



City of Seattle
Edward B. Murray, Mayor

Department of Construction and Inspections
Nathan Torgelson, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Application Numbers: 3022596, 3020898, 3023474
Applicant Name: Julian Weber, JW Architects for Isola Homes
Address of Proposal: 1638, 1640, 1644 20th Ave

SUMMARY OF PROPOSAL

3022596 - 1638 20th Ave: Land Use Application to allow a 3-story townhouse structure containing five units. Surface parking for 5 vehicles to be provided. Existing structures to be demolished. To be considered with 3020898 and 3023474 for shared vehicle access. Environmental review includes future unit lot subdivision.

3020898 - 1640 20th Ave: Land Use Application to allow a 3-story townhouse structure containing five units. Surface parking for 5 vehicles to be provided. Existing structure to be demolished. To be considered with 3022596 and 3023474 for shared vehicle access. Environmental review includes future unit lot subdivision.

3023474 - 1644 20th Ave: Land Use Application to allow a 4-story structure containing five townhouse units and 2 live-work units. Parking for five vehicles to be located within the structure and one surface parking space. Existing structures to be demolished. To be considered with 3022596 and 3020898 for shared vehicle access. Environmental review includes future unit lot subdivision.

The following approvals are required:

Design Review (Seattle Municipal Code 23.41)*

SEPA - Environmental Determination (Seattle Municipal Code Chapter 25.05)

SEPA DETERMINATION:

Determination of Non-Significance

- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts

SITE AND VICINITY

Site Description: The site is relatively flat and is currently occupied by two duplex units. There is no alley present. Sidewalks are present along 20th Street.

Site Zone: Neighborhood Commercial (NC2-40) & Multifamily Low Rise 3 (LR3)

Nearby Zones:

North: NC2-40

South: LR3

West: LR3

East: Residential Small Lot Tandem/Cottage (RSL/TC)



Surrounding Context: Madison Street is a commercial corridor and a principal arterial that traverses through the neighborhood from southwest to northeast. In general, NC zoning is present along Madison with Lowrise zones and then Single-family zoning radiating out from the commercial street. Two story single-family residences are located directly to the east. Neighborhood Commercial zoning to the north contains a two-story office/commercial building. To the west lies a large church complex home to Mt. Zion. To the south is a vacant lot.

Environmental Critical Areas: There are no Environmentally Critical Areas present on the subject property.

PUBLIC COMMENT:

The public comment period ended on September 4, 2016. In addition to the comment(s) received through the Design Review process, other comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to live/work use, preservation of trees, greater setbacks for compatibility, parking, traffic, and density. Comments were also received that are beyond the scope of this review and analysis per {SMC 25.05}.

I. ANALYSIS – DESIGN REVIEW

EARLY DESIGN GUIDANCE - April 27, 2016

Public Comment

Members of the public offered comments:

- Units are not wide enough.
- Grade difference between 20th and 21st may create the feeling of units looming over nearby homes. This could be exacerbated by the presence of roof decks.

All public comments submitted in writing for this project can be viewed using the following link and entering the project number: <http://web6.seattle.gov/dpd/edms/>

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 27, 2016

1. Neighborhood Connection.

- a. The Board acknowledged the public's concern about grade changes between 20th and 21st Street. Site sections with dimensioned distances to adjacent structures should be included in the recommendation packet clarifying the topographic/spatial relationship between the subject properties and residences to the east. (CS1-B&C, CS2-A&B)
- b. The Board was excited at the prospect of rowhomes lining 20th Street down the block. They thought this project could establish a positive precedent for a regularized rowhouse pattern. (CS2-C)

2. Amenity Area. The Board offered the following guidance regarding the open spaces areas and design:

- a. The grass-crete court at the center of the project could create a desirable gathering place for residents and should be comprised of well-designed landscape materials to define open space and vehicle access. (DC3-A&B, and DC4-D)
- b. The amenity space at the south end of the project should be more connected to the central grass-crete court to convey the sense of a larger open space. (PL1-A & DC3-C)
- c. Pedestrian access through the parking lot needs to be well defined and provide a clear way for residents to reach units at the rear of the project. (PL2-D)

3. Massing. The Board preferred Option 2 with the departures presented with Option 3. The members explained that Option 2 better grouped residences and amenities. The Board also provided the following guidance:

