building would be smaller than the proposed development, and the quality of the usable open space for residents would be more shadowed than in the proposed development. The proposed development includes a layered landscaped buffer with residential patios at the south property line.

## **PUBLIC COMMENT**

The following comments, issues and concerns were raised:

- The proposed style of architecture should respond to the older residential character of 14<sup>th</sup> Ave E.
- Additional landscaped setbacks should be provided on 14<sup>th</sup> Ave E, consistent with the landscaped setbacks of nearby residential buildings on this street.
- Proposed trees should be species that will grow large at maturity, similar to nearby existing trees.
- The proposed landscaped patios on the south property line are a positive aspect of the design.

## **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 & Neighborhood specific guidelines (as applicable) of highest priority for this project.

The Neighborhood specific guidelines are summarized below. For the full text please visit the [Design Review website](#).

## **EARLY DESIGN GUIDANCE**

### **A. Site Planning**

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

**Capitol Hill-specific supplemental guidance:**

- **Retain or increase the width of sidewalks.**
- **Provide street trees with tree grates or in planter strips, using appropriate species to provide summer shade, winter light, and year-round visual interest.**
- **Vehicle entrances to buildings should not dominate the streetscape.**
- **Orient townhouse structures to provide pedestrian entrances to the sidewalk.**
- **For buildings that span a block and “front” on two streets, each street frontage should receive individual and detailed site planning and architectural design treatments to complement the established streetscape character.**

- **New development in commercial zones should be sensitive to neighboring residential zones. Examples include lots on Broadway that extend to streets with residential character, such as Nagle Place or 10th or Harvard Avenues East. While a design with a commercial character is appropriate along Broadway, compatibility with residential character should be emphasized along the other streets.**

At the Early Design Guidance Meeting, the Board stressed their concern with the quality of the streetscape and the proposed live/work units. The Board expressed specific apprehension regarding the ability of live/work units and uses to engage with pedestrian activity at street level. The design of the storefront window system, transparency, overhead weather protection, wider sidewalks and streetscape design will all be critical elements for their next review. The Board specified that the ground level units should have the appearance of the full 13 feet (from floor to ceiling) height. The Board also noted that at least the full commercial depth should be provided to maximize the flexibility of future uses and ability for adequate space for commercial and residential uses to co-exist within a single unit.

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

At the Early Design Guidance Meeting, the Board agreed that the recessed live/work entries appeared too residential and should be designed to communicate a more commercial character. The Board suggested that the building face instead be pushed back, rather than simply the entryways. The presentation packet includes images of this architectural direction. See A-4.

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

**Capitol Hill-specific supplemental guidance:**

- **Provide for sidewalk retail opportunities and connections by allowing for the opening of the storefront to the street and displaying goods to the pedestrian.**
- **Provide for outdoor eating and drinking opportunities on the sidewalk by allowing for the opening the restaurant or café windows to the sidewalk and installing outdoor seating while maintaining pedestrian flow.**
- **Install clear glass windows along the sidewalk to provide visual access into the retail or dining activities that occur inside. Do not block views into the interior spaces with the backs of shelving units or with posters.**

At the Early Design Guidance Meeting, the Board did not support the proposed units located seven feet above sidewalk and noted that such a configuration creates both blank wall conditions and does not adequately engage with and enhance the pedestrian environment. The Board suggested that the building face be set back or the floor slabs be stepped so that the entries are at grade.

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

At the Early Design Guidance Meeting, the Board discussed the proximity to the apartment building to the south and recommended against any encroachment into the side setback on this edge of the site. The privacy of the neighboring residential units should be considered in the fenestration design of the proposed building.

**A-10 Corner Lots. Building on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.**

**Capitol Hill-specific supplemental guidance:**

- **Incorporate residential entries and special landscaping into corner lots by setting the structure back from the property lines.**
- **Provide for a prominent retail corner entry.**

At the Early Design Guidance Meeting, the Board agreed that the corner location is important and that the preferred alternative provides a solid corner expression. The transition between the building mass and the ground level design and proposed live/work uses will be a crucial issue to review at the next meeting. How the corner expression relates to the rest of building body flanking the corner is also essential. The Board also noted that the proposed development should take advantage of the topographical changes of the site's location and views.

