



**City of Seattle**  
Edward B. Murray, Mayor

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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:** 3014586  
**Applicant Name:** Brian Runberg of Runberg Architecture  
**Address of Proposal:** 800 NE 67<sup>th</sup> Street

**SUMMARY OF PROPOSAL**

Land Use Application to allow a 7-story structure containing 260 residential units in an environmentally critical area. Parking for 220 vehicles to be provided below grade. Project includes 35,900 cu. yds. of grading.

The following approvals are required:

**Design Review** pursuant to Chapter 23.41, Seattle Municipal Code, with Departures:

**Development Standard Departure** to exceed the maximum size of garage doors.  
(SMC 23.45.536.D.3.a)

**Development Standard Departure** to allow encroachment into the driveway sight triangle. (SMC 23.54.030.G.3)

**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.



## BACKGROUND

This project requires Design Review pursuant to SMC 23.41. There was one Early Design Guidance (EDG) meeting before the Northeast Design Review Board (DRB) on July 1, 2013 (notice date: June 13, 2013), and a Final Recommendation DRB meeting on January 13, 2014 (notice: December 19, 2013). The project Master Use Permit (MUP) application was deemed complete on September 10, 2013.

### I. ANALYSIS – DESIGN REVIEW

#### EARLY DESIGN GUIDANCE MEETING: July 1, 2013

#### DESIGN PROPOSAL

The EDG Design Proposal booklet includes materials presented at the meeting, and is available online by entering the project number 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).

The booklet is also available to view in the DPD file, by contacting the Public Resource Center at:

**Mailing Public Resource Center**  
**Address:** 700 Fifth Ave., Suite 2000  
P.O. Box 34019  
Seattle, WA 98124-4019

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

#### PUBLIC COMMENT

Approximately 10 members of the public attended the EDG meeting, and the following comments were raised:

- Encouraged the design to ‘anchor’ the northwest corner of the recently rezoned district, and acknowledge how it will be highly visible from the I-5 freeway.
- Supported the transparent and primary entry at the southwest corner.
- Suggested many project residents will flow to the southeast, toward the future light rail stop and commercial core, and to stay level across the sloping site.
- Suggested the sidewalk and any setback landscaping along 8<sup>th</sup> Avenue NE be lush and pedestrian friendly, yet provide safe sight lines at any vehicle curb cuts.
- Encouraged all trash facilities and dumpsters be fully accommodated on site, not in the street or any setback zone.

## FINAL RECOMMENDATION MEETING: January 13, 2014 DESIGN PROPOSAL

The Recommendation booklet includes materials presented at the meeting, and is available online by entering the project number 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).

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### PUBLIC COMMENT

The following comments were raised by members of the public attending this Recommendation meeting:

- Supported the overall design resolution and encouraged the east block to be less monolithic, and to add scale and interest to the east elevation which faces the neighborhood and will be quite visible for the near future.
- Supported the overall design especially the landscaping along 8<sup>th</sup> Avenue, and encouraged the project to not diminish the material quality shown.
- Requested disabled access to be consistent and convenient to all units.

### 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 (the Board) provided the following site planning and design guidance. The Board identified the following Downtown Design Guidelines of **highest priority for this project**. Under each priority guideline, the EDG comments are followed by the **Final Recommendation comments in bold**.

The Priority Downtown guidelines are summarized below, while all guidelines remain applicable. For the full text of all guidelines please visit the [Design Review website](http://www.seattle.gov/dpd/aboutus/whoweare/designreview/designguidelines/default.htm):  
<http://www.seattle.gov/dpd/aboutus/whoweare/designreview/designguidelines/default.htm>

**Page references below are to the Recommendation booklet dated January 13, 2014.**

**A. Site Planning**

**A-1 Responding to Site Characteristics.** The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

***Roosevelt-specific supplemental guidance:***

- *Solar Orientation - Minimizing shadow impacts along Roosevelt Way and NE 65th Street is especially important in the Roosevelt neighborhood. The design of a structure and its massing on the site can enhance solar exposure for the project and minimize shadow impacts onto adjacent public areas between March 21<sup>st</sup> and September 21<sup>st</sup>.*

**At the Early Design Guidance Meeting,** the Board discussed how the concept Options successfully stepped the floor and unit plans with the steep slopes, to minimize blank walls or buried unit frontages. They also agreed with the Option C courtyard orientation to capture southwest afternoon sun, yet use a building mass to block freeway noise. The Board agreed vehicle access is best off 8<sup>th</sup> Avenue, not the other two streets.

