



City of Seattle

Department of Planning and Development

Diane M. Sugimura, Director

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

Application Number: 3013340 & 3014815
Applicant Name: Christy Santos
Address of Proposal: 4735 & 4765 35th Avenue South

SUMMARY OF PROPOSED ACTIONS

3013340: Land Use Application to allow nine, three-story townhouse units in four separate buildings with parking for seven vehicles in an environmentally critical area.

3014815: Land Use Application to allow eight, three-story townhouse units in four separate buildings with parking for ten vehicles located with the structures and two surface parking spaces in an environmentally critical area.

The following approvals are required:

Design Review - Seattle Municipal Code (SMC) Section 23.41

Administrative Design Review – Seattle Municipal Code (SMC) Section 23.45

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 December 6, 2012 and revised and republished on April 11, 2013.

PROJECT DESCRIPTION

The applicant proposes 17 three-story townhouse units in seven separate structures with both garage and surface parking for a total of 18 spaces.

The development team presented several alternative site planning schemes for the small complex of single family and townhouses structures. Option # 1 illustrates four townhouse structures with two units in each building fronting on 35th Ave S. Two driveways connect to four parallel groupings of townhouses (five units in each linear row) that extend east/west on the site. Much

of the site comprises driveways linking the individual garages to the street. Open space runs in narrow, linear swaths forming the side yards, rear yard and an area separating the paired rows of townhouses. The design does little to capitalize on the significant grade change.

Option #2 limits the curb cut on 35th Ave S to one. The driveway splits the townhouses facing the street into two groupings of two and seven units each. The driveway leads to two parallel structures of five units each. Directly behind the two unit townhouse facing the street lies two units surrounded by common open space in the site's southwest corner. This design also removes the site's distinctive topography.

Scheme #3A, similar to Option #1, forms a bilaterally symmetrical design with a common driveway midway between the north and south property lines. The grouping of structures occurs in three layers. Moving from east to west, the first layer of two buildings with three units each faces 35th Ave S. Two driveways leading to unit garages connect to the street adding a total of three curb cuts to the complex as a whole. The second layer of units forms a cluster of eight units in five separate structures facing a common driveway. The buildings form an "I" shaped void comprised of driveways. The third and western most layer consists of two structures with two units each. The units connect to the driveways that establish the separation among buildings. A majority of the useable open space is pushed to the rear yard, to most of the side yards with some exception for structures that would sit on the north and south property lines, and to the front yards along the street. Narrow amounts of green or decks line the pathways through the complex. Of the schemes, this option takes advantage of the topography by allowing the layers of units or structures to step up the incline. The applicant also presented a slightly altered version of this scheme at the meeting (not included in the EDG packet). This scheme possesses six single family and five townhouses structures totaling 18 units. Three curb cuts line 35th Ave S. Two walkways link to the right of way near the north and south property lines. This scheme has more space open space surrounding the single family nits near the rear of the site.

Still another version of this scheme, #3B, imagines the site expanded to include the vacant property to the north. This has the same layering of units and an extensive driveway system. Additional units are in single family structures. This option has 24 units in eight single family and seven townhouse structures.

By the Recommendation meeting, the applicant had expanded the proposal in conformance with scheme #3B.

SITE & VICINITY

Currently vacant, the site comprises four parcels and subdivided into a total of 24 unit lots located mid-block along 35th Ave S between S. Alaska and S. Edmunds Streets. The nearly square property measures 156' wide by 153' deep. The site slopes from the highest point on the southwest corner to the lowest point on the northeast corner. Total declension amounts to approximately 18 feet. The site does not have environmentally critical areas associated with it.

Located in Columbia City, the site lies surrounded by institutional and residential uses. Several parks, including Columbia Park and Rainier Playfield, are within walking distance of the site. To the east, several single family structures, townhouse and apartment developments, as well as Elder Healthcare Northwest, comprise the majority of land uses. Directly to the west lies the Zion Prep Academy and further west, a light rail station and Rainier Vista complex. The Zion Prep site currently has a redevelopment proposal (#3015157) associated with it. North of the subject property is the Rehabilitation Center for the Blind. Immediately to the south sits a recently constructed townhouse project comprised of a series of three-plex structures.

Rainier Ave S., located about two blocks east of the project, and Martin Luther King Jr. Way S, about two blocks west of the project, form major north/south arterials within close proximity. The site sits midway between S. Alaska St. to the north and S. Edmunds St to the south. Both streets provide key connects to the Columbia City business district and the light rail station.

