



City of Seattle
Edward B. Murray, Mayor

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

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

Application Number: 3015370
Applicant Name: Michelle Kinsch for Tiscareno Associates
Address of Proposal: 601 East Pike Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 6-story structure with 60 residential units, 3,537 sq. ft. of retail and parking for 30 vehicles to be located in below grade garage. Existing building (4,002 sq. ft.) to be demolished.

The following Master Use Permit components are required:

Design Review Departures (SMC Chapter 23.41)

- Development Standard Departure to allow less than the minimum driveway width (SMC 23.53.030.D.2)
- Development Standard Departure to allow structural building overhang bay windows that have 90 degree angled sides instead of 45 degree angled sides (SMC 23.53.035.A.4)
- Development Standard Departure to allow reduced sight triangles at the driveway (SMC 23.54.030.G.1)
- Development Standard Departure to allow fewer than 35% large stall sizes (SMC 23.54.030.B.2.d)
- Development Standard Departure to allow less than 13' floor to floor height in non-residential street level uses (SMC 23.47A.008.B.3.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

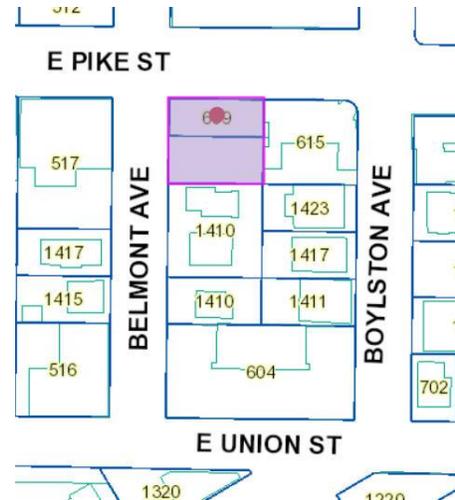
Site:

Site Zone: NC3P-65
Nearby Zones: (North) MIO-105-NC3P-65
(South) NC3P-65, MR further south
(East) NC3P-65
(West) NC3P-65
Lot Area: 10,000 square feet

Current Development:

The site is located in the Capitol Hill neighborhood on the southeast corner of East Pike St. and Belmont Ave.

The site slopes downward from east to west. A mature street tree is located on E. Pike St, near the intersection. The site is occupied by a vacant one-story building constructed in the early 20th century that was used as a Mercedes-Benz showroom. The existing building qualifies as a character structure in the Pike Pine Overlay, since it is more than 75 years old. Existing vehicular access is via a curb cut on Belmont Ave.



Surrounding Development and Neighborhood Character:

Structures adjacent to the site include a newer multi-story mixed-use residential and retail building to the east, and early 20th century residential buildings to the south and southeast. Commercial and mixed-use development is located along E. Pike St. New construction is proposed across the street to the north (MUP 3013283 and MUP 3014172).

Nearby development includes theaters, Seattle Central Community College, and a mix of residential and commercial buildings. Nearby areas include a wide range of uses, architectural styles, and age of buildings.

The site is located in the Pike Pine Overlay District, which includes additional regulations for structures older than 75 years old.

Pike Street is a commercial corridor connecting downtown with the eastern areas of Capitol Hill. This section of Pike Street is slightly quieter, with smaller scale retail and mixed-use development.

Belmont Avenue has less traffic than Pike or Pine Streets, with residential uses increasing to the south.

Broadway Avenue is located one block to the east. The Pike Pine corridor continues past Broadway, with a large variety of retail, restaurant, commercial, and residential uses.

Cal Anderson Park is located three blocks to the east and offers a wide variety of recreational opportunities. The future Capitol Hill Light Rail Station is under construction and will be located approximately four blocks to the northwest of the subject property, near the northwest corner of Cal Anderson Park.

EARLY DESIGN GUIDANCE MEETING: December 4, 2013

The packet includes materials presented at the meeting, and is available online by entering the project number (3015370) at this website:

<http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.asp>

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

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

Email: PRC@seattle.gov

PUBLIC COMMENT

The following comments, issues and concerns were raised during public comment:

- The external stair on the west façade doesn't appear to relate to the proposed architectural concept or the nearby context.
- The architectural concept that includes 2-story framing over a 1-story stacked flat program seems to be too busy for this small building and seems to be trying too hard to relate to nearby context. The proposed design should instead reflect the proposed building program.
- The parking access appears to be too wide and will negatively affect pedestrian safety on the west street frontage.
- The neighboring residential buildings to the south share an open space that is adjacent to the southeast portion of this building.