- a. Gabled roofs, present on two proposed buildings in the southwest corner of option 3, muddle the cohesiveness of the overall development's design. The Board agreed that flat roofs should be maintained throughout the project. (DC2-B)
- b. Future renderings should contain cars to clarify vehicular circulation dimensions and usable open space. (DC1-B&C)
- c. The Board stressed that the massing of the penthouse stairs should be reduced. (CS2-D)
- d. The Board wanted to see the use of high-quality materials such as brick and wood (DC4-A)
- e. The applicant should strive to configure the more active living spaces such as the living room and dining room uses to ground level to increase interaction with the street. (PL3-A&B)

RECOMMENDATION - March 8, 2017

PUBLIC COMMENT

Members of the public offered comments:

- The live/work units need guarantees that they will be used for a commercial business.
- Concerned that the live/work and residential units could be subdivided internally for Air BnB.
- The project is proposing a fence between the existing commercial at the north and the applicant's live/work building where there is minimum setback. The fence should be located where the project abuts a parking lot along the north property line.

All public comments submitted in writing for this project can be viewed using the following link and entering the project number: <http://web6.seattle.gov/dpd/edms/>

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.

RECOMMENDATION - March 8, 2017

1. Response to EDG:

- a. The Board was supportive of how the project transitioned from the commercial building/zoning to the north by using a two-story application of brick on the live/work building. The Board also liked the projects use of hardie lap siding for the residential units. (CS2-D-3)
- b. Overall, the Board was supportive of the contemporary design and noted that the asymmetrical composition was successful. (DC2)
- c. The Board liked the building's proximity to the street and felt the units would begin a strong pattern of rowhouses for 20th Street. (PL3-B)
- d. The Board complimented the applicant on reducing the appearance and minimized the massing of the penthouse stairs. (DC2-A-2)
- e. The Board agreed that the design of the east elevation was well considered, noting that stepping back of the third story and roof deck responded well to the single-family neighborhood. (CS2-D-5)
- f. The Board noted the courtyard design responded well to their guidance about tying the parking court to the southern amenity space and applauded the use of differing types of paving to assist in wayfinding. (DC3)

2. Design:

- a. The Board had concerns with the perception of bulk with the live/work. The Board felt the building has the appearance of two different structures stacked due to proportion and the stark contrast between materials. The Board suggested the

solid fifth floor parapet include an open railing and the building's brick base extend up to form the second-floor railing. (DC2-A-2)

- b. The Board liked the additional rear setback at the eastern property line to allow for more buffering to nearby residences and also approved of the reduced setback at 20th Street. (CS2-B, CSC2-C)
- c. The Board noted the trash enclosure being near the street should be screened. The enclosure was not depicted. The Board recommended a condition for the applicant to work with staff on a cedar material stain that matches the project. (DC1-C-4)
- d. The Board noticed the bike parking area could be blocked if a car is parked in the adjacent stall and recommended a condition for the design to be adjusted to make sure bike parking is functional with cars parked in stalls. (DC1-C)

3. Materials:

- a. Responding to public comment, the Board recommended a condition for fencing where the project borders a parking lot to the northeast. The Board felt this would enhance site security. (CS2-D-5)
- b. The Board liked the use of brick and the overall color palette. Some members of the Board liked the dark purple while others asked for more vibrant colors. The Board did not reach a majority consensus on this issue. (DC4)
- c. Clarifying questions from the Board revealed that grasscrete will not be used for north/south aisle of the parking court. The applicant explained it would not function well during gatherings. The applicant stated they would still use an alternative type of paving. The Board accepted the non grasscrete material at this location. (DC1-C-3, DC3-B)

4. Entry Sequence:

- a. The Board noted the planters in front of the rowhomes would provide adequate transition between the public realm of the sidewalk and the residential entry. (PL3-B, PL3-A-3)
- b. The Board like the use of solid doors for the rowhomes for the added privacy and security. (PL3-B-1)

DESIGN REVIEW GUIDELINES

The priority Citywide and Neighborhood guidelines identified by the Board as Priority Guidelines are summarized below, while all guidelines remain applicable. 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-A Location in the City and Neighborhood

CS2-A-1. Sense of Place: Emphasize attributes that give a distinctive sense of place. Design the building and open spaces to enhance areas where a strong identity already exists, and create a sense of place where the physical context is less established.

CS2-A-2. Architectural Presence: Evaluate the degree of visibility or architectural presence that is appropriate or desired given the context, and design accordingly.

CS2-B Adjacent Sites, Streets, and Open Spaces

CS2-B-1. Site Characteristics: Allow characteristics of sites to inform the design, especially where the street grid and topography create unusually shaped lots that can add distinction to the building massing.

