



City of Seattle

Gregory J. Nickels, 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: 2201831
Applicant Name: Neal Thompson for Howard Park, LLC
Address of Proposal: 4214 Stone Way North

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish the use for the future construction of a five-story building containing customer service office at ground level and 40 apartment units above. Parking for 49 vehicles on site. Project includes future demolition of three residential structures.

The following approvals are required:

SEPA - Environmental Determination – Chapter 25.05 SMC

Design Review – Chapter 23.41 SMC -

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

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

* Early DNS Notice published June 2, 2005

BACKGROUND DATA

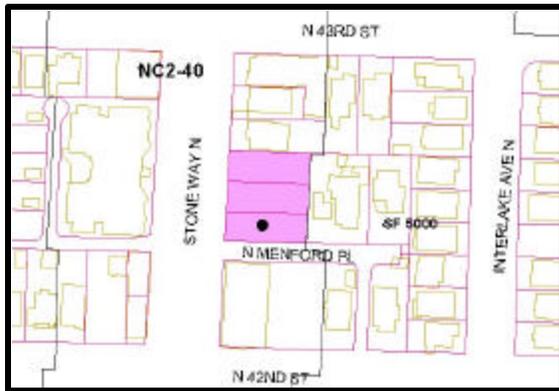
Project and Site Description

The applicant proposes to build a five-story mixed use building with 40 residential units above approximately 2,200 square feet of commercial space and below grade parking. The rectangular site rises from the southwest corner (near North Menford Place and Stone Way North) approximately 18 feet to the northeast corner. Along Stone Way N. the slope descends from north to south by roughly six feet. The 11,000 square foot property extends along 110 feet of Stone Way N. and 100 feet deep.

Zoned Neighborhood Commercial Two with a 40' height (NC2-40), the parcel's eastern property line divides the Stone Way corridor commercial zone from the adjacent Single Family 5000 (SF 5000) zone. The site lies within the Wallingford Residential Urban Village. Currently, three single family homes occupy the three parcel site. Built in the first two decades of the 20th century, these bungalows would be demolished for the proposed project.

Vicinity

A commercial corridor extends along the length of Stone Way N. Retail, office, non-household sales and service, and multifamily uses represent a variety of the land uses along the corridor.



An unusual amount of dentist offices and residential building supply businesses occupy the older buildings nearby. These buildings, dating from the 1960s and earlier, are typically one and two stories. The newer mixed use and multi-family buildings facing Stone Way N. rise to four and five floors. Flanking the NC2-40 zone are Single Family 5000 zoned residential areas. A legally, non-conforming duplex lies directly behind the subject property. To the north, a recently built mixed use building (2001) occupies

the property between the site and North 43rd St. Across North Menford Place, a two story office building sits at the corner of Stone Way N. and N. 42nd St. To the west, a four story apartment building and two, one-story commercial buildings face Stone Way N.

Public Comments

Nine individuals signed in at the Early Design Guidance meeting. The following comments were made for the record.

- The service areas and parking should be accessed from N. Menford Place.
- Set back the top floor on the east facade to lessen the impact on the single family zone.
- Preference for alternatives #1 and # 4.
- Don't depart from open space and landscape regulations in the Land Use Code.
- Vehicular access from N. Menford Pl. should be possible since the applicant has requested departures near the southeast corner of the site.

The Wallingford Community Council Land Use Committee (WCCLUC) detailed seven issues of concern. The organization requested that the building be limited to four stories and the upper floors set back at least ten feet from Stone Way N. The Committee also requested the following: provide sufficient detail at the base; require the brick façade; install canopies along Stone Way; signs should be shaped individual signs; plant street trees along both streets and create a landscaped setback at the blank garage wall; and reduce the scale of the blank garage wall.

ANALYSIS-DESIGN REVIEW

Design Guidelines Priorities

The project proponents presented their initial ideas at an Early Design Guidance meeting on November 1, 2004. 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 identified the following Citywide Design Guidelines as high priorities to be considered in the final proposed design.

A. Site Planning

A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

The proposed Wallingford Neighborhood Design Guidelines encourage the use of setbacks to complement and preserve water and skyline views from public right-of-ways as applied to Stone Way N.