**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.**

**Capitol Hill-specific supplemental guidance:**

- **Break up building mass by incorporating different façade treatments to give the impression of multiple, small-scale buildings, in keeping with the established development pattern.**
- **Consider existing views to downtown Seattle, the Space Needle, Elliott Bay and the Olympic Mountains, and incorporate site and building design features that may help to preserve those views from public rights-of-way.**
- **Design new buildings to maximize the amount of sunshine on adjacent sidewalks throughout the year.**

At the Early Design Guidance Meeting, the Board noted that the vertical modulation shown in the preferred option, along with high quality materials and a strong architectural design concept and the full required setback along the south side of the site would provide a sensitive transition to the zone edge. The Board was supportive of the building massing above the ground level and encouraged interesting roof lines, reminiscent of the varied roof lines found in the neighborhood context. The Board was pleased with the step back of the top floor, which give an appropriate transition between the scale of this building and the environs.

## 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.**

At the Early Design Guidance Meeting, the Board noted that all four sides of the sites have different characters and context to respond to. The west façade will be very visible from John Street and should be designed not as a back side to the building, but receive the same architectural treatment as the other three sides. The south façade should respect and be sensitive to the abutting neighbors and lower zone edge. The 14<sup>th</sup> Avenue façade (east elevation) is a street edge with a residential character while the John Street (north elevation) side is a strong commercial thoroughfare. The Board also noted the greater neighborhood context and the number of historic buildings that are considered a strong component of the Capitol Hill character. The Board agreed that reference to this character should be apparent in this building.

**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.**

**Capitol Hill-specific supplemental guidance:**

- Incorporate signage that is consistent with the existing or intended character of the building and the neighborhood.
- Solid canopies or fabric awnings over the sidewalk are preferred.
- Avoid using vinyl awnings that also serve as big, illuminated signs.
- Use materials and design that is compatible with the structures in the vicinity if those represent the desired neighborhood character.

At the Early Design Guidance Meeting, the Board noted that despite the varied influence on all sides of the site, the overall architectural concept should be cohesive and consistently applied on all elevations.

**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.**

**Capitol Hill-specific supplemental guidance:**

- Use wood shingles or board and batten siding on residential structures.
- Avoid wood or metal siding materials on commercial structures.
- Provide operable windows, especially on storefronts.
- Use materials that are consistent with the existing or intended neighborhood character, including brick, cast stone, architectural stone, terracotta details, and concrete that incorporates texture and color.

- Consider each building as a high-quality, long-term addition to the neighborhood; exterior design and materials should exhibit permanence and quality appropriate to the Capitol Hill neighborhood.
- The use of applied foam ornamentation and EIFS (Exterior Insulation & Finish System) is discouraged, especially on ground level locations.

At the Early Design Guidance Meeting, the Board stated that they look forward to reviewing a well-considered, high quality material palette at the next meeting.

## **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.

**Capitol Hill-specific supplemental guidance:**

- Provide entryways that link the building to the surrounding landscape.
- Create open spaces at street level that link to the open space of the sidewalk.
- Building entrances should emphasize pedestrian ingress and egress as opposed to accommodating vehicles.
- Minimize the number of residential entrances on commercial streets where non-residential uses are required. Where residential entries and lobbies on commercial streets are unavoidable, minimize their impact to the retail vitality commercial streetscape.

See D-12.

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

**Capitol Hill-specific supplemental guidance:**

- Consider: pedestrian-scale lighting, but prevent light spillover onto adjacent properties; architectural lighting to complement the architecture of the structure; transparent windows allowing views into and out of the structure—thus incorporating the “eyes on the street” design approach’
- Provide a clear distinction between pedestrian traffic areas and commercial traffic areas through the use of different paving materials or colors, landscaping, etc.

At the Early Design Guidance Meeting, the Board noted that exterior lighting, clear sight lines and transparency at ground level should be considered for enhancing site and pedestrian safety and should be presented at the next meeting.

**D-9 Commercial Signage.** Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.

At the Early Design Guidance Meeting, the Board noted that they look forward to reviewing the details of commercial signage.

- 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.**

At the Early Design Guidance Meeting, the Board noted that they look forward to reviewing the details of the ground level exterior lighting plan.

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

See A-3 and A-4.

- 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.**

At the Early Design Guidance Meeting, the Board discussed at length the quality the entryways to the main building entrance and the entrances to the individual live/work entrances. The Board was particularly concerned with the live/work entries and noted that these units needs to be congruent with the sidewalk level and not far above the sidewalk as shown. The Board was concerned with the proposed stoops: the recessed stoops are unlikely to be successful as viable commercial spaces and should be avoided. The grade on John Street is a challenge and the Board recommended a stepped floor plate to address the sidewalk more directly. The alternative would be to step back the building face from the sidewalk, allowing for space that the live/work units can better engage with street and pedestrian activity.