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

CS2-B-3. Character of Open Space: Contribute to the character and proportion of surrounding open spaces.

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-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-C-3. Full Block Sites: Break up long facades of full-block buildings to avoid a monolithic presence. Provide detail and human scale at street-level, and include repeating elements to add variety and rhythm to the façade and overall building design.

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.

PUBLIC LIFE

PL1 Connectivity: Complement and contribute to the network of open spaces around the site and the connections among them.

PL1-A Network of Open Spaces

PL1-A-1. Enhancing Open Space: Design the building and open spaces to positively contribute to a broader network of open spaces throughout the neighborhood.

PL1-A-2. Adding to Public Life: Seek opportunities to foster human interaction through an increase in the size and quality of project-related open space available for 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-D Wayfinding

PL2-D-1. Design as Wayfinding: Use design features as a means of wayfinding wherever possible.

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-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.

PL3-B-3. Buildings with Live/Work Uses: Maintain active and transparent facades in the design of live/work residences. Design the first floor so it can be adapted to other commercial use as needed in the future.

PL3-B-4. Interaction: Provide opportunities for interaction among residents and neighbors.

DESIGN CONCEPT

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

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-B-2. Facilities for Alternative Transportation: Locate facilities for alternative transportation in prominent locations that are convenient and readily accessible to expected users.

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.

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-3. Multiple Uses: Design parking areas to serve multiple uses such as children's play space, outdoor gathering areas, sports courts, woonerf, or common space in multifamily projects.

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 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-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.

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.

DC3-B Open Space Uses and Activities

DC3-B-1. Meeting User Needs: Plan the size, uses, activities, and features of each open space to meet the needs of expected users, ensuring each space has a purpose and function.

DC3-B-2. Matching Uses to Conditions: Respond to changing environmental conditions such as seasonal and daily light and weather shifts through open space design and/or programming of open space activities.

DC3-B-3. Connections to Other Open Space: Site and design project-related open spaces to connect with, or enhance, the uses and activities of other nearby public open space where appropriate.

DC3-B-4. Multifamily Open Space: Design common and private open spaces in multifamily projects for use by all residents to encourage physical activity and social interaction.

DC3-C Design

DC3-C-1. Reinforce Existing Open Space: Where a strong open space concept exists in the neighborhood, reinforce existing character and patterns of street tree planting, buffers or treatment of topographic changes. Where no strong patterns exist, initiate a strong open space concept that other projects can build upon in the future.

DC3-C-2. Amenities/Features: Create attractive outdoor spaces suited to the uses envisioned for the project.

DC3-C-3. Support Natural Areas: Create an open space design that retains and enhances onsite natural areas and connects to natural areas that may exist off-site and may provide habitat for wildlife.

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

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.

DC4-D-3. Long Range Planning: Select plants that upon maturity will be of appropriate size, scale, and shape to contribute to the site as intended.

DC4-D-4. Place Making: Create a landscape design that helps define spaces with significant elements such as trees.

DEVELOPMENT STANDARD DEPARTURES

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

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

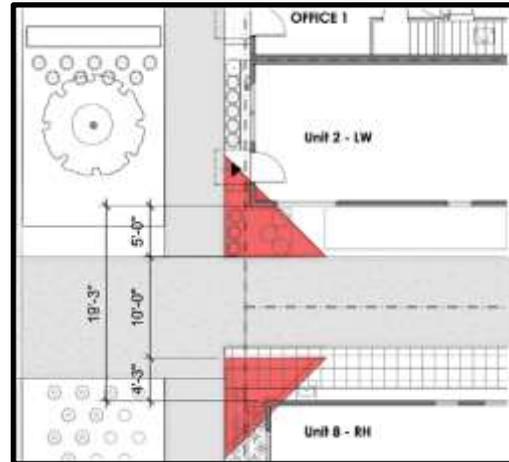
1. **Driveway Width (SMC 23.53.025.D):** Vehicle access easements serving ten or more residential units, easement width shall be a minimum of 32' and provide a surfaced roadway at least 24' wide.

The applicant proposes a 10' curb cut and 14' drive. Hardscape of drive to consist of 9' of concrete and 4' of pedestrian walkway made of pavers.

The Board unanimously approved the departure request as the reduced aisle width presents a more continuous wall of building and deemphasize the automobile's presence at the street. The resulting design better meets the intent of Design Guideline PL2-D Walkability and Wayfinding and DC1-C-2 Reduce Visual Impacts of Parking Lots.

