



City of Seattle
Edward B. Murray, Mayor

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: 3013971
Applicant Name: Kurt Jensen of Jensen Fey Architects
Address of Proposal: 9550 First Ave Northeast

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow a six-story, hotel with 167 guest rooms (Hampton Inn and Suites) with parking for 135 vehicles in a three level garage and 15 spaces in an adjacent off-site surface parking lot. Project includes 4,600 cubic yards of grading. The existing structure is to be demolished.

The following approvals are required:

Design Review - Seattle Municipal Code (SMC) Section 23.41

SEPA - Environmental Determination pursuant to SMC 25.05

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions*

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

* Notice of the Early Determination of Non-significance was published on June 5, 2014 and re-noticed on July 31, 2014.

PROJECT DESCRIPTION

The applicant proposes to design and construct a six-story hotel with 167 guest rooms (Hampton Inn & Suites) with parking for 135 vehicles to be provided in a parking garage and 15 spaces in an adjacent, off-site surface parking lot. The project includes 4,600 cubic yards of grading. The existing restaurant building is to be demolished.

Site & Vicinity

Approximately 135 ft. deep x 280 ft., the mid-block lot houses on its north half a surface parking and a vacant 1 story, former restaurant on the south half. The site descends approximately five feet from southeast corner to northwest corner, but the lot was leveled so a steep seven to ten foot bank wraps the east and south edges of property, with adjacent surface parking lots on top of that bank. Vehicular and pedestrian access from improved First Avenue occurs on the west side of the lot. The site has a mapped Peat Settlement Prone environment critical area designation.

Nearby structures include a one story strip mall to the north; a five story office building across a parking lot to the east; and four story apartments across a parking lot to south. The site is one-half block east of the Interstate-5 freeway and its ROW adjacent to First Avenue; I-5 is raised approximately 20 ft. on a berm. The site lies four blocks south of the Northgate Mall and fronts on the busy transit and minor arterial of First Avenue NE. A super-block of older retail and office structures with surrounding surface parking lots is adjacent to the east and north. Newer apartment buildings are adjacent to the south; the I-5 freeway is across First Avenue to the west. This site is in a transitioning commercial district, with the existing Northgate Transit Center one block north, and the future Northgate light rail station three blocks north on First Avenue at NE 103rd Street.

The 37,713 square foot site possesses a Neighborhood Commercial Three zoning designation with a 65 foot height limit (NC3 65) within the Northgate Urban Center and the Northgate Overlay District. The allowable height in the neighborhood commercial zone increases to 85 feet to the north of the site's parking lot. To the south lies a multi-family Lowrise three classification (LR3) that encompasses the nearby apartment buildings. The NC3 65 zone extends across First Ave to I-5 on the west and east to Fifth Ave NE.

ANALYSIS - DESIGN REVIEW

Public Comments

The following comments and concerns were expressed:

- Suggested the hotel entrance provide covered and tall drop off access for various shuttle vans.
- Requested verification the hotel would not be impacted by the future elevated light rail trackway along 1st.
- Concerned the large trees on or off-site to the south will be retained.

DPD received letters commenting on the project. One letter noted the lack of property upkeep and the potential security concerns it engenders.

GUIDELINES

After visiting the site, considering the analysis of the site and context provided by the proponent, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified highest priority by letter and number from the guidelines found in the City of Seattle's "Design Review: Guidelines for Multi-family and Commercial Buildings".

PRIORITIES

A Site Planning

- 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 the best location for the primary entrance is the northwest corner as proposed, and supported the porte cochere there as long as it promotes safe pedestrian movement and character, and affords a tall transparent lobby to the corner, maximizing visibility and light to the street. To announce this corner from afar, the Board encouraged the upper façade to express this important corner above the base, possibly incorporating corner-wrap windows or a treatment that emphasizes this corner differently from the south east one.

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

Northgate-specific supplemental guidance:

Consider setting portions of the building back to create spaces at street level for pedestrian-oriented activities. ...wider sidewalks allow for more pedestrian circulation and activity.”

At the Early Design Guidance Meeting, the Board agreed the approximate 10 ft setback shown provides a wider sidewalk, and generous landscape relief adjacent to the building. They encouraged the paved platforms along this setback to incorporate seating and be coordinated with the uses and materials of the adjacent building wall. Retaining the pedestrian stair from the east neighboring property is important, and its pedestrian walk through the project should follow the most direct desire line to the north and west to the porte cochere and then out to First Avenue.

