City of Seattle
Edward B. Murray, Mayor

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

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

Application Number: 3015604

Applicant Name: Lora Hammersmith of Studio 19 Architects

Address of Proposal: 5260 University Way Northeast

SUMMARY OF PROPOSAL

Land Use Application to allow a 7-story structure containing, 70 residential units above 4,223 sq. ft. of retail space. Surface parking for 4 vehicles to be provided. Existing structures to be demolished.

The following approvals are required:

Design Review pursuant to Chapter 23.41, Seattle Municipal Code, with no Departures.

SEPA – **Environmental Determination** – Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[X] DNS with conditions

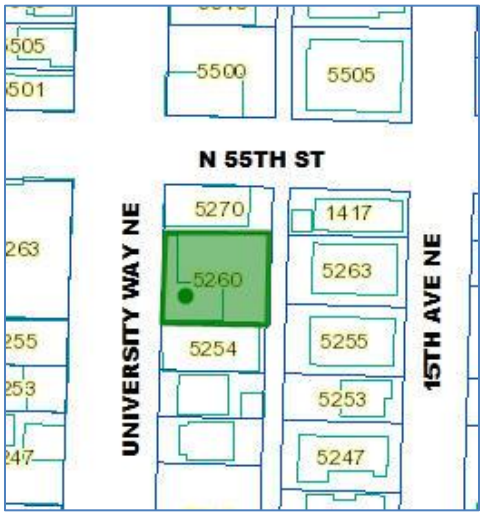
[ ] DNS involving non-exempt grading or demolition, or involving another agency with jurisdiction.

Site

Site Zone: Neighborhood Commercial Pedestrian (NCP3-65)

Nearby Zones: (North)NC3P-65
(South) NC3P-65
(East) LR 3, across the alley
(West) NC3P-65

Lot Area: 7,440 square feet



Site Development

A two-story early 20th century mixed-use building with surface parking at the alley comprises the site on the east side of University Way Northeast between Northeast 52nd and 55th Streets. It lies within the University District Northwest Urban Center Village, a pedestrian zone, and on a segment of University Way Northeast with time restricted on-street parking. Frequent transit service and bike lanes are provided on University Way Northeast.

Surrounding Development and Neighborhood Character

The site is located in the University Urban Center, like other Urban Centers, is intended to be neighborhoods with higher density development, taller structures, and a variety of commercial uses and services near transit. The University Urban Center exhibits many of these characteristics, although some of the parcels are underdeveloped when compared to the zoned heights and intensity of uses. Most of the commercial uses and services are located on the arterial streets.

The nearby neighborhood is fully developed with sidewalks, but often lacks planting strips and street trees. Transit service is frequent and includes a variety of routes. The future light rail station will further increase the frequency and choice of modes of transit. The nearby streets are heavily used by pedestrians, cyclists, transit, and other vehicles. Nearby notable structures and public parks include, but are not limited to: the University Heights Community Center on Northeast 52nd Street; and Cowen and Ravenna Parks to the north.

I. ANALYSIS – DESIGN REVIEW

The Citywide and Neighborhood specific guidelines are summarized below. For the full text please visit the Design Review website.

A. SITE PLANNING AND MASSING

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

University-specific supplemental guidance:

Context: Another way to emphasize human activity and pedestrian orientation, particularly along Mixed Use Corridors, is to provide clearly identifiable storefront entries. In residential projects, walkways and entries promote visual access and security.

Guidelines:

1. On Mixed Use Corridors, primary business and residential entrances should be oriented to the commercial street.
2. In residential projects, except townhouses, it is generally preferable to have one walkway from the street that can serve several building entrances.
3. When a courtyard is proposed for a residential project, the courtyard should have at least one entry from the street.
4. In residential projects, front yard fences over four (4) feet in height that reduce visual access and security should be avoided.

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

University-specific supplemental guidance:

Context: Pedestrian orientation and activity should be emphasized in the University Community, particularly along Mixed Use Corridors. While most streets feature narrow sidewalks relative to the volume of pedestrian traffic, wider sidewalks and more small open

spaces for sitting, street musicians, bus waiting, and other activities would benefit these areas. Pedestrian-oriented open spaces, such as wider sidewalks and plazas, are encouraged as long as the setback does not detract from the "street wall."
Guidelines: On Mixed Use Corridors, where narrow sidewalks exist (less than 15' wide), consider recessing entries to provide small open spaces for sitting, street musicians, bus waiting, or other pedestrian activities. Recessed entries should promote pedestrian movement and avoid blind corners.