Columbia City has witnessed considerable new development and maintains significant ethnic and income diversity.

The site lies within a mapped steep slope area. Based on the review of the site, DPD granted a limited steep slope exemption for both project sites (Building project #6316016).

The site carries a multi-family Lowrise Three (LR 3) zone designation. The larger vicinity also shares a lowrise classification from Rainier Ave S. to Martin Luther King Jr Way S. South of S. Edmunds St. the zoning shifts to single family (SF5000) as does the zoning north of S. Alaska St. Neighborhood Commercial zoning occurs along Rainier Ave and to a lesser extent on M.L.K

ANALYSIS - DESIGN REVIEW

PUBLIC COMMENT

Two members of the public affixed their names to the EDG sign-in sheet. No one spoke.

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-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.

Using the rise in grade to take advantage of views and provide differentiation within the cluster of buildings makes the most sense. The Board briefly discussed whether an asymmetrical arrangement of units would have better complemented the site's slope.

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

The Board recommended the elimination of the two extra curb cuts on 35th Ave S. See guidance A-4, A-8 and C-5.

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

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

With the reduction in driveways on 35th Ave S, the design will do more to encourage human activity along 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.

Eliminating the zero lot line conditions on the north and south proposed by the architect as shown in alternative or revised option #3A increases the distance between the townhouse to the south and future development to the north. The Board preferred this option.

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.

To increase the pedestrian orientation of the streetscape, the two additional curb cuts and associated driveways should be eliminated in favor of unit open spaces facing 35th Ave.

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

The revised option #3A with its increase in open space near the rear of the site appealed to the Board. This scheme also respected the side setbacks by providing open space and pedestrian circulation.

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.

The Board recommended only one curb cut from 35th Ave. The two additional curb cuts appeared unnecessary and impediments for a desirable pedestrian experience.

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

C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

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.

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

Design of the units and the landscaping should possess a careful consideration of detail and texture.

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.

Provide a colors and materials board for review at the Recommendation meeting.

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

The elimination of the two extra curb cuts will relieve the street frontage of parking garages.

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.

Based on option 3A, the desire to accommodate vehicular access to garages took precedence over an armature of shared or common open spaces.

The Board recommended placing the complex's pathway connections to the street near the north and south property lines. This would also serve to shift two structures away from the north and south property lines.

D-3 Retaining Walls. Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible. Where higher retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscapes.

The desire to have the structures and circulation system step up as the grade rises to the west will possibly require retaining walls. The design of the exposed walls will be a consideration at the next meeting.

- 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 structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.**

Clustering two or more garages has the benefit of reducing the extent of driveways while simultaneously possessing the disadvantage of visually enlarging the size of the garages.

- 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.**

The Board emphatically dismissed the architect's notion that trash and recycling canisters for 18 units would be lined up along 35th Ave S. on pick-up days. By the next meeting, the proposal will need to show one or more enclosed, temporary storage areas off the right of way during solid waste removal days.

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

Provide a concept lighting plan for the pathways and open spaces for the next design review meeting.

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.**

By the Recommendation meeting, make clear the type of materials specified for the driveways and parking areas.

DEVELOPMENT STANDARD DEPARTURES

At the time of the Early Design Guidance meeting, the following departures were requested:

1. The applicant proposed a departure request from SMC 23.45.518 governing side setbacks. The project would reduce portions of the two side setbacks from a seven foot average and a five foot minimum to a six foot average. Two townhouse structures in scheme 3A would sit at the property line reducing the setback to zero in areas.

The Board noted that it preferred the revision to Scheme 3A that places the stairs and sidewalk at the property line rather than locating structures in the side setbacks.

2. The applicant's second proposed departure request concerns SMC 23.45.527 governing façade length. Maximum combined length of all facades within 15 feet of a lot line must not exceed 65% of the lot length. For this property, the maximum length would not exceed 99'2". Based on the several options, the increase in façade length would increase from 12'10" to 15'10" or an increase of 13 to 16 percent respectively.

The Board indicated its preliminary inclination to accept the departure request.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with Design Review and SEPA components on November 20, 2012 for project #3013340 and on February 26, 2013 for project # 3014815.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on June 11, 2013 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 Comments

Trash Collection Area:

- The location of the solid waste location is reasonable; however the route to haul to the curb is not realistic.
- The trash building is disappointing in its relationship to the street. The applicant is adding another set of garage doors facing the frontage.

