



**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:** 3016953  
**Applicant:** George Gibbs, Mithun Architects  
**Address of Proposals:** 1023 E Alder Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a 7 story, 85 unit residential building with below grade parking for 14 vehicles in an environmentally critical area. Existing structure to be demolished.

The following Master Use Permit components are required:

**Design Review (SMC 23.41)**

Development Standard Departure to greater structure depth (SMC 23.45.528 B1)

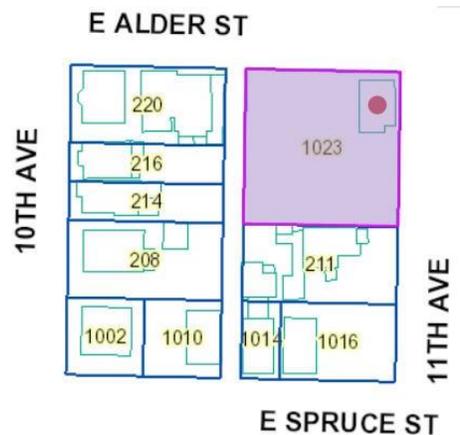
**SEPA-Environmental Determination (SMC 25.05)**

- SEPA Determination:**  Exempt  DNS  MDNS  EIS  
 DNS with conditions  
 DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

**Site Description**

The subject site is located on the northwest corner of E Alder Street and 11th Avenue. The subject lot and all adjacent lots are zoned Midrise (MR).

The subject lot contains substantial grade change from the low point in the southeast corner to the high point in the northwest corner. In total the grade change is approximately 24 feet. The site is square with access from E Alder Street, 11th Avenue and the platted alley along the west property line.



The immediate context consists of recent multi-family development to the west and north, older residential development to the south and east, and a mix of residential buildings in other nearby lots. The nearby vicinity includes a mix of early 20th multi-family and single family residential to the south and east, with newer Midrise multi-family development to the west and north.

The site is located on the east slope of First Hill, approximately half way between the primary arterials of Boren Avenue, Broadway, and 12th Avenue. Boren Ave connects southeast Seattle through the International District, First Hill, Capitol Hill, and Downtown. Broadway intersects Boren Ave 2 blocks west of the site and connects Yesler Terrace with First Hill, Capitol Hill, and Montlake neighborhoods. 12th Ave connects Capitol Hill with the International District, and serves as the dividing line between First Hill to the west and the Central District to the east.

The area is served by frequent bus transit routes and will soon be served by the Streetcar, with access nearby at E. Yesler Way and at Broadway.

ECAs:

Steep Slope Environmentally Critical Areas (ECA) have been identified on site. An ECA exemption has been granted under the subject project number. DPD concluded that steep slope areas exist at the site and the project appears to qualify for the criteria established in the Critical Areas Regulations, SMC 25.09.180.B2b.

**EARLY DESIGN GUIDANCE MEETING: May 14, 2014.**

**DESIGN PRESENTATION**

**The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number(s) (3016953) at this website:**

**[http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp).**

**The EDG packet is also available to view in the 3016953 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](mailto:PRC@seattle.gov)

The applicant explained that this proposal is related to two other nearby developments proposed by the applicant team: Anthem at 12<sup>th</sup> Ave and E. Yesler Way, and Decibel at 11<sup>th</sup> Ave and E. Alder St.

The applicant noted that many of the nearby buildings have a focus to the interior of the site. The intent of the proposed development is to provide townhouse style units at the base of this building to relate to the street frontage.

Due to the steeply sloping site with the high point at the alley, the parking access is proposed from the southeast corner of the site.

The applicant showed three massing options at the EDG meeting. The Code compliant option included open space at grade, with the residential and parking entries at 11<sup>th</sup> Ave. The applicant noted that this option is not preferred since the open space would be located at the alley and may not be well-used.

Massing Option 2 and the preferred option (Option 3) included open space at the roof. Both options also required departures from the maximum garage door size and the structure width. The top floor of both options stepped with grade, with the lower portion of the roof providing usable rooftop deck. Option 2 showed the rooftop deck at the southeast corner. Option 3 showed the rooftop deck at the east edge and a dog area at the north edge. Both Options 2 and 3 were shown with the residential entry at E. Alder St and the garage entry at 11<sup>th</sup> Ave.