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.
University-specific supplemental guidance:
Context: This Citywide Design Guideline is particularly important where a building's back side, service areas or parking lots could impact adjacent residential uses. Map 2 (page 8) shows potential impact areas—these are where Lowrise zones abut commercial zones.
Guideline: Special attention should be paid to projects in the zone edge areas as depicted in Map 2 to ensure impacts to Lowrise zones are minimized as described in A- 5 of the Citywide Design Guidelines.

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.

B. ARCHITECTURAL EXPRESSION

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.
University-specific supplemental guidance:
Context: The residential areas are experiencing a change from houses to block-like apartments. Also, the proximity of lower intensive zones to higher intensive zones requires special attention to potential impacts of increased height, bulk and scale. These potential impact areas are shown in Map 4. The design and siting of buildings is critical to maintaining stability and Lowrise character.
Guideline: Special attention should be paid to projects in the following areas to minimize impacts of increased height, bulk and scale as stated in the Citywide Design Guideline.

C. THE STREETSCAPE

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-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 façade walls.

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

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.
University-specific supplemental guidance:
Guidelines:

1. New buildings should emphasize durable, attractive, and well-detailed finish materials, including: Brick; Concrete; Cast stone, natural stone, tile; Stucco and stucco-like panels; Art tile; Wood.
2. Sculptural cast stone and decorative tile are particularly appropriate because they relate to campus architecture and Art Deco buildings. Wood and cast stone are appropriate for moldings and trim.
3. The materials listed below are discouraged and should only be used if they complement the building's architectural character and are architecturally treated for a specific reason that supports the building and streetscape character: Masonry units; Metal siding; Wood siding and shingles; Vinyl siding; Sprayed-on finish; Mirrored glass.
4. Where anodized metal is used for window and door trim, then care should be given to the proportion and breakup of glazing to reinforce the building concept and proportions.
5. Fencing adjacent to the sidewalk should be sited and designed in an attractive and pedestrian oriented manner.
6. Awnings made of translucent material may be backlit, but should not overpower neighboring light schemes. Lights, which direct light downward, mounted from the awning frame are acceptable. Lights that shine from the exterior down on the awning are acceptable.
7. Light standards should be compatible with other site design and building elements.

Signs
Context: The Citywide Design Guidelines do not provide guidance for new signs. New guidelines encourage signs that reinforce the character of the building and the neighborhood.
Guidelines:

1. The following sign types are encouraged, particularly along Mixed Use Corridors – Pedestrian oriented shingle or blade signs extending from the building front just above pedestrians; Marquee signs and signs on pedestrian canopies; Neon signs; Carefully executed window signs; such as etched glass or hand painted signs; Small signs on awnings or canopies.
2. Post mounted signs are discouraged.
3. The location and installation of signage should be integrated with the building's architecture.
4. Monument signs should be integrated into the development, such as on a screen wall.

D. PUBLIC AMENITIES

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.

University-specific supplemental guidance:

Context: The University Community would like to encourage, especially on Mixed Use Corridors, the provision of usable, small open spaces, such as gardens, courtyards, or plazas that are visible and/or accessible to the public. Therefore, providing ground- level open space is an important public objective and will improve the quality of both the pedestrian and residential environment.

Guidelines:

1. On Mixed Use Corridors, consider setting back a portion of the building to provide small pedestrian open spaces with seating amenities. The building façades along the open space must still be pedestrian-oriented.
2. On Mixed Use Corridors, entries to upper floor residential uses should be accessed from, but not dominate, the street frontage. On corner locations, the main residential entry should be on the side street with a small courtyard that provides a transition between the entry and the street.

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

D-9 Commercial Signage. Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.

D-10 Commercial Lighting. Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.

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

E. VEHICULAR ACCESS AND PARKING

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.

EARLY DESIGN GUIDANCE MEETING: December 9, 2013

DESIGN PROPOSAL

The applicant explained that the "lantern" concept at the alley would be a semi-enclosed or fenced area that would be lit for visual effect, but would not be accessible by residents or the public. This area is the result of maximizing the Floor Area Ratio at the upper levels of the building.

The proposed architectural concept is based on images shown in the packet, using regular bays with large areas of glazing and quality materials. The applicant noted that the material palette may not reach the level of the images shown in the packet, but the intent is to achieve a comparable design expression and create an infill building with simple strong forms. A green roof is proposed.