**At the Final Recommendation Meeting, the Board supported the two vehicle access points on 8<sup>th</sup>, the courtyard shape and orientation, and the stepped stoops on all three sides, including the intricate landscape design.**

**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 supported the proposed primary lobby entrance at the southwest and lowest corner, and the inviting transparency depicted at this location, plus the adjacent cascade of steps up to the courtyard. The Board supported a secondary resident entrance at the upper level off 68<sup>th</sup> Street, to accommodate residents approaching from that direction. The Board applauded the stepped stoops for all ground level residences, which resolve the slope and provide visible entries welcoming to visitors.

**At the Final Recommendation Meeting, the Board supported the secondary entrance on 68<sup>th</sup> Street, and the stoops as shown. The cascade of steps at the southwest corner was revised to be a series of transparent metal stairs from 67<sup>th</sup> Street up to the courtyard, and the Board requested revisions described in detail under A-4.**

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

***Roosevelt-specific supplemental guidance:***

*Roosevelt is looking for opportunities to encourage pedestrian activity along sidewalks within the Commercial Core. This is especially important because sidewalks along Roosevelt and 65th are considered too narrow. If not required with new development,*

*applicants are encouraged to increase the ground level setback in order to accommodate pedestrian traffic and amenity features.*

**At the Early Design Guidance Meeting**, the Board discussed how the voluntary added setback along 8<sup>th</sup> Avenue NE (about 15 ft. total) is valuable to mitigate traffic impacts, and to establish public-private and acoustical layering to units along that busy street. This layering is encouraged on all sides, and especially important along the shadowed north side, across from the existing church.

**At the Final Recommendation Meeting**, the Board supported the setback patios, landscaping and paving as shown, and the ground plane design at the south courtyard entrance. The Board applauded the extent and friendliness of the decking material and associated seating plinths shown at the primary lobby entrance (pg. 53). They required the first flight of metal stairs from the sidewalk be widened from about 5 ft. to about 12 ft., to afford sociable seating opportunities for residents and neighbors to mix.

**Any gates contemplated at or near this stair should be well-recessed from the street, preferably at the first landing and not too tall or obscuring. Ideally any gate should be held open and be visually un-obtrusive during the majority of the day, possibly flush with the east wall of the adjacent fitness room.**

**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 agreed a simple massing form could be appropriate in this zone, but some modulation, window placement and other screening strategies will be important to mitigate privacy issues with the existing single family yards adjacent to the east.

**At the Final Recommendation Meeting**, the Board appreciated the adjacency study drawings, and supported the east elevation design as shown on pg. 56, with the understanding that all material joints will be strongly expressed and the windows will be recessed as much as possible.

**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.

***Roosevelt-specific supplemental guidance:***

- 1. Encourage the incorporation of separate ground-related entrances and private open spaces between the residence, adjacent properties, and street, especially for multifamily developments west of Roosevelt Way.*
- 2. Ground level landscaping can be used between the structure(s) and sidewalk.*

**At the Early Design Guidance Meeting**, the Board endorsed the ground level patios, individual unit entrances, green treatments and generous setbacks shown on preliminary landscape plans.

**At the Final Recommendation Meeting, the Board supported the stoops, landscape and paving design as shown on pg. 68/69, and the various perspectives.**

**A-7 Residential Open Space.** Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

***Roosevelt-specific supplemental guidance:***

- *The Roosevelt Neighborhood values places for residents to gather. For mixed use developments, provision of ground-related common open space areas in exchange for departures especially to the maximum residential coverage limit is encouraged, in addition to other allowable departures. Open space areas can also be achieved in a variety of ways including:*
  1. *Terraces on sloping land to create level yard space*
  2. *Courtyards*
  3. *Front and/or rear yards*
  4. *Roof tops*

**At the Early Design Guidance Meeting**, the Board applauded how the proposal includes 3 of the 4 Roosevelt-specific open spaces listed above. The courtyard creates a level shared space on a sloped site, with dramatic steps at each portal (universal access will be an issue). The Board encouraged the courtyard to be welcoming to the public, even if closed at night by discrete gates. The amenity roofdeck/clubroom at the southwest corner provides dramatic views and valuable shared social space, and the voluntary step-back there is an important massing variation and place-making opportunity.