- A-8 Parking and Vehicle Access.** Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

At the Early Design Guidance Meeting, the Board supported Option 2, which conceals all the parking from the street and the north, and also keeps the curb cuts on First Avenue to one. NOTE: in subsequent stages, the applicants should provide evidence the required access easements with the neighboring south property are in process. If this easement is not secured, the parking design could be impacted greatly, but would need to still achieve the primary design and massing attributes of Option 2; meaning parking ramps might need to be accommodated inside the building, parking quantity might change, etc.

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.

Northgate-specific supplemental guidance:

Large monolithic structures are discouraged. Break down the mass of the building, horizontally and vertically, into a hierarchy of volumes.

At the Early Design Guidance Meeting, the Board acknowledged this site is separated by a parking lot from the LR3 zoning to the south, but the building mass will be long and tall along First Avenue and very visible from I-5. The Board encouraged a more robust modulation along the north and west facades, possibly using an asymmetrical composition, deeper balcony recesses and/or additive frames, projections or window groupings. The parapet height and cap treatment could vary to express the modulations, and mitigate the 280 ft. long flat top appearance.

C. Architectural Elements and Materials

- C-2 Architectural Concept and Consistency.** Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.

At the Early Design Guidance Meeting, the Board supported the Option 2 massing, as long as the modulation is improved and the northwest corner is more pronounced. The Board encouraged the windowless end-walls to receive a special compensatory treatment (possible windows at the corridor ends), especially on the highly visible south façade, and suggested a special corner room might provide corner windows at the northwest corner (see A-3 above).

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

Northgate- specific supplemental guidance:

The ground level of the building must offer pedestrian interest along sidewalks. Exterior building materials should have a human scale...good examples include stone and brick. Non-modular exterior materials, such as stucco and concrete panels, need finer details to reduce perceived bulk and create human scale.

At the Early Design Guidance Meeting, the Board strongly endorsed the preliminary base materials shown, including full-height brick, deep window reveals, projecting canopies and pedestrian lighting fixtures. The Board also endorsed the stated switch to panelized upper floor cladding, and not stucco.

- 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.

At the Early Design Guidance Meeting, the Board emphasized that the large upper walls will depend on contrasting railings, material/color shifts and modulation reveals, and the generic unit designs will need to accommodate these exterior design contingencies. The Board requested actual material samples at future meetings.

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

At the Early Design Guidance Meeting, the Board supported a tall porte cochere as the access to covered parking and trash loading, but suggested the trash enclosure be well designed as it is visible to all entering the site. The porte cochere should be treated as an exterior room with quality finishes and a pedestrian emphasis, such as designed ceilings, generous lighting, modular paving, etc.

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.

Northgate-specific supplemental guidance:

If there is a significant grade difference, create an attractive transition. Incorporate pedestrian access, including walkways, stairs or similar features that can help build greater pedestrian connectivity.

At the Early Design Guidance Meeting, the Board agreed the porte cochere meets parts of this guideline, and focused on the existing pedestrian access stairs needing a gracious and well designed transition down the east bank, and a better desire line path to the porte cochere (see A-4 above). They also advised there be clear, well-lit access from the upper parking deck into the building circulation, and a pedestrian walkway demarcated on that deck to the adjacent south parking lot.

- 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.

At the Early Design Guidance Meeting, the Board agreed the 2-3 bays of blank wall along First Avenue concealing the lower parking could be acceptable, if those materials have human scale, and the transparency is maximized all around those locations.

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

At the Early Design Guidance Meeting, the Board discussed how the south edge of the upper parking deck should appear as a seamless landscape transition, including the retention of existing trees as stated by the applicant.

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

At the Early Design Guidance Meeting, the Board discussed how lighting at all parking areas and along street edges must be adequate and pedestrian scaled.

- 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 discussed how pedestrian scaled signage should animate the street edge, and provide wayfinding to and from the east stair. They also cautioned that any freeway oriented signage not be disruptive to drivers, or overwhelm the façade, especially considering hotel guests use taxis and GPS, not relying on signage impulse decisions.

- 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 discussed the importance of generous and pedestrian scale lighting to animate the building base.

- 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.

