



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: 3016711
Applicant Name: Scot Carr of Public47 Architects for Shilshole Dev. LLC
Address of Proposal: 2359 Franklin Ave E

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 5-story structure containing 61 residential units. Parking for 42 vehicles to be provided below grade, accessed from the alley. Existing structures to be demolished.

The following approvals are required:

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

Development Standard Departure from rear setbacks.

(SMC 23.45.518.A)

Development Standard Departure from side setbacks.

(SMC 23.45.518.A)

Development Standard Departures from façade length.

(SMC 23.45.527.B.1)

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

DPD SEPA DETERMINATION:

Determination of Non-significance



No mitigating conditions of approval are imposed.



Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts

Site Zone: Lowrise 3 (LR3)

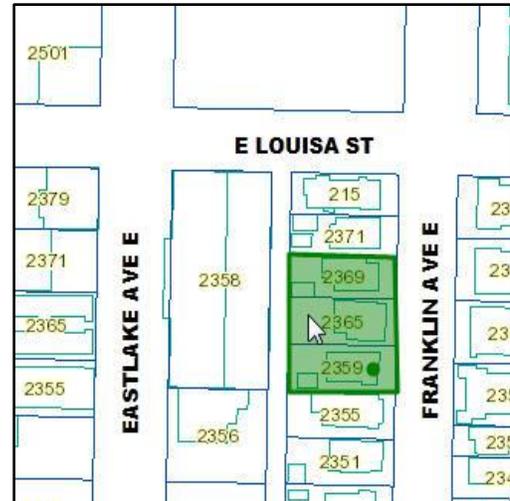
Nearby Zones: To the north, south and east of the site along Franklin Ave E is a LR3 zone. Further north the zoning changes to LR2. West of the alley the zoning is NC2P-30.

Lot Area: 14,300 square feet.

Environmentally Critical Areas: None

Access: Access is from Franklin Ave E and an improved alley.

Current Development: The project site is occupied by three single family residences used as multifamily structures.



Surrounding Development: Directly to the south is a two-story single family residence converted into a 5 unit multifamily structure. Across the alley, to the west, is a 1959 built office structure with three floors of offices above parking and retail along Eastlake Ave E. The building massing is located towards that street; behind the building is open parking accessed off the alley. Located on the east side of Franklin Ave E are two- story and a four-story apartment structures built in the 1950's. To the north is a newly constructed 5-story micro unit apartment structure.

Neighborhood Character: The Eastlake neighborhood is created by the boundaries of I-5 to the east and the waters of Lake Union to the west, north and south. Eastlake Ave E connects the neighborhoods north of the University Bridge to South Lake Union and downtown. Along Eastlake Ave E. development is a hodge-podge of architectural styles, age and size. Small neighborhood commercial businesses front many of the buildings. Further to the west is Lake Union, lined with a few pocket parks, houseboats and marine activity.

Rogers Playground and TOP's school are just to the north of the site, providing greenery and playfields for nearby residents. The long block between E. Louisa St and E. Lynn St. still has many of the older single family residences built in the first decades of the twentieth century, interspersed with mid-century apartment buildings. Many of the residences are now multifamily uses.

Project Description: The proposed project is a 5-story apartment building with 61 residential units. Forty-two parking spaces are located below grade on two levels accessed off of the alley. Approx. 4,600 cubic yards of soil will be removed from the site.

The proposed structure will have residential units ranging from studios to two bedroom units. The residential pedestrian entry is located off of Franklin Ave E. and enters into an open courtyard. An enclosed lobby is adjacent to the entry. The roof will have a common amenity area. The west facing units have private decks. Vehicle access to two levels of below grade parking will be from the alley.

The site is located within the Eastlake Residential Urban Village.

DESIGN REVIEW

EARLY DESIGN GUIDANCE MEETING: April 9, 2014

The packet includes materials presented at the meeting, and is available online by entering the project number (3016711) 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

DESIGN DEVELOPMENT

Alternative 1 showed a 4 story structure containing 59 residential units and 25 parking spaces in below grade parking. The applicant referred to this as the ‘donut’ option as the units surround a shared open courtyard. A wide breezeway off of Franklin Ave E. provides the main pedestrian entry to the courtyard. All the units have individual exterior entries accessed from Franklin Ave E, the alley or open stairs in the courtyard. The entry to below grade parking is off the alley.

