



City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING & DEVELOPMENT

Application Number: 3014630

Applicant Name: Bradley Khouri, B9 Architects, for Fremont Avenue Ventures, LLC

Address of Proposal: 3806 Fremont Avenue North

SUMMARY OF PROPOSED ACTION

Land Use Application to allow four townhouse structures in an environmentally critical area; two structures will contain three residential units and two will contain two residential units (for a total of 10 units). Surface parking for 10 vehicles to be provided on the site. Two existing structures to be demolished.

The following Master Use Permit components are required:

Design Review (SMC Chapter 23.41) with Development Standard Departures:

1. Side setback (North) requirements (SMC 23.45.518.A, Table A).
2. Side setback (South) requirements (SMC 23.45.518.A, Table A).
3. Separation between multiple structures requirements (SMC 23.45.518.F.1).
4. Projections permitted in all required setback and separations (SMC 23.45.518.H).
5. Façade length (SMC 23.45.527.B).

SEPA-Environmental Determination (Chapter 25.05 SMC)

DPD SEPA DETERMINATION:

Determination of Non-significance

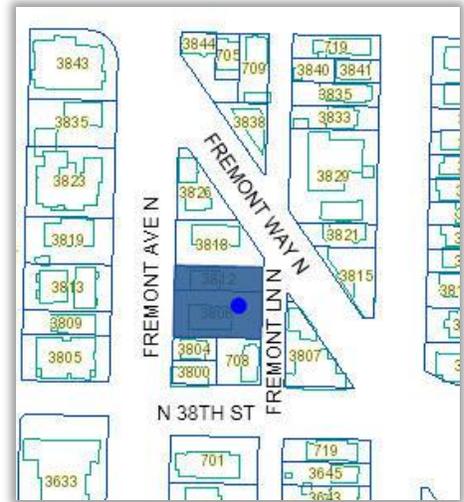
- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts

Site Zone: Multifamily Lowrise Three (LR3)

Nearby Zones: The immediate area to the west and south is zoned LR3. North of Fremont Way North and east of Fremont Lane North (named alley), the zoning is LR2. Further south from North 36th Street a number of commercial and industrial zones are found including Neighborhood Commercial Three, with a 40 foot height limit due south of the subject site (NC3-40).

Lot Area: 10,080 square feet.

Project Description: The proposed project is to combine two development sites for the design and construction of two, 3-unit and two, 2-unit townhouse structures, all four buildings will be 3-stories in height. Parking for 10 vehicles is to be provided at grade and accessed from a 30 foot wide named alley (Fremont Lane North) to the east. The project will include a future full unit lot subdivision to be reviewed under a separate permit



The proposal will feature one 3-unit and one 2-unit townhouse structures with street frontage along Fremont Avenue North. Each unit will have an external relationship to the right-of-way with direct access to their front entries. The separation between the two buildings will serve as the primary pedestrian access to a 2-unit and 3-unit structures in the rear. A spacious common amenity area is intended to encourage social activity with a greater sense of openness by pushing the proposed structures outwards near the perimeter. Arbors will be installed to announce passageways and create visual interest around the surface parking area.

Current Development: The two development sites are located mid-block between North 39th Street to the north and North 38th Street to the south, and are bounded by Fremont Avenue North to the east, and a named alley, Fremont Lane North, to the east. Each parcel is currently occupied with an apartment use in previously converted single family structures. Both sites are modestly landscaped with several mature trees providing a sense of privacy from its surrounds.

Access: Existing vehicular access to surface parking is taken from the named alley (Fremont Lane North) to the east. The primary pedestrian access to the front entries adjacent to Fremont Avenue North, sits approximately 4 – 10 feet above the sidewalk grade.

Surrounding Development: Development in the surrounding area includes a mix of uses and architectural styles. Nearby development includes older 1 to 4-story residential and nonresidential structures of various materials (i.e., lap siding, masonry, etc.). Several blocks to the south are a number of newer 3 to 4-story retail mixed-use structures. One historic landmark structure, B.F. Day School is located one block north.

Neighborhood Character: The immediate neighborhood has a residential orientation with its mixture of multi-story residential buildings and single family residences built in the early part of the 1900's, interspersed with apartment buildings dating from the 1960 to the present. Fremont's vibrant commercial core, with retail, restaurants, and night clubs is located two blocks south. Further south is Ship Canal setting the southern edge provides recreational opportunities adjacent to the Burke-Gilman Trail.