A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

The Board members urged the project designers to provide a continuity of commercial space on Stone Way N. Residential entry and vehicular access should occur on N. Menford Place.

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

Commercial entries should be visible from Stone Way N. A residential entry should be located on N. Menford Place.

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

Proposed Wallingford Design Guidelines encourages public plazas and outdoor seating areas on Stone Way N.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

The site backs onto a single family zone with a duplex and a detached garage directly behind the three parcels. Board members preferred the alternatives (#2 and #4) which would provide generous amounts of open space at the rear and corners. The adjacent, mixed use building to the north (same ownership) has much of its open space to the east (rear of the site) as well. Of the Board's preferred alternatives, the open spaces of the existing building and the proposed building

appear to flow into one another at least as depicted in plan. However, this may not be true in actuality given site conditions.

A-6 Transition Between Residence and the Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

Members of the Board encouraged the applicant to maintain the amount of Land Use Code required open space rather than propose reductions through design review departures.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

The Board strongly encouraged that access to the parking garage occur from N. Menford Place. The proposed Wallingford Design Guidelines reinforces this directive.

A-10 Corner Lots. Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

Although the site occupies the northeast intersection of the N. Menford Pl. / Stone Way N., the Board members did not consider this corner important enough to emphasize or elaborate in the building's design.

B. Height, Bulk and Scale

B-1 Height, Bulk and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

A zone change occurs at the east property line. Techniques using either one or a combination of open space and terracing above grade level should provide a sense of transition between the commercial and the single family zones. The proposed Wallingford Design Guidelines encourages upper level setbacks to limit the visibility of floors that are above 30 feet in order to protect single family zones. The proposed Wallingford Guidelines also state that the architect should consider stepping back floors five feet per floor along Stone Way N.

C. Architectural Elements and Materials

C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its façade walls.

The siting of the building does not necessarily warrant a symmetrical building design. The Board also conveyed to the architect that the east and west facades do not need to be similar only a part of a consistent design.

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

Achieving a human scale will be particularly important at the ground level of the mixed-use building. Distinctive architectural elements---canopies, pavers, quality masonry, and fenestration--will help achieve this. The refinement of the details makes for a better human scale and helps establish a sense of identity or place. The proposed Wallingford Neighborhood Design Guidelines states that “long, undifferentiated surfaces, façade or store frontages are strongly discouraged.” The Board reiterated this idea.

C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

C-5 Structured Parking Entrance. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

The Board unequivocally encouraged vehicular access from N. Menford Pl. Commercial space should extend along the entire length of Stone Way N. and a residential entry should face N. Menford Pl. With a garage entrance for the adjacent mixed use building on Stone Way N., the Board observed that the quality of the streetscape for pedestrians would greatly diminish if another vehicular access were added to the block front.

D. Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building’s entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-orientated open space should be considered.

The Board expressed its desire to avoid departures for landscaping and open space. The introduction of a small court or plaza along Stone Way in front of the commercial use was urged. Examine the landscaping at University House two blocks to the north for an example.

D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

D-3 Retaining Walls. Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible. Where high retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscape.

D-5 Visual Impacts of Parking Structures. The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

The Board discussed and rejected the proposal to create open parking on top of the commercial/garage plinth near the site's southeastern corner.

D-6 Screening of Dumpsters, Utilities and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

The Board advised the architect to locate the service area (dumpsters/recycling storage) within the structure and not to expose these functions on top of a proposed parking plinth. It was unlikely, the Board noted, that a departure for the parking structure would be recommended if it meant that service functions would be visible to the neighboring residences.

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

E. Landscaping

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

The Board noted the design could create open space in the rear of the lot that flows from the existing landscaping on the property to the north. This would continue the swath of open space that separates the single family zone to the east.

E-2 Landscaping to Enhance the Building and/or Site. Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

The applicant should present a well developed landscape plan for the next Board meeting.

E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a design review component on May 4, 2005.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on October 3, 2005 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meeting, site plans, elevations, floor plans, and landscaping plans of the proposed exterior materials were presented for the Board members' consideration.