FINAL RECOMMENDATION MEETING: May 28, 2014

The packet includes materials presented at the meeting, and is available online by entering the project number (3015370) at this website:

<http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.asp>

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The applicant noted that the 10' voluntary proposed setback from the Belboy Condominiums has been maintained, in response to Early Design Guidance.

The intent of the design concept is a simple box with highly glazed bays, colorful and well-detailed cementitious siding with hardwood at the residential entry and at the Belmont Ave secondary entry/exit. The cementitious siding would be thicker high quality panels with integrated hardware and reveals.

In response to EDG, the stair was moved internal to the building and incorporated into a terrace on Belmont Ave. The retail frontage was extended up Belmont Ave from the EDG scheme. The applicant noted that while the Board suggested an additional top floor setback, the applicant has instead focused design effort on materials, colors, and Juliet balconies on the south façade.

The applicant provided additional graphics indicating how the window placement is proposed to accommodate more flexible furniture placement inside the units.

A green wall is proposed near the garage entrance, to reference the high bank yard condition on Belmont Ave. A modern style metal screen is also proposed at the second floor terraces on the south edge, a secondary green screen fence is proposed at the south edge, and the roof deck is proposed near the north edge of the site, in order to minimize impacts to the neighbors to the south.

PUBLIC COMMENT

The following comments, issues and concerns were raised during public comment:

- The PPUNC neighborhood group provided a comment letter, in support of the proposed design and departures, particularly:
 - Transparent ground floor;
 - Transparent bay windows;
 - Crisp and quality design; and
 - High quality fasteners.
- The windows should be set back several inches in plane from the siding.
- The high quality palette and detailing should be maintained.

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.

EARLY DESIGN GUIDANCE (DECEMBER 4, 2013):

- 1. The architectural concept should be simply and clearly expressed, and should respond to the proposed development (stacked flats), rather than reflect the expression of adjacent loft building. (B-1, C-2, C-4)**

- a. The Board noted that a clear simplified and cohesive design concept should express the stacked flat building program. The design should include a hierarchy of clearly legible design moves, in response to the corner, adjacent conditions, and building program.
 - b. The west stair should enhance the overall design concept. The Board noted that the exterior stair as shown on the conceptual design images appears to conflict with the design concept and nearby context.
 - c. The bay windows should enhance the overall design concept. The Board noted that the bay windows shown at the EDG meeting appear to be placed to emphasize the residential entry, which isn't necessary on this small site with an entry on the primary street frontage.
 - d. The Board noted that while the project is at an intersection, the small site size and specific location don't warrant a particular emphasis on the design of the corner.
 - e. The Board agreed that while the existing structure qualifies as a character structure, it is not particularly representative of the Pike Pine character. The Board agreed with the proposal to replace the character structure with new construction.
- 2. The street level spaces should be designed to maximize human activity and human scale.** (A-2, A-4, A-8, C-3, C-4, D-1, D-6, E-2)
- a. The Board noted that all the street level spaces should be designed to provide human scale for pedestrians.
 - b. The Board was troubled by the Belmont street frontage, which appeared to include no active retail or lobby entries, and instead was dominated by the parking garage entry and a solid waste storage area.
 - c. The proposed program should be reconfigured to enhance human activity on Belmont Ave. The Board noted that possible solutions include incorporating the stairs inside the building and extending the retail frontage further up Belmont, locating the lobby on Belmont Ave, and moving the solid waste storage into the building to allow the parking entry to shift to the south to make room for retail or lobby street frontage.
 - d. The Board discussed the lobby location, and agreed that as long as it is placed to maximize contiguous retail frontage, then it's acceptable at either the Belmont Ave or E. Pike St frontages.
 - e. The Board agreed that the general location of the parking access near the southwest corner is the best option. The Board would be supportive of departures to minimize the visual and physical impacts of the parking entry on the pedestrian environment.
- 3. The proposed development should maintain at least the proposed 10' setback from the adjacent site to the south.** (A-5, B-1, C-2, C-4, E-2)
- a. The Board noted that the possible solutions to the Belmont Ave street frontage might affect the building massing. The Board clarified that the 10' setback from the south property line is strongly preferable, in order to maximize light and air to the much smaller residential buildings and open space to the south.

- b. The Board suggested an upper level setback on the south façade may help to reduce the appearance of bulk and scale to the south.