The area offers frequent transit service, with routes serving the University of Washington, Ballard, Downtown Seattle, Green Lake, and Lower Queen Anne to name a few. Metro's future Rapid Ride station is located two blocks to the east with express service to downtown.

ECA's: The development site contains a DPD mapped 40% Steep Slope Environmentally Critical Area (ECA). Based on a review of the submitted information and the City GIS system, DPD concluded that the project appears to qualify for the criteria established in the Critical Areas Regulations, SMC 25.09.180.B2b. Specifically, the City GIS system and the submitted information for the steep slope developmental allowance application demonstrated that steep slopes at the site appeared to have been created by previous legal grading activities associated with site development. For this reason, DPD will waive the required ECA Steep Slope Variance associated with DPD Application No. 6073846. This approval is conditioned upon the approval of building permits for a design that demonstrates that the proposed development will be completely stabilized in accordance with provisions of the ECA code and Grading Code. All other ECA Submittal, General, and Landslide-Hazard, and development standards still apply for this development.

DESIGN REVIEW

EARLY DESIGN GUIDANCE MEETING: April 22, 2013

The packet presented at the EDG meeting is available online by entering the project number (3014630) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The EDG packet is also available to view in the 3014630 file, by contacting the Public Resource Center at DPD:

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

Email: PRC@seattle.gov

DESIGN CONCEPT

Key aspects of the design concept include minimizing visual and bulk impacts on neighboring properties to the south and north. Under the preferred scheme, two building masses along the shared property line to the north and south would be designed with 3 key objectives; siting of building footprint, modulation and fenestration to be sensitive to the abutting residential structures. The east set of buildings adjacent to the 30-foot wide alley, which has a visual presence of a street, would minimally impact residential uses to the east of the alley. The east building's 3-story mass would be setback at least 16 feet from the alley to accommodate surface parking. A carport is proposed to provide protection from the elements and visually soften ten vehicles parked in the rear.

Taking advantage of the site's grade change along the street front from north to south would result in stepping the building down along the street edge. In the preferred scheme, horizontal shifts are introduced to give the west buildings front façades greater animation as viewed from the west. The interior common courtyard as perceived from the pedestrian's viewpoint point will experience a similar thoughtfulness with the four building masses modulating both vertically and horizontally to activate the space by greater volumes of natural light into the site's interior.

One of the more significant design challenges at the development site is the engage to street, with its elevation change. The grade would be dropped slightly to connect the ground level entry to the sidewalk. At grade stair accessing the front units would be a little wider to allow occupants to sit down and engage with their neighbors or pedestrians in the right-of-way. To make the central pedestrian access more visually prominent the two building masses on either side is proposed be designed in such a fashion as to call attention to the access point as viewed from either direction along the sidewalk.

Three alternative design schemes were presented and summarized below:

The first alternative (1) was a code compliant scheme that proposed 11 townhomes in 3 structures surrounding a landscape parking court. Each unit would have a private garage accessed from a common driveway adjacent to the named alley (Fremont Lane North). One 3-story, 5-unit structures would have street frontage, with the remaining two structures housing 3-units would terracing upwards from west to east taking advantage of the natural topography in the rear.

The second alternative (2) proposed 10 townhomes in two structures that interlocked around a central courtyard. The street facing structure would be similar to alternative 1 with the exception of one additional unit attached to the east façade. The 4-unit eastern structure would be modulated to create a more engaging central courtyard. Each unit would connect directly to the courtyard and have a private roof deck. Parking would be displaced in the rear adjacent to the alley.

The third preferred alternative (3) proposed 10 units in four structures organized around a central courtyard with connections the Fremont Avenue North to the west and the alley to the east. The scale is broken down to better fit within the neighborhood context of mid-sized structures. Each townhouse unit would have direct access to the courtyard and private decks. One, 2-unit and one 3-unit townhouse structure would have street frontage, and would be separated by a common pedestrian access to the rear units. Surface parking spaces will be located in the rear accessed from the named alley.

PUBLIC COMMENT

Members of the public were present. The following comments, issues and concerns were raised at this meeting or submitted via e-mail:

- Alley access is most desirable and Scheme "B" seems the most successful with the green roof on top of the carport.
- Vehicle access from the street is not safe and should not be encouraged.
- The proposal's two building masses along Fremont Ave is a preferred option to minimize bulk impacts adjacent to the right-of-way.