Alternative 2 showed a 5 story structure containing 59 residential units and 21 parking spaces in below grade parking. The applicant referred to this as the ‘bar’ option as the rectangular building was intersected by a covered exterior walkway. The structure is located towards the street providing exterior space on the west side of the building. The units have entries accessed from the lobby and open hallways. The entry to below grade parking is off the alley. A few parking spaces are located along the alley.

Alternative 3, the preferred option, showed a 5 story development containing 59 residential units and 21 parking spaces in one level of below grade parking. The applicant referred to this as the ‘wings’ as three building sections wrap around a central courtyard. Along Franklin Ave E the open ‘gap’ between the wings provides a break in the massing and the main entry to the courtyard. All the units have entries accessed from the courtyard, open corridors in the courtyard or the alley. The entry to below grade parking is off the alley. A departure was requested from side setback requirements.

PRESENTATION

The exterior stairs will be steel with concrete treads. A second level of parking is being considered.

PUBLIC COMMENT

- Did not support the development and stated the proposal is too large and will impact parking and views.

- Appreciated the design concepts and supports the proposal.
- Encouraged landscaping especially at the side setbacks and along the sidewalk.
- Concerned about the height.
- Expressed support for Alternative 3.

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 April 9, 2014

- 1. Massing and Height, Bulk & Scale: The Board agreed the applicant should proceed with the preferred Alternative 3. They noted the proposed massing relates well to the existing development to the north and south of the site, and supported the break in the massing along Franklin Ave E as it created a pedestrian friendly front to the street. (CS2.D, PL1.B)**
 - a. Maintain the lower height of the southeast section or wing of the structure adjacent to the existing development to the south. (CS2.D.1 & 5)
 - b. Consider providing a gap in the massing to provide a limited (peek-a-boo) view to the west from the east. (DC2.A.2)
 - c. Maintain the asymmetry of the massing and the ground floor concept along Franklin Ave E. (DC1.A.4, DC2.A.1)
 - d. Provide articulation and modulation to break up the west elevation. The Board stated they would consider granting a departure from the required rear setbacks to allow for the modulation but this modulation should not provide additional enclosed floor area. (DC2.B.1, DC2.C.1)
 - e. Carefully consider the location and height of the stair penthouse. (CS2.D.1)
 - f. Consider how the project will appear from Eastlake Ave E. (DC2.B.1)
- 2. Courtyard and Landscaping: The Board expressed support for the courtyard and noted it was the front door of the project. (PL1.B.3, PL3.A.1, DC2.D.1)**
 - a. Design the courtyard and garage below to structurally support and provide enough soil for trees to grow. The execution of the courtyard should allow all the landscaping to flourish. (DC4.D.2 & 3)
 - b. It was noted the courtyard may not work as a gathering place. (DC3.B.1)
 - c. Consider “further erosion “ of the courtyard. (DC2.A.1)
 - d. Keep the design of the courtyard with the landscaping spilling out to the street as this relates to the neighborhood. (CS2.B.3, DC2.C.3)
- 3. Entries: The Board discussed whether the ground unit entries should be from the street or off the courtyard, but decided that entries off of Franklin Ave E was preferred. (PL3.A.3)**
 - a. Consider a deeper setback along Franklin to provide more area for individual entries. (PL3.A.3)
 - b. Treat the courtyard entry as the main entry to the site. (PL3.A.1)