At the Early Design Guidance Meeting, the Board discussed how every possible interior space along First Avenue be treated with transparent windows to the street, and others such as restrooms use spandrel glass or similar treatments to create a consistent commercial character.

E. Landscaping

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

At the Early Design Guidance Meeting, the Board discussed how the landscaping of the upper parking deck should be increased, possibly including tree wells, grass-crete pavers, and/or material patterns, and the east guardrails at the edge of the adjacent bank might incorporate planters and/or trellises to mitigate the combined parking surfaces .

- 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.

Northgate-specific supplemental guidance:

Retain natural greenbelt vegetation where possible. Incorporate native plants into the landscape design.

At the Early Design Guidance Meeting, the Board supported the retention of existing mature trees wherever possible, and the use of native species in the setback planters and parking deck. NOTE: the existing trees just off site to the south should be survey-located and the placement of the proposed south access drive should be designed to retain all those trees.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a Design Review and SEPA components on April 16, 2014.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on November 17, 2014 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meetings, site plans, elevations, floor plans, landscaping plans, and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

Public Comment

Seven individuals affixed their names to the Recommendation meeting sign-in sheet. Speakers raised the following comments:

- Install low plantings near the porte cochere to ensure the safety of pedestrians and vehicles entering and exiting.
- The landscape will be a decided enhancement to the neighborhood.

A Site Planning

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

The revised drawings relocate the entry to the south end of the site. Although this change detracts from the entry's visibility from the light rail station and the approach by most people arriving by vehicle, the Board agreed with the revision.

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

Northgate-specific supplemental guidance:

Consider setting portions of the building back to create spaces at street level for pedestrian-oriented activities. ...wider sidewalks allow for more pedestrian circulation and activity.”

The Board liked the “urban garden” along First Ave. It will serve as a pleasant amenity to the neighborhood and to the guests who use it.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

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.

Northgate-specific supplemental guidance:

Large monolithic structures are discouraged. Break down the mass of the building, horizontally and vertically, into a hierarchy of volumes.

The Board liked the way the building steps down at various portions of the massing. This improves the scale, reduces the structure's mass and relates to the zone change to the south.

C. Architectural Elements and Materials

- C-2 Architectural Concept and Consistency.** Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.

In general the Board endorsed the massing and design concept, specifically the stepping of the building mass, the decks, texture and scale of the proposal amounted to its best attributes.

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

Northgate- specific supplemental guidance:

The ground level of the building must offer pedestrian interest along sidewalks. Exterior building materials should have a human scale...good examples include stone and brick. Non-modular exterior materials, such as stucco and concrete panels, need finer details to reduce perceived bulk and create human scale.

Although the Northgate guidelines advise against non-modular exterior materials such as stucco, the Board approved the use of EIFS for cladding. See guidance for C-4.

- 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.

Surprised by the proposed use of EIFS as the major cladding material as it hasn't been used in Seattle for many years due to its susceptibility or vulnerability to water damage and mold, the Board approved the use of the material as long as it is installed as a rain screen. DPD planning staff will need to review the details of the construction document and receive a building envelope consultant statement approving the detailing and materials.

The sample of the ground face CMU at the building base did not possess the kind of contrast and darkness that the images in the Recommendation booklet illustrated. The applicant will need to add a third color to the mix and to ensure that the materials closely match the images in the booklet.

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

The Board accepted the change in location of the porte cochere to the south end of the building.

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.

Northgate-specific supplemental guidance:

If there is a significant grade difference, create an attractive transition. Incorporate pedestrian access, including walkways, stairs or similar features that can help build greater pedestrian connectivity.

- 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 recommended adding fenestration to several elevations to provide better light for the guests and to enhance the facades attractiveness. On the east elevation, place windows in the corridor of the northeast wing's sixth floor. Add glazing on the same elevation to the rooms on the second through fifth floors. Finally, install windows above the porte cochere on the south elevation at the ends of the corridors on each floor and on the sixth floor corridor overlooking the green roof.

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

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

Discussion did not focus on the lighting scheme.

- 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.

As most travelers will approach the hotel from the north, wayfinding is an important issue since the hotel entrance occurs on the south of the property. The Board did not recommend a revision related to 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.

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

The placement of an ancillary meeting room at-grade on the north end of the building met with approval. With the sloping grade, the meeting room and its windows reduce the amount of blank wall along the west and north elevations. The Board recommended approved for a modest departure from the transparency requirement.