- The proposed height of the buildings could have a negative impact on surrounding residential lots; the applicant should consider lowering the height.
- The proposed building's mass will cast shadows on adjacent buildings, and may impact those neighboring properties. The applicant should provide a shadow study that shows the full extent of the proposed development's shadow impacts.
- Parking is in high demand in the neighborhood and the developer should provide parking at a 1.25 car to unit ratio.
- Fremont Lane North (named alley) is in need of improvements including paving the surface, the city should either improved the alley or have a strong maintenance program in place to address the washout effect from a heavily traveled gravel road surface.
- Setback should not compromise fire safety risks when structures are in close proximity property lines.

EARLY DESIGN GUIDANCE (April 22, 2013):

General Board Comments: The Board expressed their collective opinion that the design team's presentation and Design Review packet was exemplary; the attention to detail in explaining design cues and view perspectives enabled a richer understanding of the proposal. The Board noted that greater clarity/refinement was needed to properly evaluate the Design Review departure request to reduce side setbacks and allow a ten-car carport adjacent to the alley. The addition of a green roof on the carport appears successful in mitigating visual impacts but more detail is required.

1. Alley:

- a. The Board encouraged the applicant to design the parking to acknowledge the conditions along the named alley. A detailed study of the alley experience should inform the design treatments to mitigate surface parking whether covered or not adjacent to the alley. This documentation should be included in the Recommendation design phase. (A-5, A-8)
- b. The design intent to construct a carport with a green roof adjacent to a building with lower level windows may impede natural light into the units. The applicant needs to demonstrate how these areas would function and how natural light will be impacted into unit windows in this location. (A-8, D-8)
- c. The alley is much wider than most alleys in the city; it appears to have a multimodal functionality of access. The applicant should demonstrate how the alley is used. The design should relate to the existing conditions in the alley. (A-4, D-8)

2. Respect for adjacent sites:

- a. The Board would like to see a massing that is respectful to the properties to the north and south with spacing and modulations to further provide light and air for the residents across the property line. (A-5, B-1, C-1)
- b. The Board acknowledged that blank walls do provide a sense of privacy but other techniques need to be employed to reduce the scale of the buildings through modulation and fenestration that takes into account the privacy of the adjacent uses. (A-4, C-3, D-2)
- c. The Board appreciated the modulated stepped back mass on the east and west elevations. (A-1, C-3)

The applicant was instructed to provide the following at the Design Recommendation meeting:

1. Further demonstrate how locating parking in the rear adjacent to the alley will create an attractive addition to the proposal and maintain safe spaces for pedestrians and vehicles. (A-4, A-8, D-8)
2. Provide additional information about how the alley currently functions from a multimodal perspective and identifying potential impacts of a surface level parking pad. (A-4, A-8, D-8)
3. Provide elevation detail with shadow impacts of the parking structure adjacent east facing units demonstrating natural light impacts into the units. (C-2, D-5)

FINAL RECOMMENDATION MEETING: September 30, 2013

The packet presented at the Recommendation meeting is available online by entering the project number (3014630) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

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The Board expressed their collective opinion that the design team exceeded expectations in their design response to Board comments from the Early Design Guidance meeting. The Board was pleased with the treatment of alley frontage, execution of building form and how the four buildings integrate on-site and by extension their surroundings, and minimizing bulk impacts with request for setback reductions. The Board noted the execution of the alley frontage is respectful to adjacent properties by treating the alley as if it were a street front. To the west, at the street level along Fremont Avenue, the design language of the area between the front facades and street property line, the Board recommended more vibrant landscaping and subtle attention directed towards reducing the appearance of smooth faced retaining walls surfaces.

PUBLIC COMMENT

No members from the public were in attendance to share comments, issues and concerns during the public meeting.

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

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

FINAL RECOMMENDATION (September 30, 2013):

- 1. Alley: (A-4, A-5, A-8 & D-8)**
 - a. The Board noted that the massing is an appropriate response to the Early Design Guidance.
 - b. Secondary scale characteristics such as the materials, window proportions, and removal of covered parking stalls reflect a thoughtful response to nearby scale and activity.

- 2. Respect for adjacent sites: (A-4, A-5, B-1, C-1, C-3 & D-2)**
 - a. The application of materials and building form relates well to its surrounding architectural context.
 - b. Superimposing the adjacent building's fenestration on the elevation renderings revealed privacy was being protected. Modulation of the colored of the panels and material change patterning helped to minimize the appearance of bulk on adjacent lots.
 - c. The exterior colors appear appropriate within context with the surrounding buildings.