FINAL RECOMMENDATIONS (MAY 28, 2014):

1. **Architectural Concept:** The Board supported the overall design response but recommended conditions to refine the palette and concept, and to maintain important details.
 - a. Board commended the thoughtful design response and the applicant's efforts to work with the neighborhood groups (PPUNC and the adjacent neighbor). However, the Board was concerned that the design evolution resulted in an over-simplification of the massing and scale. The Board recommended that the proposed design concept is an acceptable response to EDG, but the conditions related to the detailing will be critical for the building design to respond to massing and scale context.
 - b. The proposed palette is bold and the high contrast between colors may result in a contrast that detracts from the design concept. The Board recommended a condition that the applicant should investigate the potential for charcoal gray vinyl windows instead of black vinyl windows. If that's not available, then the proposed palette is acceptable. (C-2, C-4)
 - c. The simple design concept requires careful material treatment to avoid the appearance of a 'flat' facade. The Board recommended a condition that the crispness of the flashing and fasteners as shown in the Recommendation packet and presentation are important for the success of the design and should be maintained. (B-2, C-2, C-4)
 - d. The Board recommended a condition to recess the windows from the siding to lend critical detail and texture to the façade. The Board noted that without a greater punch to the windows, the façade will appear too flat. (B-2, C-2, C-4)
 - e. The Board was concerned that the renderings represented too much contrast between colors and detracted from the expression of the design concept. The Board viewed the physical materials and colors board and recommended that the physical color samples sufficiently enhanced the design concept. The Board therefore recommended approval of the design based on the physical materials and colors board showing bronze windows and rust colored siding (depending on the outcome of the condition for window color). The Board noted that the recommendation for approval was not based on the colors shown in the renderings. (C-2, C-4)
 - f. The Board strongly approved of the design response at the southwest corner, where the stairs were incorporated into the building and the pedestrian gate, and the terrace was designed to transition to the sidewalk and relate to the adjacent context. (A-1, A-2, B-1, C-2).

DESIGN REVIEW GUIDELINES

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

- 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-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-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 nearby, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between the anticipated development potential on the adjacent zones.
- B-2 Pike/Pine: Neighborhood Scale and Proportion**
- New buildings should, in general, appear similar in height, mass, and scale to other buildings to maintain the area's visual integrity and unique character. Although current zoning permits structures to exceed the prevailing height and width of existing buildings in the area, structures that introduce increased heights, width and scale should be designed so their perceived scale is compatible with the existing neighborhood character. The following guidelines address scale and proportion for new structures.*
- a. Design the structure to be compatible in scale and form with surrounding structures.*
 - b. Relate the scale and proportions of architectural features and elements to existing structures on the block face to maintain block face rhythm and continuity.*
 - c. Address conditions of wide or long structures.*
 - d. For structures that exceed the prevailing height, reduce the appearance of bulk on upper stories to maintain the established block face rhythm.*
 - e. Design the first floor façade to encourage a small-scale, pedestrian-oriented character.*
- 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.

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

Pike/Pine: In order to achieve good human scale, the existing neighborhood context encourages building entrances in proportion with neighboring storefront developments.

- 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.

Pike/Pine: New developments should respond to the neighborhood's light-industrial vernacular through type and arrangement of exterior building materials. Preferred materials include: brick, masonry, textured or patterned concrete, true stucco (DryVit is discouraged) with wood and metal as secondary, or accent materials.

- 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.

- 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.

Pike/Pine: Incorporate vertical landscaping (trellises) or artwork as screens where feasible.

Parking structures should provide commercial or other pedestrian-oriented uses at street level.

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

- 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.

Pike/Pine: The creation of small gardens and art within the street right-of-way is encouraged to activate and enliven the public realm. Vertical landscaping, trellises or window boxes for plants is also desirable. Please see the Design Guidelines document for specific streets along which such treatment is emphasized.

DEVELOPMENT STANDARD DEPARTURES

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

- 1. Structural Building Overhangs (23.53.035.A.4.c):** The Code requires that bay windows that extend into the public right of way do not exceed 15' in length, 3' in depth, and shall have angled sides of 45 degrees. The applicant proposes bay windows that measure 12' long, project 2'6", and have 90 degree angled sides.

This departure would provide an overall design that would better meet the intent of Design Review Guideline C-2 by providing a bay window design that enhances the architectural concept.

The Board unanimously recommended that DPD grant the departure.

- 2. Driveway Widths (23.53.030.D.2):** The Code requires a minimum driveway width of 22' for non-residential uses with two-way driveways. The applicant proposes to provide a 10' wide driveway for 14 commercial parking spaces on Level 2.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-4, A-8, C-5, and D-8 by minimizing the driveway impacts on the pedestrian environment and maximizing active retail storefront uses on the Belmont Ave street frontage.