Option 3 included townhouse style units at the ground floor, with modulation to express the ground related units. The upper levels included protruding bays for modulations.

The conceptual landscape plan showed layered landscaping at all the edges, with a landscape buffer at the south edge, adjacent to the neighboring residential building. Street trees and planter strips were shown on both street frontages, with a bioretention cell at the northwest corner. The applicant explained that the patios at grade would be 3'-4' above grade at the southwest edge, and would measure approximately 5' deep. The residential units at the ground floor at the south elevation would be located to transition with grade.

The applicant noted that they have the option to lease parking on a nearby site for the future building tenants, should the demand arise.

## **PUBLIC COMMENT**

The following comments, issues and concerns were raised during the public comment portion of the Early Design Guidance meeting:

- Questioned the size and mix of units.
- Questioned whether a retaining is proposed at the south edge of the site? The applicant responded that none is anticipated at this time.
- More parking should be provided than currently proposed.
- The design is too boxy.
- DPD summarized public comments received up to the meeting, including:
  - Seattle Parks Department has offered to buy the property for a Park and the neighbors would like to see the site developed in that manner.
  - Development should be set back from the street frontages and provide usable public open space at grade.
  - The building should include an indoor community room that is open for use by the neighborhood, since the neighborhood lacks community meeting rooms.

## **PRIORITIES & BOARD RECOMMENDATIONS**

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

The Neighborhood specific guidelines are summarized below. For the full text please visit the Design Review website. The Uptown Neighborhood Design Guidelines identify the area where the subject site is located as an Uptown Urban Character Area.

### **EARLY DESIGN GUIDANCE (MAY 14, 2014):**

1. **Massing Options and Design Concept.** The Board supported massing Option 3, with additional modulation, façade articulation, and expansion of the townhouse expression. (CS1-B, CS1-C, DC2-A, DC2-B)
  - a. The majority of the Board supported the preferred massing option, but recommended additional modulation and further development of the overall façade treatment. (DC2-A, DC2-B)
  - b. The Board noted that the proposed massing complements other large buildings in the neighborhood, steps with the challenging grade change, and uses the open space at roof level helps to emphasize the stepped massing. (CS1-C, CS2-D)
  - c. The existing steep topography is a difficult condition, and the Board supported the conceptual landscape plan and the townhouse units that step with grade at the building base. (CS2-B)
  
2. **Design Concept.** The preliminary design concept sketches were supported by the Board, with direction for further development. (DC2-B, DC2-C, DC2-C)
  - a. Attention to detail is needed on E. Alder St. The materials should be used to express the fully express the design parti. (CS3-A, DC2-B, DC2-C, DC2-D)
    - i. The Board offered one example of weaving the concrete base and the vertically expressed materials to play off of the topography changes.
  - b. Visually interesting and pedestrian scale materials should be used at the base of the building to relate to the pedestrian realm. The Board suggested using materials that reference the context of the cobblestone paving in the street. (CS3-A, DC2-C, DC2-D, DC4-A)
  - c. The two-story townhouse expression should extend around the corners of the building. (CS2-B, CS2-C)
  
3. **Street and Alley Frontages.** The street and alley frontages should be designed to respond to grade changes, create safe and engaging transitions between residential uses and sidewalk areas, and the building express a consistent design on all four facades. (CS1-C, CS2-B, PL2-B, PL3-A, PL3-B, DC2-B)
  - a. The townhouses at E. Alder St should step with grade. (CS1-C, CS2-B)
  - b. The street level units should be designed for residents' safety and security, as well as engaging with the street. (PL2-B, PL3-B, DC4-C)
  - c. The Board supported the concept of minimal modulation at the alley, but recommended that the alley façade be designed with materials, articulation, and other design efforts to create consistency with the other three building facades. (DC2-B, DC4-A)