**At the Final Recommendation Meeting, the Board supported the two roof decks and courtyard design as shown on pg. 70/71, with the revisions to the courtyard stairs described under A-4.**

**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.

***Roosevelt-specific supplemental guidance:***

*Minimize the number of curb cuts and width of driveways and curb cuts along Roosevelt Way NE and NE 65th Street by locating vehicle access onto alleys and/or side streets when feasible.*

- *Locate surface parking at rear or side of lot. Where feasible, parking areas for properties that lie outside pedestrian overlay zones should be located to the rear of buildings that face Roosevelt Way NE and NE 65th Street.*
- *Encourage creation of multi-purpose parking areas. These areas can provide for parking as well as public open space areas.*

**At the Early Design Guidance Meeting**, the Board discussed the existing traffic and sidewalk condition of 8<sup>th</sup> Avenue NE at length, agreeing it is the best location for parking and service curb cuts, but cautioning the design and street improvement plan to provide superior safety sightlines for pedestrians and vehicles.

**At the Final Recommendation Meeting, the Board supported the two driveway locations, widths and other dimensions as shown. Also see departures comments.**

**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.

***Roosevelt-specific supplemental guidance:***

*Gateways: Gateway features could include a variety of design elements that enhance these prominent neighborhood intersections identified below. The following design elements are encouraged: 1. special paving or surface treatments; 2. art; 3. water features; 4. landscaping;;5. seating; 6. kiosks, etc.*

*Five gateway locations have been identified:*

- 1. The area surrounding the intersection of Roosevelt Way NE and NE Ravenna Blvd.*
- 2. The area surrounding the intersection of Roosevelt Way NE and NE 75th.*
- 3. The area surrounding the intersection of NE 65th and 8th Avenue NE.***
- 4. The area surrounding the intersection of NE 65th and 15th Avenue NE.*
- 5. The area surrounding the intersection of Roosevelt Way NE and NE 65th.*

**At the Early Design Guidance Meeting**, the Board supported the corner lobby response shown, and discussed how the site is only 2 blocks north of a designated Roosevelt-specific gateway (#3 Bold above), and the structure will be highly visible as a marker of the Roosevelt core from the I-5 freeway. The Board suggested the southwest corner may include a vertical expression up the entire building, to mark the main entry and lobby from a distance such as the freeway and 65<sup>th</sup> gateway. This works with roofdeck comments under guideline A-7, and vertical proportions and/or material variation would also offer a counterpoint to the expected horizontal emphasis elsewhere.

**At the Final Recommendation Meeting, the Board supported the expression of the southwest lobby fenestration, the corner landscaping and the ‘dock’, and the corner composition up through the roofdeck as shown on pg. 49.**

## **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.

***Roosevelt-specific supplemental guidance:***

*The architectural features below are especially important for new commercial and mixed use developments in Roosevelt's commercial core:· Multiple building entries, Courtyards, Building base, Attractively designed alley-facing building façades including architectural treatments, fenestration, murals, etc.*

**At the Early Design Guidance Meeting**, the Board agreed the inter-locking L's of the preferred Option C was the strongest parti for this site. The Board suggested the courtyard should be a dramatically designed and lush, green space, to offset the relatively close building walls and ground floor privacy layering. The Board also supported the basically cubic massing, as a clear expression of the "new Roosevelt".

**At the Final Recommendation Meeting, the Board agreed the detailed architectural design was consistent with the Board endorsed parti, and supported the courtyard landscape design as shown.**

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

**At the Early Design Guidance Meeting**, the Board discussed how this guideline works in concert with A-4, to create active, lively stoops or lobbies at all ground floor locations.

**At the Final Recommendation Meeting, the Board agreed the design has many elements of human scale, particularly at the lower levels and stoops.**

**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.

***Roosevelt-specific supplemental guidance:***

*Signs: Developments should accommodate places for signage that are in keeping with the building's architecture and overall sign program. Preferred sign types include:*

- 1. Small signs incorporated into the building's architecture, along a sign band, on awnings or marquees, located in windows, or hung perpendicular to the building facade are preferred within the Commercial Core Area.*
- 2. Neon signs are also encouraged, while large illuminated box signs are discouraged.*
- 3. Blade signs hung from beneath awnings or marquees are especially favored in the Commercial Core Area.*

*Large box signs, large-scale super graphics and back-lit awnings or canopies are less desirable, especially within the Commercial Core. Where awnings are illuminated, the light source should be screened to minimize glare impacts to pedestrians and vehicles.*

**At the Early Design Guidance Meeting**, the Board discussed how the very clear forms are desirable, that fussy modulations and scale breaks are not needed in this context, and this simplicity requires very high-quality materials and excellent detailing, especially at the ground levels, lobbies, courtyard and roofdeck.