Public Comments

At the Recommendation meeting, the only public comment was a question directed to the architect, inquiring whether trees would be part of the rooftop open space. (It was not intended, the architect clarified, to have trees as part of the rooftop landscaping.)

Development Standard Departures

The applicant requested departures from the following standards of the Land Use Code:

- A departure from the required depth of non-residential use at street level; SMC 23.47.008B requires the required non-residential use to extend at least 30 feet in depth; the minimum depth may be averaged, but no portion may be less than 15 feet in depth; the design for the interior driveway with parking access from N. Menford Place would reduce a portion of the street-level non-residential space to less than the 15-foot minimum.
- A departure from required sight triangles; SMC 23.54.030 G requires a 10-foot sight triangle on either side of a two-way driveway when the driveway is less than 22 feet wide; the applicant proposes using mirrors at the exits.
- A departure from the allowable number of curbcuts; SMC 23.54.030 F would allow two curbcuts for non-residential uses in an NC zone per 240 feet of street frontage; the applicant requested 3 curbcuts for 210 feet of street frontage.
- A departure from the requirement that parking at street level must be set back from the street property line; SMC 23.47.014 F 3 with a 5-foot minimum setback provided from the property line; because of the steep grade along N. Menford Place a portion of the proposed parking interior to the building would technically be at street level.

Recommendations

The three members of the Board present offered the following observations:

- The design of the project was considerably improved in several regards over the design concepts presented at the Early Design Guidance meeting.
- The Board agreed with the choice of materials that had been presented and with the basic massing, building form, and architectural detailing shown.
- Although the applicant had indicated that it was preferable to provide a substantial setback from the residentially-zoned property at the rear of the site, the Board thought it preferable to also provide a view-corridor setback along the Stone Way frontage.
- The Board disagreed with the applicant's proposal to omit continuous overhead weather protection along the Stone Way façade.

Board Recommendations : The recommendations summarized below were based on the plans submitted at the October 3, 2005 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 October 3rd public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the five Design Review Board members present unanimously recommended approval of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed below).

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION	ACTION
1. Depth of non-residential use at street level. SMC 23.47.008B	Average of 30 feet depth.	Overall average to be less than 30 foot average.	<ul style="list-style-type: none"> ▪ Provides greater open space behind building. 	Recommended Approval
2. Depth of non-residential use at street level. SMC 23.47.008B	Depth must not be less than 15 feet average	Portion of street frontage less than 15 feet. Approximately 19.5 linear feet.	<ul style="list-style-type: none"> ▪ Accommodates an interior driveway accessed from North Menford Place rather than from Stone Way. 	Recommended Approval
3. Curb cuts SMC.23.54.030F2	Two curb cuts for all uses in commercial zones per 240 feet of street frontage.	Three curb cuts for 210 feet of street frontage.	<ul style="list-style-type: none"> ▪ Accommodates access from N. Menford Pl. rather than Stone Way N. 	Recommended Approval
4. Sight Triangle. SMC 23.54.030.E	10 foot sight triangle at driveway to sidewalk intersections	Base of the triangle reduced to 5'. Proposes to use mirrors.	<ul style="list-style-type: none"> ▪ Brings façade of building to the property line on N. Menford Pl. 	Recommended Approval
5. Parking at street level. SMC 23.47.014F.3	Parking at street level must be set back from street property line with a 5' minimum setback.	Due to the steep grade along N. Menford Pl., a portion of the interior garage is at street level.	<ul style="list-style-type: none"> ▪ Façade of building meets the Menford Pl. property line. 	Recommended Approval

The Board recommended the following **CONDITIONS** for the project. (Authority referenced in the letter and number in parenthesis):

1. Approval was subject to the applicant providing a setback of five feet along the Stone Way facade for those portions of the front façade above the ground-floor base. (B-1)
2. Approval was subject to a five (5)-foot by fifteen (15)-foot notch continuous to the ground to be provided at the southeast corner of the proposed structure, which notch was to be planted with a substantial tree. (E-2)
3. In order to provide a first-class pedestrian experience along Stone Way, overhead weather protection needs to be provided along the entire non-residential frontage of the proposed building. (D-1)
4. The project being approved must be built of the materials as shown, explained and presented at the Design Review Board Recommendation meeting, and must be in keeping with the colored elevation drawings that had been there presented--except that the drawings and proposal must be revised to show a five-foot front setback along Stone Way for those portions of the façade above the ground floor level (see Condition #1 above). (C-4)