- d. The Board noted that the sloped south edge has the potential for a two-story base expression that steps with grade, similar to the north and east facades. (CS1-C, DC2-B)
  - e. The street facing facades (north and east) should be modified to include additional modulation and articulation, beyond the conceptual sketches and preferred massing shown at EDG. (CS2-D, DC2-A, DC2-B)
  - f. The Board supported the conceptual landscape plan and the intent to create a lushly planted transition at the building edge. (CS1-C, PL3-B)
4. **Access and Services.** The Board discussed concerns with the proposed street access, compared with possible alley access. The Board recognized that the steeply sloping site creates challenges for internal ramping, and they were satisfied with the preferred access point.
- a. The parking entry should be designed to minimize visual and physical impacts to the pedestrian realm. (DC1-B, DC1-C)
  - b. The Board discussed the proposed solid waste staging and collection at the alley, in relation to the secondary residential exits at the alley. The Board recommended that this area be designed to accommodate any solid waste staging, and coordinate with the needs of pedestrian access adjacent to the alley. (DC1-C.4)

#### **RECOMMENDATION MEETING: NOVEMBER 19, 2014**

**The packet includes materials presented at the Recommendation meeting, and is available online by entering the project number (3016903) at this website:**

**[http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp).**

**or contacting the Public Resource Center at DPD:**

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

**Email: [PRC@seattle.gov](mailto:PRC@seattle.gov)**

#### **DESIGN DEVELOPMENT**

At the Final Recommendation Meeting, the applicant presented the preferred option, developed in response to the Early Design Guidance, and described in greater detail the massing, pedestrian experience and material refinement.

The applicant summarized how the massing and façade modulation was modified in response to the Board's initial guidance. The applicant explained that part of the design intent is to focus attention on the two story townhouse expression along 11<sup>th</sup> Avenue. Each townhouse includes a semi-private stoop for residents. The first floor townhouse expression along 11<sup>th</sup> Avenue carries through to both the E Alder facade and the south façade. The upper level massing has been modified to include a series of angled bays windows.

To enhance the pedestrian environment along 11<sup>th</sup> Avenue E and E Alder Street, the street level landscape plan showed increased landscaping.

The proposed material palette included a range of grey cementitious siding of varying widths. The primary residential entry on E Alder is wrapped in a green metal frame with a stained wood soffit. The upper levels also contain vertical green accent colored panels at varied locations within the angled bay windows. The project includes white vinyl windows on the upper floors. Boardform concrete will be used along the pedestrian sidewalk at ground level.

In response to Board questions, the applicant noted that the entry canopy will be a painted metal material and the garage door will be a perforated metal panel in matte silver.

### **PUBLIC COMMENT**

The following comments, issues and concerns were raised during the public comment portion of the Final Recommendation meeting:

- Multiple members of the community support a public park at this site.
- Building should incorporate active community space for the neighborhood residents.
- E Alder Street is a bike greenway which should be activated going up the hill.
- Building architecture and open space should reference local history.
- Building is too bright, bold and modern for neighborhood.
- Noted neighborhood is zoned MR but there are many single family homes in nearby.
- Insufficient parking is provided within the building.
- Felt the building is designed well and will be a nice addition to the neighborhood.
- Commended the design team for their public outreach.
- Liked the idea of townhouse patios, but noted they are often unused. Incorporate design features that can help people utilize patios.
- Windows should open out to visually express the residential living spaces within the building.

### **PRIORITIES & BOARD RECOMMENDATIONS**

At the Recommendation meeting, the Board discussed the response to EDG and offered the following recommendations for the proposal to meet the applicable Design Review Guidelines identified at the EDG meeting.

- 1. Massing and Materiality.** The Board supported the proposed massing and materials presented at the Recommendation Meeting.
  - a. The Board supported the expansion of the townhouse expression from 11<sup>th</sup> Avenue E to E Alder and the south facade. (CS1-B, CS1-C, DC2-A, DC2-B)
  - b. The Board felt the semi-private stoops were designed well to provide for residents' safety and security, as well as engaging with the street. (PL2-B, PL3-B, DC4-C)
  - c. The Board agreed the angled bays along each street façade provided additional upper level massing modulation and articulation consistent with guidance provided at the EDG meeting. (CS2-D, DC2-A, DC2-B)
  - d. The Board supported the concept of the bay window expression along the alley to create consistency with the other three building facades. (DC2-B, DC4-A)
  - e. The Board supported the conceptual landscape plan and the intent to create a lushly planted transition at the building edge. (CS1-C, PL3-B)

2. **Right-of-Way Design along E Alder Street.** The Board noted that E Alder Street contains a substantial right-of-way width which can be utilized to provide additional neighborhood amenities.
  - a. The Board recommended a condition to work with SDOT to incorporate public space and amenities, such as seating within the E Alder Street right-of-way. (CS2-B-2)
  - b. The Board also encouraged the applicant to incorporate local cultural references within the provided public space within the right-of-way. (CS3-A-4)

## **DESIGN REVIEW GUIDELINES**

The Board identified the following Citywide Design Guidelines of highest priority for this project. The specific guidelines are summarized below. The full text of the guidelines is available on the City of Seattle Department of Planning and Development website.

