



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: 3018165
Applicant Name: Jay Janette
Address of Proposal: 6105 Roosevelt Way Northeast

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a five-story congregate residence with 128 rooms and 2,000 sq. ft. of ground level retail. Existing structures are to be demolished. Project includes 1,000 cubic yards of grading. No parking is proposed.

The following approval is required:

SEPA – Environmental Determination- Chapter 23.05 Seattle Municipal Code

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

BACKGROUND DATA

Proposal

The applicant proposes to design and construct a five-story congregate residence with 128 rooms and 2,000 sq. ft. of ground level retail. Existing structures to be demolished. Project includes 1,000 cubic yards of grading. No parking is proposed.

Site & Area Description

The site comprises 10,541 square feet along the west side of Roosevelt Way Northeast midway between NE 62nd Street and NE Ravenna Boulevard. The terrain's slight four foot declension of begins at it high point on the north and slopes toward the south property line. The rectangular shaped site contains a shuttered former pet fish supply and aquarium equipment business. The property has no environmental critical areas.

The property possesses a Neighborhood Commercial Two with a 40 foot height limit (NC2 40) zoning classification. The NC zoning flanks the Roosevelt corridor. A multifamily Lowrise One

(LR1) zone lies immediately to the west and a Single Family 5000 (SF 5000) zone is further east of Roosevelt Way.

Small commercial businesses line this portion of the Roosevelt corridor Ave including such establishments as Salvatore's restaurant, the former Dakota Art Store and Definitive Audio. Larger businesses such as Whole Foods, Dania and Bartell Drugs occupy the former Sears building nearby. New mixed use construction has begun to occur in the area particularly close to the Roosevelt and NE 65th St. intersection in anticipation of the future light rail station.

A recently constructed (2009) three-story live/work building lies directly to the south of the development site. To the north sits a two-story, 1960s era apartment building. Single family houses line Ninth Avenue NE and NE 62nd St. to the west and northwest.

Public Comment:

DPD received numerous comment letters. The letters addressed the lack of on-street parking in the neighborhood, density, the size of the proposal and the proposal's potential to block access to natural light.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

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, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

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 workers' vehicles, and increases in greenhouse gas emissions. Existing City codes and ordinances applicable to the project such as: The Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several excavation-related impacts.

Following is an analysis of the air, water quality, streets, grading, parking, and construction-related noise impacts as well as mitigation.

Air Quality

Excavation and construction activities are expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist, which warrant additional mitigation, per the SEPA Overview Policy.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition.

Noise

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

Grading

Excavation will consist of approximately 1,000 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Impacts

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Traffic and Parking

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 excavation workers and the transport of construction materials. Approximately 1,000 cubic yards of soil are expected to be excavated from the project site. The soil removed for excavation will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 100 round trips with 10-yard hauling trucks or 50 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site between 4:00 and 6:00 PM. Truck access to and from the site shall be documented in a construction traffic management plan submitted to DPD and SDOT.

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.

The Street Use Ordinance also includes regulations that mitigate dust, and mud. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Transportation Department, and no further SEPA conditioning would be needed.

Long-term Impacts

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

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, greenhouse gas emissions, height, bulk and scale, traffic, and parking impacts warrant further analysis.

Height, Bulk and Scale

A zone change occurs at the alley dividing the subject site's Neighborhood Commercial with a 40 foot height limit zone from a multifamily Lowrise One zone to the west. The applicant proposes four residential levels above grade and a partial fifth floor comprising a mezzanine for several units facing west (and east). The bulk of the 13 foot height first level above grade extends to the rear property line at the alley. Above this height, the building sets back seven feet from the property line for the upper levels. Floor Level Three (the second floor above grade) has unit decks that sit above the 13' first floor on the west façade. Due to the alley's 16 foot width, the bulk of the proposed building sits 23 feet from two of the neighbor's rear property lines. The property fronting on to NE 62nd St. has its side property line parallel to the alley. The proposed building would sit 23 feet from this side property line.

The proposed building's height rises approximately 48 feet from average grade. This includes the clerestory windows at the upper floor's mezzanine level which are set back slightly from the larger mass which is seven feet from the property line. Stairs to the roof top extend above the 48 feet but sit farther back from the building setback. The adjacent zone (LR1) has a height limit of 30 feet. Single family houses currently occupy the properties across the alley to the west. These properties could potentially redevelop into taller multifamily housing. The land use code anticipates zone transitions by requiring an upper level setback. In circumstances, such as the presence of significant grade changes between one zone and the other, the SEPA ordinance provides a means to mitigate an imposing structure. While the proposed structure's height and bulk are significantly larger than the existing buildings on the site and will likely have an impact in terms of light and shadow on the neighbors across the alley, the combined 16 foot alley, the relatively flat site and the seven foot setback of the building mass off-set the most onerous

impacts. While impacts are adverse, they are not expected to be significant to warrant further conditioning.

Greenhouse Gas Emissions

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

Historic Preservation

The existing buildings on the subject site were reviewed by the Department of Neighborhoods and determined that it is unlikely, due in part to a loss of integrity, that the existing structures would meet the standards for designation as an individual landmark.

Traffic and Transportation

Transpo Group, the applicant's traffic and parking consultant, estimates that the 128 residential rooms and 2,000 sq. ft. of retail commercial would generate an average of 267 net new daily trips including 25 net new PM peak hour trips.

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

Parking

The peak parking demand generated by the residential and commercial uses is 40 spaces according to Transpo Group. Given that no parking is being provided on-site, an on-street parking utilization study was conducted to determine the available on-street parking supply and parking demand within 800 feet walking distance of the project site. During the peak weekday residential demand period, there was an average of 107 vacant parking spaces on the identified streets. With a demand of 40 spaces generated by the project, there would be approximately 67 spaces available which equates to 21 percent of the total parking spaces available. No SEPA mitigation of parking impacts is warranted.

CONCLUSION - SEPA

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific 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 DPD as the lead agency of the 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.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment with respect to transportation, circulation, and parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

SEPA CONDITIONS

During Construction

1. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Bruce Rips, (206-615-1392) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.

Signature: retagonzales-cunneutabby for _____ Date: March 16, 2015
Bruce Philip Rips, Land Use Planning Supervisor
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.