<b>E. Landscaping</b>
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- 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.**

At the Early Design Guidance Meeting, the Board expressed a strong interest in the development of the ground level streetscape and right-of-way that includes a visually interesting and street-activating environment with landscape and hardscape features.

## RECOMMENDATIONS

At the Recommendation meeting, the Board discussed the response to EDG and recommended conditions to meet the applicable Design Review Guidelines listed at EDG.

Deliberation discussion:

- 1) The Board was pleased to see the changes to the live-work unit design since EDG. The Board noted that the live-work entries are located in the bays, except for live-work unit #3. The Board recommended a condition to create a rational hierarchy of entries, canopies, and storefronts, as described in condition #1. (A-3, A-4, C-2, D-1)
- 2) The Board expressed concern with the proposed design and departures related to the façade, entry, and residential unit at grade on 14<sup>th</sup> Ave E. (A-10, C-2, D-12, E-2)
  - a) The “slit windows” and projecting “box windows” are incongruous with the design of the rest of the building.
  - b) 14<sup>th</sup> Ave E is a residential street and the east façade should present a residential street frontage. The residential appearance of the south façade needs to carry over to the east façade.
  - c) The residential unit at grade at the southeast corner is a challenge. The Board recommended conditions #3 and #4 to provide a residential appearance and allow privacy for the residential unit at grade.
- 3) The Board was supportive of the proposed material palette, and noted that the masonry (honed CMU block) adds a level of quality that responds well to the nearby neighborhood context. The metal panels provide a good transition to the different character on the south façade and add interest to the overall design. (C-1, C-2, C-4)
  - a) The Board discussed the pedestrian flow at the sidewalk on E. John St, and expressed some concern with the shape of the landscaped planters. The Board recommended condition #5 to enhance the pedestrian experience at this street frontage. (A-2, E-2)
- 4) The Board discussed the exceptional tree and recommended to DPD that the design that removes the exceptional tree appears to meet the Design Review Guidelines better than the design that saves the exceptional tree. (A-10, C-1, C-2, D-1, E-2)

## DEVELOPMENT STANDARD DEPARTURES

The Board’s recommendation on the requested departures is based upon the departures’ potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departures.

1. **Transparency at Street Level (23.47A.008):** The Code requires minimum 60% transparency in street level, street facing facades. The applicant proposes 41% transparency in the required area.

This departure would provide more privacy for the southeast residential unit at grade. However, the Board noted that additional transparency should be required in this area since it is the primary residential façade for this street. Additional transparency, setback, and landscaping will provide a design that allows for residential unit privacy and responds to the residential street frontage. (A-2, C-2, E-2)

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed below to provide additional fenestration, setback, and landscaping buffer at the east façade.

- 2. Residential Units at Grade (23.47A.015.C.4.d):** The Code requires residential units at grade to be set back 10', or the floor to be located 4' above or below the sidewalk grade. The applicant proposes to locate the residential unit 1'4" to 2'8" below the sidewalk grade, and at the east property line.

The Board noted that the southeast residential unit at grade should be setback further from the street with a landscaped buffer, given the residential street frontage. The Board noted that a 3' or more set back is needed to provide sufficient landscaping depth. This set back and landscaping will provide a design that allows for residential unit privacy and responds to the residential street frontage. (A-2, C-2, E-2)

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed below to provide additional fenestration, setback, and landscaping buffer at the east façade.

## **BOARD RECOMMENDATION**

**The recommendation summarized below was based on the design review packet dated September 19, 2012, and the materials shown and verbally described by the applicant at the September 19, 2012 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design and departures, with the following conditions:**

1. The canopy and live-work entry should be located in the same vertical plane for each live-work unit. (A-3, A-4, C-2, D-1)
2. The fenestration and application of materials on the 14th Ave E façade should relate to the regular rhythm of other facades on the building, and should emphasize the east façade as the primary residential street facing facade. (A-10, C-2, D-12)
3. The southeast residential unit at grade should include more glazing at the east façade. (A-2, C-2)
4. The southeast residential unit should be set back at least 3' from the east property line to allow for a landscaped screen. Landscaping should be used in this set back, instead of materials or structures applied to blank facades. (A-2, C-2, E-2)

5. The middle landscaped strip on E. John St should be a regular shape, similar to the eastern landscaped strip. If a transition is needed to a narrower sidewalk to the west, the transition should occur in the western landscaped strip. (A-2, E-2)