- c. The Board questioned if there will be an entry gate for security. The applicant responded that security will be provided at the end of the entry ramp near the front door to the lobby. (PL3.A.2)
- 4. Materials and Context: The Board directed the applicant to study the existing character of the street and use this as a cue to inform the design. The Board noted that the neighborhood has an eclectic use of materials and advised the applicant to wisely choose which of these materials to use. The applicant was asked what materials they were considering. The applicant responded that their goal was a unified building and that they were considering brick and cedar siding in a similar color to the brick. (Cs3.A.4, DC4.A.1)**
- a. Provide a unified materials palette for all the exterior facades. (DC2.A.1, DC4.A)
 - b. Consider brick as a material. (DC4.A)
 - c. Provide ample fenestration. (PL2.B.1)
 - d. Explore the use of materials to enhance the context of the neighborhood. (CS3.A.4)
 - e. Consider a green roof to soften the loss of views. (CS2.D.5)
 - f. Preserve the existing path and staircase to the alley located on the property to the south. (CS2.D.5)
- 5. Parking and Alley: The Board encouraged providing parking and expressed the alley should not be negatively impacted. (DC1.B.1, DC1.C.1)**
- a. The Board encouraged providing two levels of parking if possible. (DC1.C.1)
 - b. If open parking is provided off the alley it must be designed so it is not perceived as public parking. Consider a different paving material. (DC1.C.2)
 - c. Preserve the existing path and staircase to the alley located on the property to the south. (CS2.D.5)

For the Recommendation Meeting the applicant should provide the following:

- a. Provide a rendering showing how the project will appear as one walks or drives north on Eastlake Ave E.
- b. Provide eye level renderings of the project from Franklin Ave E.
- c. Provide a rendering of how the parking entry off the alley will look.
- d. Provide floor plans.
- e. Provide elevations and sections.
- f. Provide a study of the window locations in the structure to the south. Use this information to inform the projects window location.
- g. Provide a materials Board that will be left with the planner.
- h. Provide a full Landscape plan.
- i. Provide a lighting plan of the site and courtyard.

RECOMMENDATION MEETING: October 22, 2014

The packet includes materials presented at the meeting, and is available online by entering the project number (3016711) at this website:

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

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DESIGN DEVELOPMENT

The development presented is an evolution of the preferred option shown at the EDG meeting. The number of units increased from 59 to 61 and parking spaces from 21 to 42. The applicant responded to the Board's guidance by reducing the massing at the upper level along the alley at the southern portion of the structure to match the lower massing along Franklin Ave E. The design also pushed the massing closer to the alley.

PRESENTATION

The Board questioned what the proposed rainscreen material was. The applicant responded the siding was a product called Resysta.

PUBLIC COMMENT

No members of the public attended the meeting.

PRIORITIES & BOARD RECOMMENDATIONS

After considering the context provided by the proponents, and hearing public comment, the Design Review Board members provided the following design guidance.

RECOMMENDATION GUIDANCE: October 22, 2014

The Board was very pleased with the applicant's response to the EDG guidance. As well, they fully supported the massing, design and materials of the development.

- 1. Massing and Height, Bulk & Scale: The Board supported of the lowering of the southwest corner of the project, noting the building scale is a great example for similar sized projects. They also noted that the development should help mitigate the impact of the recently built structure to the north of the site. The Board appreciated the use of the model in the presentation to help understand the scale of the building. (CS2.D.1, CS2.D.5)**
 - a. Maintain the proposed scale and massing. (CS2.D.1, CS2.D.5)
- 2. Alley and Parking: The Board noted that security in the alley needs to be considered. The Board appreciated the additional level of parking. (PL2.B, DC1.C.1)**
 - a. Raise the landings of the alley facing units up from the alley level as much as possible. (PL3.B.1)

3. **Residential Lobby: The Board liked the residential lobby at the residential entry off of Franklin Ave E and envisioned it as a “pillow of light” at night. (PL3.A.1)**
 - a. Animate the lobby and design it as a ‘living room’ for the residents. (DC1.A.2)
 - b. Maintain the height of the lobby gate. (DC2.D.1)

DESIGN REVIEW GUIDELINES

The Board carefully considered the design guidelines and determined the following guidelines should be considered in addition to the guidance listed above.

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

CONTEXT & SITE

CS1 Natural Systems and Site Features: Use natural systems/features of the site and its surroundings as a starting point for project design.

CS1-B Sunlight and Natural Ventilation

CS1-B-1. Sun and Wind: Take advantage of solar exposure and natural ventilation. Use local wind patterns and solar gain to reduce the need for mechanical ventilation and heating where possible.