- Sight Triangle (SMC 23.54.030.G.1):** The Code requires a sight triangle be provided on both sides of the driveway be kept clear of any obstruction for a distance of 10 feet from the intersection as shown in red on the right.

The applicant proposes to encroach into both sides of the sight triangle by 1.5' on unit 8 and 3' for Unit 2 and the trash enclosure.



The Board unanimously approved the departure as strict application of the code would require one of the live/work and rowhouse units to be setback further than the existing commercial building to the north. This would reduce the continuous rowhouse appearance the Board wanted to see for 20th Street allowing for interaction opportunities for residents of the rowhomes, businesses in the live/work units, and neighbors, the intent of Design Guideline PL3-B-4 Residential Edges - Interaction.

- Setbacks for Commercial Lots Abutting Residential Zones (SMC 23.47A.014.B.1, 2, and 3):** The Code requires commercial buildings to be setback 10' for portions of structures above 13' in height when abutting residentially zoned property. Residential structures along a side lot lint shall be setback at 15' for portions of the structure above 13' in height.

The applicant proposed 9' 8" for the commercial (live/work) structure setback and 10' for the residential structure.

The Board unanimously approved the departure as it allows more open space to occur along the side and rear lots lines providing additional buffering for adjacent uses and better meets Design Guideline CS2-B Respect for Adjacent Sites.

- Front Setback (SMC 23.45.518.A):** The Code requires a 5' front setback for rowhouse developments.

The applicant proposed a 2' setback for units 8-12.

The Board unanimously approved the departure as it allows for more setback on the eastern part of the project where it address and transitions to single-family residences in response to Design Guideline CS2-D-3 which advocates for the appropriate transition to less intense zones.

BOARD DIRECTION

At the conclusion of the Recommendation meeting, the Board recommended approval of the project with conditions.

Recommendations: The conditions summarized below were based on the plans and models submitted at the March 8, 2017 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members recommended APPROVAL of the subject design with one condition and the requested development standard departures from the requirements of the Land Use Code (listed below). The Board recommends the following CONDITIONS for the project. (Authority referred in the letter and number in parenthesis):

Prior to MUP Decision modify the plan set subject to the following conditions:

1. Revise the design of the trash enclosure to match the color of materials with project's overall palette. (DC4)
2. Revise the bike parking area so it is accessible while cars are parked in the adjacent stall. (DC1-C)
3. Include fencing along the northern property boundary where the project abuts a neighboring parking lot. (CS2-D-5 & PL3-B-1)

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 SDCI 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 recommended 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 March 8, 2017, the Board recommended approval of the project with the conditions described in the summary of the Recommendation meeting above.

Six 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 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.

Following the Recommendation meeting, SDCI staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board.

Applicant response to Recommended Design Review Condition:

1. The applicant submitted design drawings for the trash enclosure on May 24, 2017 under MUP 3023474, showing the trash enclosure and that its color matches the overall palette of the project.
2. Sheet L2 of the MUP plan set 3020898 shows that the bike area is accessible from the amenity area.
3. Sheet L1 of the MUP plan set 3023474 shows the fence bordering the adjacent parking lot to the northeast as directed by the Board.

The applicant shall be responsible for ensuring that all construction documents, details, and specifications are shown and constructed consistent with the approved MUP drawings.

The Director of SDCI has reviewed the decision and recommendations of the Design Review Board made by the six members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines. The Director is satisfied that all the recommendations imposed by the Design Review Board have been met.

DIRECTOR'S DECISION

The Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departures with the conditions summarized at the end of this Decision.

II. ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the 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 August 1, 2016. The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received

regarding this proposed action have been considered. The information in the checklist, the supplemental information, 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 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.

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

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, air quality, greenhouse gas, construction traffic and parking impacts, as well as mitigation.

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, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Construction Impacts - Parking and Traffic

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The area is subject to significant traffic congestion during peak travel times on nearby arterials. Large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

The area includes limited or metered on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

However, the amount of excavation and size of construction will result in a small and temporary increase in truck trips and demand for on-street parking. Any closures of the public right of way will require review and permitting by Seattle Department of Transportation. Additional mitigation is not warranted per SMC 25.05.675.B.

Construction Impacts - Noise

The project is expected to generate loud noise during demolition, grading and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends and legal holidays in Lowrise, Midrise, Highrise, Residential-Commercial and Neighborhood Commercial zones.

If extended construction hours are necessary, the applicant may seek approval from SDCI through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated.