**At the Final Recommendation Meeting**, the Board supported the exterior materials as presented, especially the wood-look soffits and accents, the brick base, the projecting metal sun shades on the west and south elevations, and the projecting, brake form metal ‘ribbons’ which provide valuable scale and shadow play on the east block. The Board agreed the balcony railings are a key element of residential scale, and recommend a condition that the perforated metal surfaces be sufficiently transparent, and have secondary framing elements to ensure human scale.

## **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.

***Roosevelt-specific supplemental guidance:***

*Pedestrian amenities are encouraged where appropriate along sidewalks within the Core Commercial Area. Providing for sufficient pedestrian movement is necessary in order to provide pedestrian amenities. One way to accomplish this is by extending curbs to create opportunities for outdoor cafes and/or vending areas. Amenities could also be placed within small and larger setbacks along commercial streets. Curb extensions and any amenity feature proposed within the public right-of-way should be explored with SEATRAN (Seattle Transportation) very early in the design process.*

**At the Early Design Guidance Meeting**, the Board agreed a complete and sophisticated lighting plan is required to ensure safe and adequate lighting at the courtyard and all the sloped conditions, yet not spill over into private rooms or neighbors.

**At the Final Recommendation Meeting**, the Board supported the entry designs and the lighting plan and fixtures as shown on pg. 72/73.

- D-6 Screening of Dumpsters, Utilities, and Service Areas.** Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

**At the Early Design Guidance Meeting**, the Board discussed how such a large site with extensive parking area should contain all trash, dumpsters and service functions (including trash pick-up) inside the building, and requested a detailed plan at the next meeting.

**At the Final Recommendation Meeting, the Board supported the trash locations and pick up strategy.**

## **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 supported the concept landscape plan and precedent images shown, but requested a very complete presentation of the following crucial design aspects at the next meeting: all sloping stoop and lobby transitions to sidewalk; the courtyard ‘urban oasis’ including unit patio transitions and amenity features; roofdeck features, plantings and any green roof elements.

**At the Final Recommendation Meeting, the Board applauded the very complete and detailed landscape design as shown, including the water features and sustainability elements which provide different rest atmospheres for residents.**

**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.

**At the Early Design Guidance Meeting,** the Board discussed the site-specific sloped edges mentioned above, and mitigations to address freeway noise/impacts, and the issue of maintaining westerly views from the roofdeck but mitigating freeway noise, perhaps with glass screens.

**At the Final Recommendation Meeting, the Board supported the perimeter landscape design and the roofdeck design as shown on pg. 77.**

## **DEVELOPMENT STANDARD DEPARTURES**

The Board’s recommendation on the requested departure(s) will be based upon the departure’s potential to **better meet** these design guideline priorities and achieve a better overall design than could be achieved without the departure(s). At the time of the Final Recommendation meeting, the following departures from current code requirements were requested:

1. **Screening by Garage Doors (SMC 23.45.536.D.3.a):** In brief, the code requires garage doors facing the street to be no more than 75 sq. ft. in area. The applicant proposes two doors facing 8<sup>th</sup> Avenue, each to be 164 sq. ft. in area; these doors serve the two way, 20 ft. wide driveways required by code.

**This departure would provide an overall design that better meets the intent of Design Review Guidelines A-6 and A-8, by consolidating the doors, driveways and curb cuts so there is less interruption to the pedestrian realm, and less façade impact.**

**The Board unanimously recommended that DPD grant this departure.**

2. **Sight Triangle (SMC 23.54.030.G.3):** In brief, the code requires the driver sight triangle at driveways to sidewalks to be clear from obstructions in the vertical space between 32” and 82” above the ground. The applicant proposes a 1 ft. wide portion of the retaining wall, on the up-slope side of each driveway, to be above the 32” height, at the inboard tip of the required sight triangle.