CS1-B-2. Daylight and Shading: Maximize daylight for interior and exterior spaces and minimize shading on adjacent sites through the placement and/or design of structures on site.

CS1-B-3. Managing Solar Gain: Manage direct sunlight falling on south and west facing facades through shading devices and existing or newly planted trees.

CS1-C Topography

CS1-C-1. Land Form: Use natural topography and desirable landforms to inform project design.

CS1-C-2. Elevation Changes: Use the existing site topography when locating structures and open spaces on the site.

CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

CS2-B Adjacent Sites, Streets, and Open Spaces

CS2-B-2. Connection to the Street: Identify opportunities for the project to make a strong connection to the street and public realm.

CS2-C Relationship to the Block

CS2-C-2. Mid-Block Sites: Look to the uses and scales of adjacent buildings for clues about how to design a mid-block building. Continue a strong street-edge and respond to datum lines of adjacent buildings at the first three floors.

CS2-D Height, Bulk, and Scale

CS2-D-1. Existing Development and Zoning: Review the height, bulk, and scale of neighboring buildings as well as the scale of development anticipated by zoning for the area to determine an appropriate complement and/or transition.

CS2-D-3. Zone Transitions: For projects located at the edge of different zones, provide an appropriate transition or complement to the adjacent zone(s). Projects should create a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zone and the proposed development.

CS2-D-5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy of residents in adjacent buildings.

CS3 Architectural Context and Character: Contribute to the architectural character of the neighborhood.

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-4. Evolving Neighborhoods: In neighborhoods where architectural character is evolving or otherwise in transition, explore ways for new development to establish a positive and desirable context for others to build upon in the future.

PUBLIC LIFE

PL2 Walkability: Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.

PL2-B Safety and Security

PL2-B-1. Eyes on the Street: Create a safe environment by providing lines of sight and encouraging natural surveillance through strategic placement of doors, windows, balconies and street-level uses.

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-2. Common Entries: Multi-story residential buildings need to provide privacy and security for residents but also be welcoming and identifiable to visitors.

PL3-A-3. Individual Entries: Ground-related housing should be scaled and detailed appropriately to provide for a more intimate type of entry.

DESIGN CONCEPT

DC1 Project Uses and Activities: Optimize the arrangement of uses and activities on site.

DC1-A Arrangement of Interior Uses

DC1-A-4. Views and Connections: Locate interior uses and activities to take advantage of views and physical connections to exterior spaces and uses.

DC1-C Parking and Service Uses

DC1-C-1. Below-Grade Parking: Locate parking below grade wherever possible. Where a surface parking lot is the only alternative, locate the parking in rear or side yards, or on lower or less visible portions of the site.

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-A Massing

DC2-A-2. Reducing Perceived Mass: Use secondary architectural elements to reduce the perceived mass of larger projects.

DC2-B Architectural and Facade Composition

DC2-B-1. Façade Composition: Design all building façades—including alleys and visible roofs—considering the composition and architectural expression of the building as a whole. Ensure that all façades are attractive and well-proportioned.

DC2-B-2. Blank Walls: Avoid large blank walls along visible façades wherever possible. Where expanses of blank walls, retaining walls, or garage façades are

unavoidable, include uses or design treatments at the street level that have human scale and are designed for pedestrians.

DC2-D Scale and Texture

DC2-D-1. Human Scale: Incorporate architectural features, elements, and details that are of human scale into the building facades, entries, retaining walls, courtyards, and exterior spaces in a manner that is consistent with the overall architectural concept

DC2-D-2. Texture: Design the character of the building, as expressed in the form, scale, and materials, to strive for a fine-grained scale, or “texture,” particularly at the street level and other areas where pedestrians predominate.

DC3 Open Space Concept: Integrate open space design with the building design so that they complement each other.

DC3-A Building-Open Space Relationship

DC3-A-1. Interior/Exterior Fit: Develop an open space concept in conjunction with the architectural concept to ensure that interior and exterior spaces relate well to each other and support the functions of the development.

DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.

DC4-A Exterior Elements and Finishes

DC4-A-1. 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.