The Board unanimously recommended that DPD grant the departure.

- 3. Sight Triangles (23.54.030.G.1):** The Code requires sight triangles on either side of a driveway that is less than 22' wide. The applicant proposes to provide mirrors or other safety measures instead of sight triangles.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-4, A-8, C-5, and D-8 by minimizing the driveway impacts on the pedestrian environment and maximizing active retail storefront uses on the Belmont Ave street frontage.

The Board unanimously recommended that DPD grant the departure, but recommended a condition to avoid audible alarms in the driveway alert system.

- 4. Parking Space Standards (23.54.030.B.2.d):** The Code requires minimum of 35% small size and 35% large size stalls, when more than 20 spaces are provided. The applicant proposes to provide all of the 14 commercial parking spaces as small size.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-4, A-8, and C-5 by reducing the parking garage area to allow more floor area in the retail mezzanines, thereby maximizing active retail storefront uses on the Belmont Ave street frontage.

The Board unanimously recommended that DPD grant the departure.

- 5. Street Level Development Standards (23.47A.008.B.3.b):** The Code requires minimum 13' floor to floor height for non-residential uses at the street level. The applicant proposes to include mezzanines in the non-residential spaces, with a floor to ceiling height of 9'.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-4, A-8, C-5, and D-8 by allowing mezzanines in the retail spaces and maximizing active retail storefront uses on the Belmont Ave street frontage.

The Board unanimously recommended that DPD grant the departure.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated May 28, 2014, and the materials shown and verbally described by the applicant at the May 28, 2014 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the five Design Review Board members recommended APPROVAL of the subject design and departures, with the following conditions:

1. Investigate the potential for charcoal gray vinyl windows instead of black vinyl windows. If gray vinyl windows are not available, then the proposed palette as shown in the color and material board at the Recommendation meeting is acceptable. (C-2, C-4)
2. Recess the windows from the siding to lend critical detail and texture to the façade. (B-2, C-2, C-4)
3. The crispness of the flashing and fasteners as shown in the Recommendation packet and presentation are important for the success of the design and should be maintained. (B-2, C-2, C-4)
4. Use visual design cues and visual alerts in designing the safety measures at the driveway entrance. Audible alarms are not permitted. (A-5)

Applicant response to Recommended Design Review Conditions:

1. The applicant provided alternate color windows to DPD, but it was determined that charcoal gray was unavailable. The proposed palette will therefore remain as shown at the Recommendation meeting. The proposal satisfies condition #1.
2. The MUP plan sets have been updated with details showing the windows will be deeply articulated and will be recessed between 2-1/2" to 3" from the siding face. The proposed response satisfies condition #2.
3. The MUP plans have been updated to show thicker fiber cement with integrated hardware and concealed fasteners on the street facing facades and the south portion of the east façade. The proposal satisfies condition #3.
4. The applicant clarified that safety measures at the driveway entrance will not include audible alarms. The proposed response satisfies condition #4.

DECISION – DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED** subject to the conditions listed at the end of this document.

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 January 28, 2014. 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 any pertinent comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature 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.

Additional discussion of short and long term impacts, and conditions to sufficiently mitigate impacts where necessary, is found below.

Public Comment:

The public comment period ended on February 19, 2014. Comments were received in response to the design review aspects of the proposal, as well as concerns with shoring and excavation impacts to adjacent properties and amount of parking.

Short Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, stability of adjacent structures during construction, 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 Seattle Building Code (SBC), 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.

Environmental Health

The environmental checklist identified a Phase I and Phase II Environmental Site Assessment (“ESA”) reports that were done in response to potential soil contamination on site (Sound Earth Strategies, Phase I ESA dated May 22, 2013 and Phase II ESA dated July 9, 2013). The Phase II ESA concluded that “No remedial action is warranted or recommended at this time. However, the potential for unidentified USTs or localized releases associated with the former automotive repair facility remains; therefore, Sound Earth recommends that a soil management plan, which outlines the steps necessary in the event a UST or previously unknown contamination is identified during construction excavation activities, be prepared for the Property.”

Soil contamination that exceeds MTCA defined cleanup levels would require a soil remediation plan, reviewed by Washington State Department of Ecology. The Phase II ESA report provided information that showed contaminants were below the defined MTCA cleanup levels. While these impacts may be adverse, they are not expected to be significant, therefore, no further mitigation is warranted.