- 3. Street Level Façade: (A-1, A-2, A-6, D-3, D-12, E-3)**
 - a. The pedestrian pathways and landscaping was a positive component of the building's program, framing Fremont Avenue and should create visual interest to enhance the street level experience.

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

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.**
- A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.**
- A-4 Human Activity. New development should be sited and designed to encourage human activity on the street.**
- 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.**
- A-6 Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.**

- A-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.

C. ARCHITECTURAL ELEMENTS AND MATERIALS

No Guidelines were provided by the Board

D. PEDESTRIAN ENVIRONMENT

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

E. LANDSCAPING

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

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure(s) were based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departure(s). At the Final Recommendation Meeting four departures were requested:

1. **Side Setback (SMC 23.45.518.A):** The Code requires a 7 feet average, 5 feet minimum setback between a structure and the side property line for a structure with a façade length greater than 40 feet. The applicant proposes to reduce the average to 3 feet 11 inches and the minimum setback along the north property line to 3 feet 2 inches (bldg. #3); and reduce the average to 3 feet 3 inches and the minimum to 2 feet 6 inches along the south property line (bldg. #2).

This departure provides an overall design that better meets the intent of Design Review Guidelines A-2, A-7, B-1, and D-7 by maintaining privacy and by modulating the setbacks to provide a more sensitive edge to adjacent parcels and allow the proposal's to break down its scale throughout the development site.

The Board unanimously recommended in favor of the departure.

- 2. Separations (SMC 23.45.518.F):** The Code requires a 10 foot setback between principal structures at any two points on different interior façades. The applicant proposes a 6 foot 9 inch separation at the street, widen to 8 feet 8 inches at the courtyard (west set of bldgs. 1 & 2); and an 8 foot 6 inch setback, widen to 10 feet separation between the two buildings adjacent to the alley (bldgs. 3 & 4) along the east property line.

This departure provides an overall design that better meets the intent of Design Review Guidelines A-4, A-7, B-1, and C-2 by creating a well scaled landscaped space and visual interest adjacent to the pedestrian realm.

The Board unanimously recommended in favor of the departure.

- 3. Façade Length (SMC 23.45.527.B):** The Code requires a 65% maximum combined façade length for all portions of facades within 15 feet of a lot line that is neither a rear lot line nor a street or alley lot line. The applicant proposes a façade length of 70.9% (to the north) and 66.8 façade length (to the south) within 15 feet of the side property lines.

This departure provides an overall design that better meets the intent of Design Review Guidelines A-2, A-7, B-1, and D-7 by modulating the massing on all facades reducing the overall visual impact of bulk of the proposed structures and increases its compatibility to surrounding properties. The central courtyard has been increased in sized to better scale the proposed structures to the streetscape, and affords a secondary benefit to better facilitate internal social interactions with a greater sense of openness at the development site.

The Board unanimously recommended in favor of the departure.

- 4. Projection Permitted in All Required Setback and Separations (SMC 23.45.518.H.9):** The Code requires in each required setback or separation, an arbor may be erected with no more than a 40 square foot footprint to a maximum height of 8 feet. In each required setback abutting a street, an arbor over a private pedestrian walkway with no more than 30 square foot footprint may be erected to a maximum height of 8 feet. The applicant proposes to erect a 50 square foot arbor in the building separation area between bldgs. 1 & 2 higher than 8 feet, erect a 98 square foot arbor in the rear setback, and a 7 foot arbor in the front setback higher than 8 feet.

This departure provides an overall design that better meets the intent of Design Review Guidelines A-1, A-2, A-3, A-4, B-1, and C-2 by developing a language that registers the topography of the site and creates linear breaks related to pedestrian access points. The arbors establish visual cues signaling pedestrian gateways from Fremont Avenue through to the alley.

The Board recommended unanimously that DPD grant the departure.

BOARD RECOMMENDATIONS

The recommendation summarized above was based on the design review packet dated April 10, 2013, and the materials shown and verbally described by the applicant at the April 10, 2013 Design Recommendation meeting. After considering the site and context, hearing public comments, 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. (Authority referred in the letter and number in parenthesis)

1. The Board recommends that the design should minimize smooth surface retaining walls with punctuated visual interests in its treatment of the materials. (A-6, E-3)
2. The Board recommends that the design should incorporate robust landscaping reflective of the eclectic neighborhood should impart a distinctive presence for each unit with street frontage. (E-3)

Subject to the conditions above, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

ANALYSIS & DECISION – DESIGN REVIEW

Director’s Analysis

Four members of the Northwest Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project’s overall success. The Director must provide additional analysis of the Board’s recommendations and then accept, deny or revise the Board’s recommendations (SMC 23.41.014.F3). The Director agrees with and accepts the conditions recommended by the Board that further augment the selected Guidelines.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board’s conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board. The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

Director’s Decision

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the five members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and

Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departure with the conditions summarized at the end of this Decision.