DC4-A-2. Climate Appropriateness: Select durable and attractive materials that will age well in Seattle’s climate, taking special care to detail corners, edges, and transitions.

DC4-D Trees, Landscape, and Hardscape Materials

DC4-D-1. Choice of Plant Materials: Reinforce the overall architectural and open space design concepts through the selection of landscape materials.

DC4-D-2. Hardscape Materials: Use exterior courtyards, plazas, and other hard surfaced areas as an opportunity to add color, texture, and/or pattern and enliven public areas through the use of distinctive and durable paving materials. Use permeable materials wherever possible.

DEVELOPMENT STANDARD DEPARTURES

The Board’s recommendation on the requested departure(s) will be based upon the departure’s potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departure(s). The Board’s recommendation will be reserved until the final Board meeting.

At the time of the Recommendation Meeting the following departures were requested:

1. **Setbacks (SMC23.45.518.A):** The code requires that apartment structures on a lot abutting an alley have a minimum rear setback of 10’. The applicant is proposing a rear setback of 10”.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines DC2.B.1, and DC2.C.1 by providing increased modulation

and visual interest on the west elevation with the solids and voids created by the decks of the rear facing units.

The Board voted unanimously to grant this departure.

- 2. Setbacks (SMC23.45.518.A):** The code requires that when a façade length is greater than 40' a side setback averaging 7' with a minimum setback of 5', be provided. The applicant is averaging the setback of the façade. The eastern 37'-5" and approx. 43' of the west portions of the façade will be setback 5', with the approx. 23'-4" middle portion setback 15', for an average setback of 7.8' for the three upper levels. At the alley level the middle portion will be above grade by approx. 2'-6" to 5' on the south elevation. This portion will require a departure as it will be 5' from the property line.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines DC1.C.1 by providing enclosed underground parking, given the topography of the site

The Board voted unanimously to grant this departure.

- 3. Structure Façade Length (SMC23.45.527.B.1):** The code requires that the maximum combined length of all portions of facades within 15 feet of a lot line that is neither a rear lot line nor a street or alley lot line shall not exceed 65 % of the length of that lot line. The applicant is proposing a north façade that has a 34' eastern portion, and a 42'-11" western portion, within 15' of the north side lot line, for a total of approx. 76'-11" in length which is approx. 70% of the façade length of 109.56', a difference of 5.71'.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines DC2.B.1, DC2.C.1 by providing modulations of the west façade (see Departure1) and CS2.D.1 by increasing the length of the massing so the upper level massing is decreased.

The Board voted unanimously to grant this departure.

- 4. Structure Façade Length (SMC23.45.527.B.1):** The code requires that the maximum combined length of all portions of facades within 15 feet of a lot line that is neither a rear lot line nor a street or alley lot line shall not exceed 65 % of the length of that lot line. The applicant is proposing a south façade that has a 37'-6" eastern portion and a 42'-11" western portion, within 15' of the south side lot line, for a total of approx. 80'-5" in length which is approx. 73% of the façade length of 109.58', a difference of 9.19'.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines DC2.B.1, and DC2.C.1 by providing modulations of the west façade (see Departure1) and CS2.D.1 by increasing the length of the massing so the upper level massing is decreased.

The Board voted unanimously to grant this departure.

BOARD RECOMMENDATIONS

The recommendation summarized below was based on the design review packet dated October 22, 2014, and the materials shown and verbally described by the applicant at the October 22, 2014 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, five Design Review Board members recommended **APPROVAL** of the subject design and of departures with the following conditions:

The following are the Board's Recommendations:

1. Raise the landings of the alley facing units up from the alley level as much as possible. (PL3.B.1)
2. Animate the lobby and design it as a 'living room' for the residents. (DC1.A.2)
3. Maintain the height of the lobby gate. (DC2.D.1)

Applicant response to Recommended Design Review Recommendations:

1. *The applicant has raised the landings as much as possible, approx. 12", therefore satisfying recommendation #1.*
2. *The applicant has designed the lobby as a 'living room' for the resident with natural light and furnishings and the space will hold the mailroom function, therefore satisfying recommendation #2.*
3. *The project MUP plans include details of the gate with the height included. These details are included in the building permit set and the Land Use planner will verify compliance prior to approval of the Certificate of Occupancy, therefore satisfying recommendation #3.*

ANALYSIS & DECISION – DESIGN REVIEW

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. Reflects inconsistent application of the design review guidelines; or*
- b. Exceeds the authority of the Design Review Board; or*
- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- d. Conflicts with the requirements of state or federal law.*

Director's Analysis

Five members of the East Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis

of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with and accepts the conditions recommended by the Board that further augment the selected Guidelines.