Pedestrian Access

- With the possible redevelopment of the Mt. Zion property to the west, there is an opportunity to allow pedestrian access through the subject site to enable more direct circulation to the light rail station and Columbia City business district. Departures should not be allowed without this provision.

Setbacks

- The departures would allow the complex to be too close to the neighbors to the south.
- The structures create a canyon between the townhouses to the south and the proposal.

Green Space

- The environmentally critical area ought to inform the design with greater amounts of green space. Coupled with the departures that allow larger structure footprints, the amount of open space is limited.

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.**

The Board did not deliberate on the issue discussed at the EDG meeting.

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

After discussion, the Board recommended that the large opening for the solid waste disposal room be oriented to the south, perpendicular to the sidewalk, rather than face the street.

Previous guidance had urged the elimination of two extra curb cuts on 35th Ave S. The Board did not object to the two shown on the plans.

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

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

Recommendation Meeting: See guidance A-7.

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.

The discussion of the departure requests governing setbacks resulted in the Board recommending approval for setback relief from the north property line but denial for the request from the south property line.

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.

See discussion from guidance A-2.

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

The Board recommended the introduction of additional communal open space unencumbered by vehicle movements. The amount of open space should approximate the size of the roof covering the trash enclosure. If the applicant designates the rooftop as usable open space, the entire entry area must include stairs, landings, and landscaping in front of the of the revised storage room to be designed as a comprehensive open space.

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.

Install porous pavers on all areas of the driveways and drive court.

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

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

No further deliberation occurred for this guideline.

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.

The Board did not comment on the proposed choice of materials and colors.

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

See guidance for A-2.

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.**

The Board recommended the installation of an east-west pathway through the site which would enable future mid-block pedestrian access from the property line shared with Zion Prep site to 35th Ave SW.

- D-3 Retaining Walls. Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible. Where higher retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscapes.**

The appearance of the retaining walls did not merit discussion.

- 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 structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.**

No comments were added to the record.

- 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.**

The Board recommended reorienting the large opening of the solid waste enclosure to the south. Install generous landscaping between the east façade of the enclosure and 35 Ave SW to assure an attractive street frontage.

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

The lighting plan met with approval.

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.**

Enhance the site's landscaping by meeting the following conditions: do not place fencing along 35th Ave SW, use porous or pervious pavers for the driveways and drive courts, provide plantings between the east wall of the trash enclosure and 35th Ave.

Landscaping will also be enhanced by creation of a pathway linking the east and west property lines, an outdoor communal area either on top of the trash enclosure area or if at-grade (it must equal the size of the roof) and include a comprehensive design for stairs, landings, and landscaping in front of the structure.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the June 11th, 2013 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 June 11th public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the five 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. Side Setback SMC 23.45.518	Side setback for townhouse facades greater than 40' equals 7' average and 5' minimum.	North Property Line: At Building # 6, a 6.54' average setback.	<ul style="list-style-type: none"> ▪ Provides courtyards. 	Recommended Approval 3-0
2. Side Setback SMC 23.45.518	Side setback for townhouse facades greater than 40' equals 7' average and 5' minimum.	South Property Line: At Building #1, a 5.08' average setback.	<ul style="list-style-type: none"> ▪ Provides courtyards. 	Recommended Denial. 3-0
3. Side Setback SMC 23.45.518	Side setback for townhouse facades greater than 40' equals 7' average and 5' minimum.	At Mid-property line between Buildings # 4 and 5, zero lot line.	<ul style="list-style-type: none"> ▪ Interior lot lines that are part of the overall complex. 	Recommended Approval 3-0
4. Side Setback SMC 23.45.518	Side setback for townhouse facades greater than 40' equals 7' average and 5' minimum.	At Mid-property line between Building #8 and the trash enclosure, the applicant proposes a zero lot line.	<ul style="list-style-type: none"> ▪ Interior lot lines that are part of the overall complex. 	Recommended Approval 3-0
5. Screening of Parking. SMC 23.45.536D	Where parking is within structure and garage doors face the Street, garage doors shall be set back at least 15' from the street lot line.	Garage doors setback 13'5" from the street lot line. 18" differential.	<ul style="list-style-type: none"> ▪ Shorter driveway prevents vehicles from parking on the driveway. 	Recommended Approval 3-0
6. Façade Length. SMC 23.45.527	Maximum combined length of all portions of facades within 15' of a lot line shall not exceed 65% of length of lot line. .65 x 152.64=99.2'	South Property Line: Combined length of Buildings #1, 2 & 3 equals 122.33 or 80% of the lot line.	<ul style="list-style-type: none"> ▪ Buildings separated by open spaces. 	Recommended Approval 3-0
7. Front Setback SMC 23.45.518	Front setback for townhouse facades equals 7' average and 5' minimum	Building # 1 equals 6'10" average. Average reduction of 2"	<ul style="list-style-type: none"> ▪ Building has significant modulations. 	Recommended Approval 3-0