E. Landscaping

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

Two areas of the landscaping plan generated discussion among the Board members. The blank wall covered with a green screen facing First Ave (sheathing a meeting room closet and a portion of a board room) ought to have trees and shrubs in front of it. Larger plants would be more viable over the long term than green screens which have a poor record. The vertical landscape screen forming the south wall of the porte-cochere would also benefit from trees and shrubs in this location. Since the planting area to the south of the port-cochere in question belongs to the adjacent property, the Board could not

require trees in this area. The Board did not recommend conditions for either of these planting areas but enthusiastically encourages the changes. It supports a potential departure from either the Seattle Municipal Code 23.47A.008A.2.a.5 governing blank walls or 23.47A.016A.2 for green factor.

The proposed sculpture in the urban garden adds scale and point of interest. The Board recommends requiring this feature’s placement in this outdoor area.

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.

Northgate-specific supplemental guidance:

Retain natural greenbelt vegetation where possible. Incorporate native plants into the landscape design.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the November 17th, 2014 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the November 17th public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the four Design Review Board members present unanimously recommended approval of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed below).

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION	RECOMMENDATION
1. Transparency SMC 23.47A.008B.2	60% of the street-facing façade between 2 and 8’ above the sidewalk shall be transparent.	52.4% of the street-facing.	<ul style="list-style-type: none"> A enhanced garden and sitting area along 1st Ave NE with a sculpture and green walls. (E-2) 	Approved
2. Urban Garden— Solar Exposure SMC 23.71.014C.8	A minimum of 75% of the urban garden shall receive solar exposure from 11AM until 2PM between spring and autumn equinox.	81% of the urban garden shall receive solar exposure from 12PM until sunset between spring and autumn equinox.	<ul style="list-style-type: none"> As the garden faces west, it will receive greater than three hours of sunlight for 100% exposure. 	Approved
3. Loading Berth Standards. SMC 23.54.035A.1	A minimum of 2 loading berths to be provided.	One large loading berth	<ul style="list-style-type: none"> Provides area for additional on-site landscaping. (E-2) 	Approved
4. Loading Berth Standards. SMC 23.54.035A.1 or C.2c.ii	Two 10 by 25’ loading berths.	One 10 by 35’ loading berth.		Approved
5. Floor to Floor Height. SMC 23.47A.008B.3	Non-residential uses at street level shall have a floor to floor height of at least 13’.	9’11” height at the meeting rooms in the lower level.		Approved
6. Blank Facade SMC.23.47A.008A.2.a.5 or SMC 23.47A.016A.2	<p>Facade segments are considered blank if they do not include at least screening.</p> <p>And/Or</p> <p>Landscaping that achieves a Green Factor score of .30 or greater, pursuant to Section 23.86.019, is required for any lot with development containing more than 4,000 new s.f. of nonresidential uses.</p>	Board requests tall plantings at south end of porte-cochere and area with blank wall along west elevation.	<ul style="list-style-type: none"> Trees and larger shrubs will be more viable than green screen technology. 	Approved if applicant chooses to implement guidance E-2

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

- 1) The outer wall building material EIFS must be installed as a rain screen. DPD planning staff will review the details of the construction document and receive a building envelope consultant statement approving the detailing and materials. (C-4)
- 2) Add a third color to the mix of ground face concrete masonry units (CMU) to ensure greater contrast. The materials must closely match the images in the booklet rather than the sample shown to create the darkness the images in the Recommendation booklet illustrated. (C-4)
- 3) Add fenestration to the following elevations to provide better light for the guests and to enhance the facades' attractiveness. On the east elevation, place windows in the corridor of the northeast wing's sixth floor. Add glazing on the same elevation to the rooms on the second through fifth floors. Finally, install windows above the porte-cochere on the south elevation at the ends of the corridors on each floor and on the sixth floor corridor overlooking the green roof. (D-2)
- 4) Ensure the installation of sculpture in the "urban garden" facing First Ave NE. (E-2)

DIRECTOR'S ANALYSIS - DESIGN REVIEW

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

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated April 16, 2014. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

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

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, construction impacts, traffic and parking impacts as well as its mitigation.