PUBLIC COMMENT

The following comments, issues and concerns were raised:

- The street level should be designed with visual interest to maximize pedestrian activity and draw people north along University Way NE.
- The upper level façade should include Juliet balconies or some treatment to reduce the scale and provide visual interest.
- The site should be designed for safety at the alley. The proposed covered area at grade on the alley facade is questionable, since it won't include active uses and therefore might encourage graffiti and other negative behavior.
- Support for the proposed development of this site.

EARLY DESIGN GUIDANCE

1. **Massing and Architectural Concept.** The Board noted its preference for Massing Option C is the preferred scheme, but directed the applicant to incorporate certain aspects of Massing Option A.
   a. Massing Option A offers a continuous retail storefront, creates a better urban infill response, offers more usable building area and open space, and provides a massing transition to the lower zone across the alley.
   b. The Board supported the proposed design concept of simple strong architectural forms, quality materials, and large glazed areas.

2. **Street Level Design.** Design the street level for maximum transparency, continuous retail storefront, and a welcoming residential entry.
   a. The retail street frontage should be continuous in order to allow more flexible division of retail spaces over time. (A-4, C-2)
   b. The retail street frontage should be designed for visual interest, maximum transparency, and maximum retail viability. (C-2, C-4, D-1, D-9, D-10, D-11)
   c. The Board recommended moving the residential entry to either the north or south end of the street frontage. The off-set entry offers an opportunity for modulation at the upper levels. Design the entry with sufficient width to welcome the residents. (A-3, A-6, B-1, C-2, C-4)
   d. The Board supported removing the stairs at the north and south property lines, since they appear to serve little function for pedestrians and pose safety challenges. (A-4, A-5, D-7)
   e. The north wall should be designed to provide visual interest and maximize light and air for residents to the north. The Board noted that the property line to property line massing is appropriate for the urban infill context and likely future development. The proposed development should also include strategies to provide the adjacent residents with a visually interesting façade and maintain natural light where possible, perhaps using modulation or varying the north roof line. (A-5, C-2, C-3, C-4)

3. **Alley**. The alley should be designed to provide usable secure spaces for residents, provide a massing transition to the lower adjacent zoning, and maximize landscape opportunities.
   a. The Board questioned the proposed "lantern" concept at grade at the alley. The enclosed area would be unusable and could attract unsafe behavior and graffiti. The Board recommended that the alley façade should instead reflect Massing Option A or a similar plan that provides usable building area and outside space. (B-1, D-1, D-7)
   b. The Board noted that Massing Option A also has the opportunity for landscaping in the soil rather than on a structure, making it possible to plant larger trees and more mature landscaping. Design the proposed development to achieve this goal. (E-2)
   c. In Massing Option A, the eastern portion of the building is eroded, which provides a better transition to the lower zoning height across the alley. The proposed design should include this or a similar strategy. (B-1)
   d. The alley open spaces should be designed for safety, including lighting and eyes on the 'street' or alley in this case. (D-7)
   e. The design of services (laundry, bike storage, mail, etc.) and utility screening (gas meters, solid waste, etc.) will be especially important at this site, given the lack of a garage and the design of the alley as residential space. (D-6)

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a design review component on May 14, 2014.

FINAL RECOMMENDATION MEETING: December 15, 2014

DESIGN DEVELOPMENT

In response to the Early Design Guidance (EDG), the applicant described how the design concept for the preferred scheme had been further developed. The applicant specifically addressed the public realm, the alley treatment, and architectural concept.

The proposed design further refined the recommended scheme, crafting an architectural language that included simple, strong forms, quality materials, and large glazed areas. The façade on University Way Northeast possessed an asymmetrical massing with repetitive bays. At the street level, a continuous retail frontage provided large storefront windows, allowing flexibility in the retail space. The residential lobby entry, at the south end of the west façade, was accentuated by a setback and variation in color.

As guided by the Board, the applicant provided a massing transition to the residential uses to the east through the erosion of the building via setbacks and modulation. Four vehicular parking spaces were proposed at the alley, screened from the ground level units by a six-foot, six-inch tall green wall. Concerns about safety were addressed through the use of lighting and lines of sight from the alley to the entries. The large glazed area of the units encouraged eyes on the alley for an additional level of security.

The architectural concept showed strong, simple forms demonstrating restraint in color and material application. This concept exhibited rhythm in bays, color, balconies, and material choice. The north façade continued the concept by varying the typical pattern; color and material were unsystematically positioned to create a visually interesting façade.