### **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-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-1. Corner Sites:** Corner sites can serve as gateways or focal points; both require careful detailing at the first three floors due to their high visibility from two or more streets and long distances.

### **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-2. Existing Site Features:** Use changes in topography, site shape, and vegetation or structures to help make a successful fit with adjacent properties.

**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-4. Massing Choices:** Strive for a successful transition between zones where a project abuts a less intense zone.

**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-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.

### **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.

**PL2-B-2. Lighting for Safety:** Provide lighting at sufficient lumen intensities and scales, including pathway illumination, pedestrian and entry lighting, and/or security lights.

### **PL3-A Entries**

**PL3-A-1. Design Objectives:** Design primary entries to be obvious, identifiable, and distinctive with clear lines of sight and lobbies visually connected to the street.

**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.

**PL3-A-4. Ensemble of Elements:** Design the entry as a collection of coordinated elements including the door(s), overhead features, ground surface, landscaping, lighting, and other features.

### **PL3-B Residential Edges**

**PL3-B-1. Security and Privacy:** Provide security and privacy for residential buildings through the use of a buffer or semi-private space between the development and the street or neighboring buildings.

**PL3-B-2. Ground-level Residential:** Privacy and security issues are particularly important in buildings with ground-level housing, both at entries and where windows are located overlooking the street.

### **DC1-B Vehicular Access and Circulation**

**DC1-B-1. Access Location and Design:** Choose locations for vehicular access, service uses, and delivery areas that minimize conflict between vehicles and non-motorists wherever possible. Emphasize use of the sidewalk for pedestrians, and create safe and attractive conditions for pedestrians, bicyclists, and drivers.

### **DC1-C Parking and Service Uses**

**DC1-C-2. Visual Impacts:** Reduce the visual impacts of parking lots, parking structures, entrances, and related signs and equipment as much as possible.

**DC1-C-4. Service Uses:** Locate and design service entries, loading docks, and trash receptacles away from pedestrian areas or to a less visible portion of the site to reduce possible impacts of these facilities on building aesthetics and pedestrian circulation.

### **DC2-A Massing**

**DC2-A-1. Site Characteristics and Uses:** Arrange the mass of the building taking into consideration the characteristics of the site and the proposed uses of the building and its open space.

**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 facades—including alleys and visible roofs—considering the composition and architectural expression of the building as a whole. Ensure that all facades 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 facades are

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

#### **DC2-C Secondary Architectural Features**

**DC2-C-1. Visual Depth and Interest:** Add depth to facades where appropriate by incorporating balconies, canopies, awnings, decks, or other secondary elements into the façade design. Add detailing at the street level in order to create interest for the pedestrian and encourage active street life and window shopping (in retail areas).

#### **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.

#### **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-C Lighting**

**DC4-C-1. Functions:** Use lighting both to increase site safety in all locations used by pedestrians and to highlight architectural or landscape details and features such as entries, signs, canopies, plantings, and art.

**DC4-C-2. Avoiding Glare:** Design project lighting based upon the uses on and off site, taking care to provide illumination to serve building needs while avoiding off-site night glare and light pollution.

### **DEVELOPMENT STANDARD DEPARTURE**

**The Board’s recommendation on the requested departure is 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.**

1. **Structure Depth (SMC 23.45.528.B.1):** The Code requires a maximum structure depth that measures 75% of the lot depth. For this lot, a maximum 90’ structure depth is allowed. The applicant proposes a 101’6” structure depth (84.6%), with additional modulation on street facing façades.

The Board unanimously approved the proposed departure request from maximum structure depth. The Board agreed the massing changes which include a two story townhouse base expression and a series of large multistory angled bay windows provided modulation along the north and east facades consistent with the Early Design Guidance provided. The Board also noted that the building provides a larger than required setback along the south lot line adjacent to the existing residential structure. The Board felt the building massing met the intent of DC2-A Massing and DC2-B Architectural and Facade Composition.