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 four 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 meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **APPROVES** the proposed design and the requested departures, subject to the conditions listed at the end of this decision.

SEPA ANALYSIS

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 6/11/2014. 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 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations.

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 began on March 10, 2014 ended on April 9, 2014. Public comments were received.

Short Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes construction-related noise, greenhouse gas, construction traffic and parking impacts, as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential uses. There will be excavation required to prepare the building site and foundation. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding residential uses in the adjoining area. Due to the proximity of residential uses directly to the north, south and to the east, 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, see SEPA conditions at the end of this document.

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 due to the relatively minor contribution of greenhouse gas emissions from this project.

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 (SMC 25.05.675. B and M).

During construction, parking demand will increase due to additional demand created by construction personnel and equipment. However given the size of this project and the restrictions of the RPZ (Residential Parking Zone) designation of this block of Franklin Ave E and other nearby streets, mitigation is not warranted.

The construction of the project also 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. 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.

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. The plan shall be provided to DPD prior to the issuance of grading, and building permits. See SEPA conditions at the end of this document.

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; and possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas emissions; height, bulk and scale; 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.

Traffic and Parking

The applicant submitted a Transportation Impact Analysis (Technical Memorandum, by Heffron transportation, dated June 4, 2014). The study analyzed the proposed 61 residential units and the removal of the existing residential structures to determine the daily trip generation. Using those numbers the project is estimated to generate 240 new daily vehicle trips, 18 trips for the AM peak hour, and 22 trips for the PM peak hour, to the surrounding street system.

The proposed project could result in a small increase in overall traffic volumes in the neighborhood. These trips are not expected to adversely impact the surrounding roadway network. Transportation concurrency would be met for the project. The project is not expected to adversely impact transit service, pedestrian facilities, or parking in the site vicinity. No mitigation for transportation impacts is warranted pursuant to SMC 25.05.675.R.

The project is providing 42 parking spaces for the 61 units. The technical memorandum estimated that the peak parking demand beginning about 10:00 PM. would be for 44 parking spaces, two more than what is being provided in the development. No substantial parking impacts are anticipated from the project.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in urban villages within 1,320 feet of a street with frequent transit service. This site is located within the Eastlake Urban Village, and is also located within a mapped frequent transit service corridor. Regardless of the parking demand impacts, no SEPA authority is provided to mitigate impacts of parking demand from the residential components of this project, even if impacts were identified.

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 Grading, or Building Permit

1. Provide a copy of a Construction Haul Route, approved by Seattle Department of Transportation, to the Land Use Planner (beth.hartwick@seattle.gov).

2. If the applicant intends to work outside of the limits of the hours of construction described in condition #3, a Construction Noise Management Plan shall be required, subject to review and approval by DPD, and prior to a grading, or building permit, whichever is issued first. The Plan shall include proposed management of construction related noise, efforts to mitigate noise impacts, and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short -term transportation impacts that result from the project.

During Construction

3. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan, required prior to issuance of a building permit as noted in condition #1.

DESIGN REVIEW - CONDITIONS OF APPROVAL.

Prior to Certificate of Occupancy

4. 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 (Beth Hartwick 206 684-0814 or beth.hartwick@seattle.gov).
5. 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 (Beth Hartwick 206 684-0814 or beth.hartwick@seattle.gov).

For the Life of the Project

6. 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 (Beth Hartwick 206 684-0814 or beth.hartwick@seattle.gov) or a DPD assigned Land Use Planner.

Signature: _____ (signature on file) Date: January 15, 2015
Beth Hartwick, Senior Land Use Planner
Department of Planning and Development

BH:drm

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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.