PUBLIC COMMENT

No public comment was offered at the Recommendation meeting.

RECOMMENDATION MEETING

Pleased with the applicant's response to the Early Design Guidance, the Board supported the architectural concept, material treatment, and detail.

1. **Architectural Expression**. The Board supported the applicant's response to guidance for simplicity of form and creation of a singular expression. The Board appreciated the selection of colors and textures on all facades.
   a. The Board supported the material and color pattern on the north elevation, but questioned why the pattern did not continue higher on the façade. The Board recommended a condition for further development of the north façade treatment through an extension of the material and color pattern higher up the façade, to result in a clear expression of the architectural concept. (B-1, C-2, C-3, C-4)
   b. The Board discussed the treatment of the upper stories of the west façade, and recommended approval of the design, including specifically the rhythm of bays, and use of colors and materials. The Board noted the importance of the design's change in color of the southerly most bay to identify the residential entry, distinguishing it from the retail use. (B-1, C-2, C-3, C-4)
   c. The Board recommended approval of the street level west façade, differentiated from the upper level façade treatment and characterized by its large storefront windows and overhead weather protection. The Board supported the details of the gas meter cover and exterior lighting. The Board recommended a condition to add additional texture and secondary architectural features for residential scale detail and warmth at the street-level experience. (B-1, C-2, C-3, C-4, D-6, D-10, D-11, E-2)

2. **Alley and East Façade, Functionality and Security**. The Board supported the overall public realm design at the alley. Discussion focused on the location of the pedestrian entrance and resident security.
   a. The Board supported the pedestrian entrances, screening of the solid waste and recycling, and bike storage at the south entrance. (D-1, D-6, D-7)
   b. The Board was concerned regarding safety and security at the resident entrances on the east façade. To ensure comfort and security, the Board recommended the inclusion of sufficient and consistent lighting and security gating at both entrances. The gate should be made of materials that are transparent and consistent with the architectural concept; chain link should not be used. (D-1, D-7)
   c. The Board supported the location and convenience of the bicycle storage at the south residential entry on the east façade. To ensure adequate supply, the Board encouraged more bicycle storage, providing as much as possible in and outside the building. (D-1, D-7)
   d. The Board recommended approval of the utility services at the alley, screened by fencing materials consistent with the architectural concept. Should the location of these services change, the Board recommended the vault not be replaced with another vertical obstruction. (C-2, C-3, C-4, D-6)

BOARD RECOMMENDATION

The recommendation summarized above was based on the design review packet dated Monday, December 15, 2014, and the materials shown and verbally described by the applicant at the Monday, December 15, 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.

Compliance with these conditions is required prior to issuance of the Master Use Permit:

1. **North Facade**: Add visual interest to the north façade by extending color and material patterns higher up on the facade (A-1, A-2, A-4, B-1, C-2, D-1);

2. **Street-Level West Façade**: Add additional texture and secondary architectural features to the west façade for pedestrian scale detail and warmth at the street-level experience (B-1, C-2, C-3, C-4, D-6, D-10, D-11, E-2);

3. **Lighting of the Residential Entrances**: Include additional lighting near the two residential entrances on the east façade to increase pedestrian safety (A-2, A-8, D-7); and

4. **Gates and Screening of the Residential Entries**: Include screening and gates near the two residential entrances on the east façade to increase pedestrian safety. The gate should be of materials that are transparent and consistent with the architectural concept; chain link is not acceptable (A-2, A-8, D-7).

5. **Screening of Utility Services**. Should the location of the utility services at the alley change, the vault should not be replaced with another vertical obstruction. (C-2, C-3, C-4, D-6)

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure was based on the departure's potential to help the project better meet these design guidelines priorities and achieve a better overall project design than could be achieved without the departures.
At the time of the Recommendation meeting, the following departure was requested:

1. **Screening of Surface Parking Areas (SMC 23.47A.016.D.1.c.2.):** The Code requires screening for surface parking abutting or across the alley from a lot in a residential zone. Six-foot high screening and a five-foot landscape buffer is required. The applicant's departure requests elimination of this screening requirement for the four surface parking stalls accessed via the alley.

The Board indicated that the parking at the alley supports the transition from the project in a commercial zone to the lowrise zone to the east. The parking necessitates a building setback from the property line, thereby creating a setback in perceived height, bulk, and scale. This transition in height, bulk, and scale supports respect for adjacent sites by minimizing disruption of the privacy of residents in adjacent buildings. At the Recommendation meeting, the five Board members unanimously recommended that DPD grant the departure.