## **BOARD RECOMMENDATION**

**The recommendation summarized below was based on the design review packet dated November 19, 2014, and the materials shown and verbally described by the applicant at the November 19, 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. The Board recommends the following CONDITIONS (Authority referred in the letter and number in parenthesis):**

- 1. Work with SDOT to incorporate public space and amenities, such as seating, within the E Alder Street right-of-way (CS2-B2).**

## **ANALYSIS & DECISION – DESIGN REVIEW**

### Director's Analysis

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.

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

At the conclusion of the Recommendation meeting held on September 22, 2014, the Board recommended approval of the project with the condition described above.

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 condition recommended by the Board that further augments the selected Guidelines.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the three members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines. 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.

**Applicant response to Recommended Design Review Condition:**

1. Master Use Permit sheet L1.0 has been updated to additional hardscape paving within the right-of-way, two public benches and a shared bike facility. The response satisfies the recommended condition for the MUP decision. These items shall be shown on the construction plans, and the installation of these items will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction, as conditioned below.

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

**DECISION – DESIGN REVIEW**

The proposed design is **CONDITIONALLY GRANTED**.

**SEPA ANALYSIS**

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated June 6, 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 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 and 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 many 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 is found below.

**PUBLIC COMMENT:**

The public comment period ended on July 16, 2014. Multiple comment letters were received.

**Short Term Impacts**

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

**Noise** – The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment. Properties located to the north and west of the site include residential units and will be impacted by construction noise. The impacts including duration of construction noise in this area, and amount of noise-generating grading and construction activity warrant additional mitigation to reduce the impacts of construction noise on nearby residents.

To mitigate construction noise impacts pursuant to SMC 25.05.675.B (Construction Impacts Policy), the applicant submitted a Construction Management Plan with a noise mitigation element, which has been reviewed and approved by DPD. No further mitigation is warranted for construction noise impacts.

**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.

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

**Long Term Impacts**

Long term or use-related impacts are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking;

increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Drainage Code which requires on site detention of Stormwater with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code and Design Review process which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts, although some impacts warrant further discussion.

Greenhouse gas emissions - Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

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

Parking & Traffic- The applicant submitted a Transportation Impact Analysis (Heffron Transportation, Inc, dated June 1 and November 21, 2014 and January 14, 2015).

The 1023 E Alder Street development is anticipated to generate 230 new daily vehicle trips, 18 new AM peak-hour trips and 21 new PM peak-hour trips per ITE data.

DPD's Transportation Planner has reviewed the Transportation Impact Analysis and determined additional SEPA mitigation is not necessary.

The Transportation Impact Analysis noted that the residential peak parking demand for this development is 36 vehicles. The proposal includes 13 below grade parking spaces. The overflow peak parking demand is therefore 23 spaces.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in the 12<sup>th</sup> Avenue Urban Center Village. This site is located in that Urban Center Village, and the project is entirely residential. 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.

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 Resources - The proposed development includes the demolition of an existing single family home over 50 years old. The Department of Neighborhoods reviewed the proposal for potential impacts to historic resources, and indicated that the existing structures on site are unlikely to qualify for historic landmark status (LPB 751/14).

Therefore, no mitigation is warranted for historic preservation.

### Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are anticipated to be non-significant. The conditions imposed below are intended to mitigate construction impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

### **DECISION – SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the 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.

### **CONDITIONS – SEPA**

None.

## CONDITIONS - DESIGN REVIEW

### Prior to Certificate of Occupancy

1. 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 (Lindsay King 206-684-9218 or [lindsay.king@seattle.gov](mailto:lindsay.king@seattle.gov)).
2. 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 (Lindsay King 206-684-9218 or [lindsay.king@seattle.gov](mailto:lindsay.king@seattle.gov)).

### For the Life of the Project

3. 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 (Lindsay King 206-684-9218 or [lindsay.king@seattle.gov](mailto:lindsay.king@seattle.gov)).

Signature: retagonzales-cumneutabby for \_\_\_\_\_ Date: March 5, 2015  
Lindsay King, Senior Planner  
Department of Planning and Development

H:\MUP\Design Review\Projects\3015818 DRAFT DECISION.docx

### **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](mailto:prc@seattle.gov) or to our message line at 206-684-8467.