Noise

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

Air Quality

Construction for this project is expected to add temporarily particulates to the air that will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the nearby residential buildings.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. In order to ensure that PSCAA will be notified of the proposed demolition, a condition will be included pursuant to SEPA authority under SMC 25.05.675A which requires that a copy of the PSCAA permit be attached to the demolition permit, prior to issuance. This will assure proper handling and disposal of asbestos.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of

the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit.

The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

Excavation to construct the mixed use structure will be necessary. The maximum depth of the excavation is approximately six feet and will consist of an estimated 4,600 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Impacts

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

Traffic and Parking

Duration of construction of the apartment building may last approximately 16 months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675 B and M). Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Due to the large scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, the applicant will need to provide a construction worker parking plan to reduce on-street parking until the new garage is constructed and safe to use. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 4,600 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and

will need to be disposed off-site. Excavation and fill activity will require approximately 460 round trips with 10-yard hauling trucks or 230 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

Long-term Impacts

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

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

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.

Traffic and Transportation

The applicant submitted a traffic and parking study by Transpo Group documenting the likely transportation and parking impacts from the project. The consultant forecasts that the project will generate approximately 1,372 daily vehicle trips, with 101 trips occurring during the evening peak hour. This does not account for the number of trips potentially generated by the existing building which would provide the number of new net trips.

Of the three intersections evaluated, the two signalized intersections at First Ave N. and NE 100th and First Ave N. and NE 103th would have levels of service (LOS B and C respectively) roughly similar to what would occur over time without the project. Movement through the intersection at First Ave N. and NE 92nd St with its four way stop would continue to deteriorate (LOS F) with the project during the PM peak hour. The installation of a signal at this intersection, funded by Transportation Impact Fees, should greatly improve its level of service.

To mitigate impacts of the proposal on the surrounding transportation system, the developer will be required to pay the Northgate transportation mitigation payment. *The Northgate Coordinated Transportation Investment Plan* identifies improvements to facilitate vehicle, bicycle, pedestrian, and transit projects. The hotel developer is opting to pay based on a pro-rata share calculation, which is generated by the number of weekday PM peak hour trips in the Northgate project vicinity. The mitigation fee is estimated to be \$96,465.

Parking

The applicant proposes 135 on-site parking spaces in a multi-level garage and 15 off-site stalls located directly to the north on the adjacent property's south end (Silver Platters parking lot). The spaces will accommodate the peak parking demand generated by the 167 guest rooms.

No SEPA mitigation of parking impacts is warranted.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are anticipated to be non-significant. The conditions imposed below are intended to mitigate construction impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

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

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

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance

Revise plans sets to show:

1. Add a third color to the mix of ground face concrete masonry units (CMU) to ensure greater contrast. The materials must closely match the images in the booklet rather than the sample shown to create the darkness the images in the Recommendation booklet illustrated.

2. Add fenestration to the following elevations to provide better light for the guests and to enhance the facades' attractiveness. On the east elevation, place windows in the corridor of the northeast wing's sixth floor. Add glazing on the same elevation to the rooms on the second through fifth floors. Finally, install windows above the porte-cochere on the south elevation at the ends of the corridors on each floor and on the sixth floor corridor overlooking the green roof.

Prior to Building Application

3. The outer wall building material EIFS must be installed as a rain screen. DPD planning staff will review the details of the construction document and receive a building envelope consultant statement approving the detailing and materials.

Prior to Commencement of Construction

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

Prior to Issuance of a Certificate of Occupancy

5. Ensure the installation of sculpture in the "urban garden" facing First Ave NE.
6. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 206.615-1392). An appointment with the assigned Land Use Planner must be made at least three (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

For the Life of the Project

7. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce Rips, 206.615-1392). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

CONDITIONS – SEPA

Prior to Issuance of a Building Permit

8. The development is required to help fund proximate capital projects identified in the CTIP on a pro-rata basis. The total amount of this pro-rata contribution is \$96,465. Payment of the \$96,465 shall occur prior to issuance of a building permit.

During Construction

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

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

Signature: (signature on file) Date: January 29, 2015

Bruce P. Rips, AAIA, AICP
Department of Planning and Development

BPR:rgc
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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered "approved for issuance". (If your decision is appealed, your permit will be considered "approved for issuance" on the fourth day following the City Hearing Examiner's decision.) Projects requiring a Council land use action shall be considered "approved for issuance" following the Council's decision.

The "approved for issuance" date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.