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

- 1) Orient the large opening for the trash enclosure to the south, perpendicular to the sidewalk, rather than face the street. (A-2, D-6)

- 2) Design and install a communal open space for residents unencumbered by vehicle movements. The amount of open space should approximate the size of the roof covering the trash enclosure. If the applicant designates the rooftop, the entire open space will include stairs, landings, landscaping in front of the revised solid waste enclosure to be comprehensively designed. (A-7, D-2)
- 3) Use porous or pervious pavers for all the driveways and drive court. (A-8, E-2)
- 4) Design and install a pathway connecting the east and west property lines in order to foster a mid-block path linking Columbia City business district and the light rail station. (D-1)
- 5) Maintain the openness of the site by not installing fences along 35th Ave SW. (E-2)
- 6) Add plantings between the east wall of the trash enclosure and the 35th Ave SW right of way.

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 July 17, 2012. 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 adversely 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. 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.

Prior to issuance of demolition, grading and building permits, 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.

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. Cut and fill during excavation will total an estimated 3,600 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 may last approximately 12 months. The construction of the project 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 3,600 cubic yards of soil are expected to be excavated and brought to and 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 360 round trips with 10-yard hauling trucks or 180 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.

Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along 35th Avenue S.

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, parking impacts, public view protection, historic preservation, shadows on public spaces, and glare 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 proposed townhouse development of 17 townhouse units would not likely generate a significant amount of week day PM peak hour trips. The project is not expected to result in any adverse impacts to site access or local area traffic operations.

No SEPA mitigation of traffic impacts to the nearby intersections is warranted.

Parking

No SEPA mitigation of parking impacts is warranted. Based on SMC section 25.05.675M.2.b.2, no SEPA authority is provided for the decision maker to mitigate the impact of development on parking availability for residential uses located within the Columbia City Residential Urban Village.

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. Orient the large opening for the trash enclosure to the south, perpendicular to the sidewalk, rather than face the street.
2. Design and install a communal open space for residents unencumbered by vehicle movements. The amount of open space should approximate the size of the roof covering the trash enclosure. If the applicant designates the rooftop, the entire open space will include stairs, landings, landscaping in front of the revised solid waste enclosure to be comprehensively designed.
3. Use porous or pervious pavers for all the driveways and drive court.
4. Design and install a pathway connecting the east and west property lines in order to foster a mid-block path linking Columbia City business district and the light rail station.
5. Maintain the openness of the site by not installing fences along 35th Ave S.
6. Add plantings between the east wall of the trash enclosure and the 35th Ave S right of way.

Prior to Building Application

7. Include the departure matrix in the zoning summary section on all subsequent building permit plans. Add call-out notes on appropriate plan and elevation drawings in the updated MUP plans and on all subsequent building permit plans.

Prior to Commencement of Construction

8. 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 all Construction Permits

9. Embed the MUP conditions in the cover sheet for all subsequent permits including updated building permit drawings.

Prior to Issuance of a Certificate of Occupancy

10. 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 one week 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

11. 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 Demolition, Grading, or Building Permit

12. Submit a construction traffic management plan to be reviewed and approved by SDOT and DPD. The plan shall, at a minimum, identify truck access to and from the site, pedestrian accommodations, and sidewalk closures. Large trucks (greater than two-axle) shall be prohibited from entering or exiting the site between 3:30 P.M. to 7:00 P.M.

During Construction

13. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M:
 - A) Surveying and layout; B) Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed); C) Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
14. 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:
 - A) Non-holiday weekdays between 7:00 A.M and 6:00 P.M; B) 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; C) 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; D) 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.

15. 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: September 5, 2013
Bruce P. Rips, AAIA, AICP
Department of Planning and Development