At the Recommendation meeting, the Board unanimously recommended that DPD grant the departure. The Board supported the use of high quality elements that will provide enhanced texture, interaction, and human scale to the pedestrian experience (A-6, B-1).

DECISION – DESIGN REVIEW

Director's Analysis

Five members of the Northeast Design Review Board attended and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines that 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.F.3).

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 five members present at the Recommendation 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 departures with the conditions summarized at the end of this Decision.

II. ANALYSIS - SEPA

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The Department of Planning and Development (DPD) has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans, any additional information in the file, and considered any pertinent comments which may have been received regarding this proposed action. 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 *SEPA 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 (SMC 25.05.665). Under such limitations, mitigation may be considered; a detailed discussion of some of the impacts is appropriate.

Codes and development regulations applicable to this proposed project that will provide mitigation for short and/or long term impacts 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 SEPA public comment period ended June 11, 2014. Comments were received relative to on-site vehicular parking.

Short-term Impacts:

Temporary or construction-related impacts are anticipated to result in some adverse impacts. Examples of impacts may include 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/or 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, and/or an increase in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Construction Impacts: Parking and Traffic

Considering the site's location, the construction of the project is expected to have an adverse impact on both the vehicular and pedestrian traffic in the vicinity. During construction a temporary increase in traffic volumes to the site is expected due to travel to the site by construction workers and the transport of construction materials. Furthermore, additional parking demand from construction vehicles is expected to further exacerbate the supply of on-street parking. It is the City's policy to minimize temporary adverse impacts associated with construction activities. The Street Use Ordinance contains regulations that mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is regulated with a street use permit through the City of Seattle Department of Transportation. Street and sidewalk closures and haul routes are subject to review and approval by the Seattle Department of Transportation via a street use permit. These regulations and agencies will be adequate to mitigate potential impacts.

Noise

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

Earth

The Stormwater, Grading and Drainage Control Code (SGDCC) 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.

Long-term Impacts:

Long term or use-related impacts are also anticipated as a result of this proposal. Examples of such impacts may include an increased surface water runoff due to greater site coverage by impervious surfaces, increased traffic in the area, an increase in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming, and increased demand for public services and utilities. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment; however, height, bulk and scale, and parking and traffic warrant further analysis.

Height, Bulk & Scale

The project went through a Design Review process which addressed the issue of height, bulk and scale; see the above Design Review Analysis for details of the process and design changes. “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” (SMC 25.05.675.G). No further SEPA mitigation is warranted.

Historic Preservation

The subject site contains one existing commercial structure more than 50 years old. The Department of Planning and Development (DPD) referred the proposal to the Department of Neighborhoods (DON) for review per SMC 25.05.675.H.2.c. Based on the review of the referral, DON has determined that it is unlikely that the subject building would meet the standards for designation as an individual landmark (LPB 209/15). No mitigation is warranted pursuant to *SEPA Policy* SMC 25.05.675.H.

Parking and Traffic

The Traffic and Parking Analysis (Transportation Group, May 2014) estimates that the project is estimated to generate a peak PM demand of 39 vehicles and peak AM demand of 17 vehicles. The trip generation estimated is 130 total net new daily trips with 12 trips during the weekday PM peak hour. While on-site vehicular parking is not required due to the site's location within the University District Northwest Urban Center Village and proximity to frequent transit, four spaces are provided. The DPD Transportation Planner reviewed the information and has determined that while these impacts are adverse, they are not expected to be significant. Furthermore, no SEPA authority is provided for mitigation of the impact of development on parking availability for residential uses at this location within the University District Northwest Urban Center Village. No mitigation for parking is available or warranted.

DECISION - STATE ENVIRONMENTAL POLICY ACT (SEPA)

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (Revised Code of Washington (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 Environmental Impact Statement (EIS) is not required under RCW 43.21.030(2)(c).

☐ 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 (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, Excavation, or Construction Permit

1. The applicant shall submit a copy of applicable street use permits, approved by the Seattle Department of Transportation, for any right-of-way closures and/or haul routes.

DESIGN REVIEW - CONDITIONS OF APPROVAL

During Construction

2. Should the location of the utility services at the alley change, the vault should not be replaced with another vertical obstruction.

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.

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.

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.

Signature: retagonzales-cupneutubby for Date: May 7, 2015

Carly Guillory
Land Use Planner
Department of Planning and Development

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

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

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

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

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