**This departure would provide an overall design that better meets the intent of Design Review Guidelines A-6 and A-8, by allowing the retaining wall and its’ associated landscaping to better conceal the sloping foundation wall.**

**The Board unanimously recommended that DPD grant this departure.**

## **BOARD RECOMMENDATION**

**The recommendation summarized below was based on the design review packet dated January 13, 2014, and the materials shown and verbally described by the applicant at the January 13, 2014 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 (Guidelines referenced):**

1. **South Stair to Courtyard:** Widen the first flight of metal stairs from about 5 ft. to about 12 ft., to afford sociable seating opportunities for residents and neighbors to mix. Any gates contemplated at or near this stair should be well-recessed from the street, preferably at the first landing and not too tall or obscuring. (See A-4)
2. **Balcony Railing Enclosures:** Revise the perforated metal surfaces to be sufficiently transparent, and have secondary framing elements to ensure human scale. (See C-4)

### **Response to Recommended Design Review Conditions:**

- 1) The applicant redesigned the stair and associated gates and railings. The proposal meets recommended condition #1.
- 2) The applicant redesigned the enclosures at the specified locations. The proposal meets recommended condition #2.

## DECISION – DESIGN REVIEW

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

### II. ANALYSIS - 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 (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant, received date September 17, 2013. The Department of Planning and Development (DPD) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or it's agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the 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, and 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 such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

#### PUBLIC COMMENT:

The SEPA public comment period ended on October 09, 2013. No SEPA comments were received.

#### A. 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 Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes construction-related noise, air quality, greenhouse gas, construction traffic and parking impacts, as well as mitigation.

## Noise

Noise associated with construction of the buildings could adversely affect surrounding uses in the area, which include residential uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

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, and weather protection may occur outside these hours.

If the applicant intends to work outside of the limits of non-holiday weekdays between 7am and 6pm, the applicant will submit a **Construction Noise Mitigation Plan**. This plan will include steps 1) to limit noise decibel levels and duration and 2) procedures for advanced notice to surrounding properties. The plan will be subject to review and approval by DPD. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:

- 1) Non-holiday weekdays between 7:00 A.M. and 6:00 P.M.
- 2) Non-holiday weekdays between 6:00 P.M. and 8:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 3) Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 4) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

## 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. This must be included in the **Construction Traffic Management Plan**, required by condition; see discussion under Traffic and Parking below.

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. This will assure proper handling and disposal of asbestos.

### Greenhouse Gas Emissions

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.

### Construction Traffic and Parking

Duration of construction of the apartment building may last approximately 8 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).

A **Construction Worker Parking Plan** is required to be submitted and approved by DPD prior to the issuance of any demolition, grading or construction permits. This plan shall include the following elements, and shall be given to all construction workers: identified off-street parking lots in the vicinity, with daily spaces available on a per-day basis; instructions to not disrupt on-street parking or operations; transit route and schedule information and encouragement to use transit whenever possible.

The construction of the project will have short term 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 35,900 cubic yards of soil are expected to be excavated from the project site. The soil removed for the structure will not be reused on the site and will need to be disposed off-site. Excavation and construction materials will require numerous truck trips, in a location constrained by light rail operations at the MLK intersections nearby.

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. Considering the volume 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 4:00 PM. This must be included in the Construction Traffic Management Plan, required by condition.

Truck access to and from the site shall be documented in a **Construction Traffic Management Plan**, to be submitted to DPD and SDOT and approved by SDOT prior to the issuance of any demolition, grading or construction permits. This plan shall include: a prohibition on trucks queueing on streets fronting nearby residential buildings; construction worker parking locations on the site or at off-street lots (not on-street); and also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular emphasis on maintaining pedestrian access along 8<sup>th</sup> Avenue NE, as there is no sidewalk on the west side of that street. The Plan shall also include haul routes for expected excavation of soils. 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.

## B. LONG –TERM IMPACTS

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; potential blockage of designated sites from the Scenic Routes nearby; possible increased traffic in the area. Compliance with 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, greenhouse gas emissions; height, bulk and scale; historic preservation; public views from scenic routes; traffic and transportation; parking impacts; and tree preservation warrant further analysis.

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction 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, therefore, no further mitigation is warranted.

### Height, Bulk & Scale

The project went through a Design Review process which addressed the issue of Height, Bulk & Scale; see the above Design Review Analysis for details of the process and design changes.

Pursuant to SEPA Policy 25.05.675.G.2.c: Height, Bulk and Scale, “the Citywide Design Guidelines (and any Council-approved, neighborhood Design Guidelines) are intended to mitigate the same adverse height, bulk and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review process is presumed to comply with the 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. Any additional mitigation imposed by the decisionmaker pursuant to these height, bulk and scale policies that have undergone design review shall comply with the design guidelines applicable to the project.”