SEPA ANALYSIS

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated June 06, 2013. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file, and pertinent comments which may have been received regarding this proposed action have been considered including a future Full Unit Lot Subdivision associated with this proposal.

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

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, 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.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for short and/or long term impacts. Applicable codes may include 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.

PUBLIC COMMENT:

The public comment period ended on July 21, 2013. Public comments were received.

SHORT TERM IMPACTS

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Air

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short term impacts generated from the embodied emissions results in increases in carbon dioxide and other greenhouse gases thereby impacting air quality and contributing to climate change and global warming. While these impacts are adverse they are not expected to be significant. The other types of emissions are considered under the use-related impacts discussed later in this document. SEPA conditioning is not necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675.A.

Noise

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends.

The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM, unless modified through a Construction Noise Management Plan, to be determined by DPD prior to issuance of a demolition, grading, or building permit, whichever is issued first.

Historic Preservation

The Department of Neighborhoods indicated the structures on site that are proposed to be demolished are unlikely to qualify for historic landmark status (Landmarks Preservation Board letter, reference number LPB 707/13). Therefore, no mitigation is warranted for historic preservation.

Construction Parking and Traffic

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The construction activities will require excavation, removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

During construction, existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This immediate area is subject to traffic congestion during the PM peak hour, and large construction trucks would further exacerbate the flow of traffic.

Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

It is expected that most of the material to be removed from the site will be due in part to excavation for a building on a sloping lot with underground parking will have impacts on surrounding properties. During excavation, a single-loaded truck will be used which holds approximately 10 cubic yards of material. This will require approximately 130 truckloads to remove approximately 1300 cubic yards of material, and may require additional number of trucks loads of fill material for regarding purposes. The site fronts one street and a named alley, with ready access to I-99, and is anticipated to have minor impacts on the neighboring thoroughfares. In order to limit this negative impact as much as possible, a Construction Haul Route will be required and approved by SDOT prior to issuance of a building permit. The Construction Haul Route plan shall delineate the routes of trucks carrying project-related materials.

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site.

To mitigate construction parking impacts and other haul truck trip impacts, the applicant shall submit a Construction Haul Route for approval by Seattle Department of Transportation and Construction Parking Plan for approval by DPD. These plans may include a restriction in the hours of truck trips to mitigate traffic impacts on nearby arterials and intersections. Evidence of these approved plans shall be provided to DPD prior to the issuance of demolition, grading, and building permits.

LONG TERM IMPACTS

Long term or use-related impacts are also anticipated as a result 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 and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the projects’ 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 due to the relatively minor contribution of greenhouse gas emissions from this project.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

DETERMINATION OF NON-SIGNIFICANCE

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.

SEPA - CONDITIONS OF APPROVAL

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

1. The applicant shall provide to the DPD Land Use Planner for approval a Construction Management Plan which identifies construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.
2. If the applicant intends to work outside of the limits of the hours of construction described in condition #3, a Construction Noise Management Plan shall be required, subject to review and approval by DPD, and prior to a demolition, grading, or building permit, whichever is issued first. The Plan shall include proposed management of construction related noise, efforts to mitigate noise impacts, and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short -term transportation impacts that result from the project.

During Construction

3. 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 Issuance of Building Permit

4. The design should minimize smooth surface retaining walls with punctuated visual interests in its treatment of the materials. (A-6, E-3)
5. The design should incorporate robust landscaping reflective of the eclectic neighborhood should impart a distinctive presence for each unit with street frontage. (E-3)

Prior to Final Approval of Building Permit

6. 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 (Bradley Wilburn 206.615.0508 or bradley.wilburn@seattle.gov).
7. 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 (Bradley Wilburn 206.615.0508 or bradley.wilburn@seattle.gov).

For the Life of the Project

8. 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 (Bradley Wilburn 206.615.0508 or bradley.wilburn@seattle.gov) or a DPD assigned Land Use Planner.

Signature: (signature on file) Date: January 13, 2014
Bradley Wilburn, Senior Land Use Planner
Department of Planning and Development