The limitations stipulated in the Noise Ordinance and the CMP are sufficient to mitigate noise impacts and no additional SEPA conditioning is necessary to mitigate noise impacts per SMC 25.05.675.B.

Construction Impacts – Mud and Dust

Approximately 150 cubic yards of material will be excavated and removed from the site. Transported soil is susceptible to being dropped, spilled or leaked onto City streets. The City's Traffic Code (SMC 11.74.150 and .160) provides that material hauled in trucks not be spilled during transport. The City requires that loads be either 1) secured/covered; or 2) a minimum of six inches of "freeboard" (area from level of material to the top of the truck container). The regulation is intended to minimize the amount of spilled material and dust from the truck bed en route to or from a site.

No further conditioning of the impacts associated with these construction impacts of the project is warranted pursuant to SEPA policies (SMC 25.05.675.B).

Environmental Health

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. The City acknowledges PSCAA's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination. No further mitigation under SEPA Policies 25.05.675.F is warranted for asbestos impacts.

Should lead be identified on the site, there is a potential for impacts to environmental health. Lead is a pollutant regulated by laws administered by the U. S. Environmental Protection Agency (EPA), including the [Toxic Substances Control Act \(TSCA\)](#), [Residential Lead-Based Paint Hazard Reduction Act of 1992 \(Title X\)](#), [Clean Air Act \(CAA\)](#), [Clean Water Act \(CWA\)](#), [Safe Drinking Water Act \(SDWA\)](#), [Resource Conservation and Recovery Act \(RCRA\)](#), and [Comprehensive Environmental Response, Compensation, and Liability Act \(CERCLA\)](#) among others. The EPA

further authorized the Washington State Department of Commerce to administer two regulatory programs in Washington State: The Renovation, Repair and Painting Program (RRP) and the Lead-Based Paint Activities Program (Abatement). These regulations protect the public from hazards of improperly conducted lead-based paint activities and renovations. No further mitigation under SEPA Policies 25.05.675.F is warranted for lead impacts.

Long Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; potential blockage of designated sites from the 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, historic resources, height bulk and scale, parking, and traffic warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with 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 no further mitigation is warranted pursuant to SMC 25.05.675.A.

Historic Resources

The existing structures on site are more than 50 years old. These structures were reviewed for potential to meet historic landmark status. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and indicated the structures on site are unlikely to qualify for historic landmark status (Landmarks Preservation Board letters, reference number LPB 410/17 & LPB 411/17). Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H.

Height, Bulk, and Scale

The proposal has gone through the design review process described in SMC 23.41. Design review considers mitigation for height, bulk and scale through modulation, articulation, landscaping, and façade treatment.

Section 25.05.675.G.2.c of the Seattle SEPA Ordinance provides the following: "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 shall be presumed to comply with these 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 on projects that have undergone Design Review shall comply with design guidelines applicable to the project."

The height, bulk and scale of the proposed development and relationship to nearby context have been addressed during the Design Review process. Pursuant to the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate height, bulk and scale impacts and additional mitigation is not warranted under SMC 25.05.675.G.

Parking

The proposed development includes 15 residential units and two live/work units with 15 off-street vehicular parking spaces. Parking provided by the project complies with the zoning ordinance and takes into account the project location and proximity to transit options. The King County Right Size Parking Model estimates a peak parking rate of 0.79 vehicles/unit, given this project's size and location. This would result in a parking demand for 13.43 vehicles, all of which could park on-site. No spill-over of vehicles is expected. There will be no impact on on-street parking availability near the project site. No mitigation is warranted per SMC 25.05.675.M.

Transportation

The Institute of Traffic Engineers 9th Edition indicates that the project is expected to generate a net total of 99 daily vehicle trips, with nine net new PM peak hour trips and seven AM peak hour trips.

The additional trips are expected to distribute on various roadways near the project site, including Madison and 20th Ave. and would have minimal impact on levels of service at nearby intersections and on the overall transportation system. The SDCI Transportation Planner reviewed the information and determined that no mitigation is warranted per SMC 25.05.675.R.

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).
- Mitigated 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 – DESIGN REVIEW

For the Life of the Project

1. 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 (Bruce Rips, 206-615-1392, bruce.rips@seattle.gov)

CONDITIONS – SEPA

None

Joshua Johnson, AICP, Land Use Planner
Seattle Department of Construction and Inspections

Date: July 20, 2017

JJ:drm

K:\Decisions-Signed\3022596, 3020898 & 3023474.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 SDCI 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.