Additional SEPA Mitigation of height, bulk and scale is not warranted.

### Historic Preservation

The site contains 13 single family house, many of which are 50 years or older, thus triggering further review. Those structures were reviewed by Landmarks Preservation Board staff, and as reflected in their October 10, 2013 letter (#LPB 681/13), none meet the standards for designation as an individual landmark. No further mitigation is warranted.

### I-5 Freeway Scenic Route

The site is within 500 feet of the SEPA designated Scenic Route of the I-5 freeway, but the proposed buildings will not block public views from that route of any of the SEPA designated features. No further mitigation is warranted.

### Traffic and Transportation

A transportation impact analysis dated September 04, 2013, was prepared for the project by Heffron Transportation, Inc. Based on rates from the Institute of Transportation Engineers (ITE) Trip Generation manual the analysis reports the proposed uses will generate 1,120 weekday daily vehicle trips, 86 AM peak-hour trips, and 105 PM peak-hour trips. As ITE's multi-family trip rates are drawn from a variety of locations, including suburban development, they may result in relatively high forecasts when applied in urban areas, such as Seattle. They are provided here as a conservatively high estimate of likely trip generation. The traffic the proposed use contributes to the roadway system at peak times and the distribution of the traffic from the site are not expected to result in a noticeable change to peak hour operations at nearby intersections. No adverse transportation impacts are anticipated from the development of the project.

### Parking

The project's traffic consultant, Heffron Transportation, estimated that the peak parking demand rate for this project would be approximately 0.77 vehicles per apartment unit. This rate reflects the proximity of the project to transit. Using this rate, the 260 units in the project would generate a parking demand of about 200 vehicles at peak times; the proposed 220 spaces will accommodate this peak demand, with 20 surplus for general visitors. For residential projects, peak hours typically occur overnight. No adverse transportation impacts are anticipated from the development of the project.

### Tree Preservation

The site contains numerous trees, some large and distinctive species. All existing trees were analyzed in a tree inventory by Tree Solutions Inc., dated June 16, 2013, and none met the city criteria to be classified as Exceptional Trees. No further mitigation is warranted.

### Summary

The Department of Planning and Development has reviewed the environmental checklist submitted by the project applicant; reviewed the project plans which incorporated outcomes of the Design Review process; reviewed additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist and this analysis, this action will result in probable adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant, given the conditions and mitigations contained herein.

### **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 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.

- 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.

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.

### **SEPA - CONDITIONS OF APPROVAL**

#### Prior to Issuance of a Demolition, Grading, or Building Permit

1. If the applicant intends to work outside of the limits of non-holiday weekdays between 7am and 6pm, a **Construction Noise Mitigation Plan** shall be required and approved by DPD, prior to issuance of a demolition, grading, or building permit, whichever is issued first. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:
  - i. Non-holiday weekdays between 7:00 A.M. and 6:00 P.M.
  - ii. Non-holiday weekdays between 6:00 P.M. and 8:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
  - iii. Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

2. The applicant shall provide DPD with a copy of a **Construction Traffic Management Plan**, including **Construction Haul Routes**, both aspects approved by Seattle Department of Transportation, including minimizing of large truck use of the alley, plus prohibition on trucks queuing on streets under windows of nearby residential buildings, and time limits on large (greater than two-axle) trucks.
3. The applicant shall provide DPD with a **Construction Worker Parking Plan**, including the following elements, and which shall be given to all construction workers: identified off-street parking lots in the vicinity, with daily spaces available; instructions to not disrupt on-street parking or operations; transit route and schedule information and encouragement to use transit whenever possible. This plan shall be provided to the Land Use Planner for review and approval (Garry Papers, (206) 684-0916, [garry.papers@seattle.gov](mailto:garry.papers@seattle.gov)).

#### During Construction

4. 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

5. 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 (Garry Papers, (206) 684-0916, [garry.papers@seattle.gov](mailto:garry.papers@seattle.gov)).
6. 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 (Garry Papers, (206) 684-0916, [garry.papers@seattle.gov](mailto:garry.papers@seattle.gov)).

For the Life of the Project

7. 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 (Garry Papers, (206) 684-0916, [garry.papers@seattle.gov](mailto:garry.papers@seattle.gov)).

Signature: \_\_\_\_\_ (signature on file) Date: July 10, 2014  
Garry Papers, M.Arch, NCARB  
Senior Land Use Planner  
Department of Planning and Development

GP:drm

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