Response to Design Review Board Recommended Conditions:

1. The applicant has modified the canopy and live-work entry locations in response to recommended condition #1. This recommended design review condition has been satisfied.
2. The applicant has modified the 14<sup>th</sup> Ave E fenestration and removed the metal boxes from the proposal, in response to recommended condition #2. This recommended design review condition has been satisfied.
3. The applicant has modified the southeast unit at grade to add fenestration, increase the setback from the sidewalk for this unit, and add landscaping in the setback, in response to recommended conditions #3 and 4. These recommended design review conditions have been satisfied.
4. The applicant has modified the proposed landscape strips on E. John Street, in response to recommended condition #5. This recommended design review condition has been satisfied.

**DECISION – DESIGN REVIEW**

The proposed design and Development Standard Departures are **CONDITIONALLY GRANTED**, subject to the conditions listed below.

**SEPA**

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated February 22, 2012. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file, and pertinent comments which may have been received regarding this proposed action have been considered.

As indicated in the checklist, 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.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for most of the impacts and no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665). Further discussion and mitigation of some impacts is warranted, as listed below.

## Short Term Impacts

### Noise

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends. Some of the surrounding properties are developed with housing and will be impacted by construction noise. The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM, unless modified through a Construction Noise Management Plan, to be determined by DPD prior to issuance of a building permit.

## Long Term Impacts

### Historic Preservation

The applicant nominated the existing building for historic Landmark consideration. The Landmarks Preservation Board denied the nomination for the building on June 6, 2012 (LPB 260/12). Therefore, no mitigation is warranted for historic preservation.

### Parking and Traffic

The applicant submitted traffic study information, including a report (“Seattle Weatherford Mixed Use Trip Generation and Parking Letter” Prepared by Jake Traffic Engineering, Inc. February 16, 2012). This report, reviewed and corrected by the DPD Transportation Planner, indicates that the proposed development will have fewer daily vehicular trips than the existing retail use on site (estimated net reduction of 83 daily vehicle trips). No significant adverse impacts would be expected from a reduction in daily vehicle trips, and therefore no mitigation is warranted.

The report also indicates that a peak parking demand of 55 parking stalls is expected, which would be partially accommodated by the 24 proposed parking stalls in the underground garage and 11 nearby on-street parking spaces.

The existing commercial use is 6,600 square feet in size. The proposed commercial uses (live-work) total 2,845 square feet in size. A net reduction in the commercial use parking demand at this site would be expected.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in the Capitol Hill Urban Center. This site is located in that Urban Center, and any net increase in parking demand compared with existing parking demand would result from the residential component of the proposal. No SEPA authority is provided to mitigate impacts of parking demand from the residential components of this project, even if impacts were identified. DPD determined that no mitigation is needed for parking impacts from the live-work units.

Plants and Animals

Mature vegetation is located on the subject property, including 15 trees and one exceptional tree (40" Big Leaf Maple) located near the center of the site. The applicant submitted an arborist report from Margaret Harrison dated October 25, 2011. DPD's arborist has reviewed the information.

Removal of the tree as related to the proposed design is discussed in the Design Review section earlier in this document. The Design Review Board recommended that the proposed building and landscape design meets the Design Review Guidelines better than a design that retains the existing exceptional tree. The landscape plan proposes new trees that will replace and exceed the canopy of the existing Big Leaf Maple at maturity. No mitigation beyond the Code-required landscaping is warranted.

**DETERMINATION OF NONSIGNIFICANCE**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.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 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- There is no comment period for this DNS.
- This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.
- This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days after the date of issuance of a DNS.

**SEPA - CONDITIONS OF APPROVAL**

Prior to Issuance of a Building Permit

1. If the applicant intends to work outside of the limits of the hours of construction described in condition #2, a Construction Noise Management Plan shall be required, subject to review and approval by DPD. The Plan shall include proposed management of construction related noise, efforts to mitigate noise impacts, and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short -term transportation impacts that result from the project.

During Construction

2. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan, required prior to issuance of a building permit as noted in condition #1.

**DESIGN REVIEW - CONDITIONS OF APPROVAL**

Prior to Certificate of Occupancy

3. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
4. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Shelley Bolser (206) 733-9067 or shelley.bolser@seattle.gov).

For the Life of the Project

5. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

Signature: \_\_\_\_\_ (signature on file) Date: November 15, 2012

Shelley Bolser, AICP, LEED AP  
Senior Land Use Planner  
Department of Planning and Development