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.

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends. Some of the surrounding properties (recently constructed apartments to the north and west) are developed with numerous residential units and residents will be impacted by construction noise. The South Lake Union area is experiencing prolonged periods of construction noise from successive and numerous development activities in the immediate vicinity of the site. The combined impacts and duration of construction noise in this area warrants additional mitigation to reduce the impacts of construction noise on nearby residents.

The limitations stipulated in the Noise Ordinance are therefore not sufficient to mitigate noise impacts at this particular site; 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.

Construction Parking and Traffic

During construction, parking demand is expected to 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.

The immediate area has been experiencing numerous and successive construction projects. The combined impact and duration of this activity has an impact on nearby traffic and parking. Increased trip generation is expected during the proposed demolition, grading, and construction activity. The site is located on an arterial street. The immediate area is subject to significant traffic congestion during the PM peak hours on adjacent and nearby arterials, and large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic. The area includes limited and timed or metered on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking.

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

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

To mitigate construction parking impacts, the applicant shall submit a Construction Parking Plan for approval by DPD. This plan shall demonstrate the location of the site, the peak number of construction workers on site during construction, the location of nearby parking lots that are identified for potential pay parking for construction workers, the number of stalls per parking lot identified, and a plan to reduce the number of construction workers driving to the site. This plan shall be reviewed by DPD. Approval of the plan is required 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 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; views from scenic routes; height, bulk and scale; traffic and transportation; and parking impacts 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 decision maker 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 existing structure on site is more than 50 years old. The Department of Neighborhoods reviewed the proposal for potential impacts to historic resources, and indicated that the existing structure on site is unlikely to qualify for historic landmark status (LPB 50/14).

Therefore, no mitigation is warranted for historic preservation.

Parking and Traffic

As part of the environmental checklist, the project submitted a transportation analysis (Traffic Impact and Parking Utilization Study, TENW Project No. 3318, dated January 13, 2014).

The Transportation Impact Analysis noted that the residential peak parking demand for this development is 31 vehicles and peak commercial parking demand is 8 vehicles for this Census Tract. The peak demand hours of the residential uses are opposite the peak demand hours for retail, so the peak total parking demand is for 31 vehicles. The proposed number of parking spaces (30) would accommodate most of the anticipated parking demand, with possible spillover demand for 1 parking space.

The DPD Transportation Planner reviewed the Parking analysis and indicated that the analysis shows the residents using the parking spaces shown for commercial use on the plans. If that parking is not available to the residents, then the possible spillover demand could be closer to 15 parking spaces. If the commercial parking is available to residents in the evening, the spillover demand is likely closer to 2 parking spaces.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in the Capitol Hill Urban Center. This site is located in that Urban Center, and the project is mostly residential with some commercial. Regardless of the parking demand impacts from residential uses, no SEPA authority is provided to mitigate impacts of parking demand from the residential components of this project, even if impacts were identified.

The parking demand for the commercial uses (peak demand for 8 vehicles) is minor and will likely be entirely accommodated by the proposed 16 commercial parking spaces. The DPD Transportation Planner noted that the peak commercial parking demand appears to be high for this walkable and transit-oriented area, so the demand may be lower than stated in the analysis.

Therefore no mitigation is required for parking impacts, either residential or commercial.

The Traffic Impact Analysis noted that the project is expected to generate a net total of 238 daily vehicle trips, with a net increase of 31 AM Peak Hour trips, and 12 net new PM Peak Hour trips. The additional trips would have minimal impact on levels of service at nearby intersections.

DPD's Transportation Planner has reviewed the Traffic and Parking Analysis and determined that the additional peak hour trips do not contribute significant adverse impacts requiring mitigation. The DPD Transportation Planner also noted that the trip generation estimate for the retail is high and the total trips should reasonably be closer to 18 AM Peak Hour trips. The total trip impacts are therefore likely less than estimated in the Traffic Impact analysis.

Accordingly, no mitigation of impacts disclosed in this section is required.

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 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. The applicant shall provide a copy of a Construction Haul Route, approved by Seattle Department of Transportation.
2. A Construction Parking Plan, approved by the Land Use Planner (Shelley.bolser@seattle.gov), shall be required.

DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to Certificate of Occupancy

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

For the Life of the Project

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

Signature: _____ (signature on file) Date: July 28, 2014
Shelley Bolser, AICP, LEED AP
Land Use Planning Supervisor
Department of Planning and Development

SB:drm

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