DIRECTOR'S ANALYSIS - DESIGN REVIEW

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. In addition, the Director is bound by any condition where there was consensus by the Board and agrees with the condition recommended by the three Board members and the recommendation to approve the design, as stated above.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant's agent (dated May 4, 2005) 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 review of similar projects, form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) 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 25.05.665D1-7) 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, and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, streets and parking impacts as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely

impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to these residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:

- A. Surveying and layout.
- B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
- C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protection, water dams and heating equipment.

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M and 6:00 P.M.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule; thus the duration of associated noise impacts. DPD recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction timeframe if conducted during these hours. Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case by case basis by approval of the Land Use Planner prior to each occurrence.

As conditioned, noise impacts to nearby uses are considered adequately mitigated.

Air Quality

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction activities, equipment and 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). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the adjacent residential building.

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. In order to ensure that PSCAA will be notified of the proposed demolition, a condition will be included pursuant to SEPA authority under SMC 25.05.675A which requires that a copy of the PSCAA permit be attached to the demolition permit, prior to issuance. This will assure proper handling and disposal of asbestos.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

An excavation to construct the lower level of the structure areas will be necessary. The maximum depth of the excavation is approximately 23 feet and will consist of an estimated 8,000 cubic yards of material. Approximately 4,400 cubic yards of select structural fill material will be imported onto the site. 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.

Traffic and Parking

Construction of the project is proposed to last approximately 15 months. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require 440 round trips with 10-yard hauling trucks or 220 round trips with 20-yard hauling trucks. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near a major arterial and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC 11.62.

Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along Stone Way North. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Due to the large scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, construction workers will be required to park in the garage as soon as it is constructed for the duration of construction. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

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 bulk and scale on the site; increased traffic in the area and increased demand for parking; increased light and glare; and loss of two older buildings.

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, traffic and parking impacts warrant further analysis.

Traffic and Transportation

The Institute of Transportation Engineers (ITE) Trip Generation Manual estimates that multifamily (apartments) projects generate approximately .62 average vehicle trips in the P.M. peak period per unit. Based on these estimates, the 40 residential units in the building would result in approximately 25 trips. Access to the below-grade parking will occur from two driveways off of N. Menford Place. The number of vehicular trips will have an insignificant impact on local levels of service.

Parking

The project would include a 49-space below grade parking garage accessed from N. Menford Place. These spaces would be reserved for residential tenants. On-site parking for the commercial uses of the project would not be provided.

Residential parking demand was estimated based on the number of apartment units and the average peak parking demand rate published in Parking Generation (ITE, 3rd Edition, 2004) for an urban “low/mid-rise apartment”. Multiplying the size of the project (40 units) by the average peak parking demand rate for an urban low /mid-rise apartment building (1.00 vehicles per dwelling unit), the peak parking demand is estimated at 40 vehicles. Parking demand generated by the existing commercial building is accommodated by the surrounding on-street parking supply. Commercial space can be expected to generate between 2.65 vehicles per 1,000 square foot. Based on Parking Generation calculations, this is generous given that the average shopping center in the study was 330,000 square feet. The proposed commercial space of approximately 2,540 square feet, anticipates a parking demand of nearly seven spaces. The number of parking spaces available is greater than the potential demand.

Thus, the proposed 49 parking spaces would both exceed the City’s minimum requirements and accommodate the project’s anticipated peak parking demand. No project-generated parking impact is anticipated.

Summary

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 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.

- [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. An EIS is required under RCW 43.21C.030 (2)(C).

CONDITIONS-DESIGN REVIEW

Prior to Issuance of a Master Use Permit

Update plans according to the following conditions:

1. Approval was subject to the applicant providing a setback of five feet along the Stone Way facade for those portions of that front façade above the ground-floor base.

2. Approval was subject to a five (5)-foot by fifteen (15)-foot notch continuous to the ground to be provided at the southeast corner of the proposed structure, which notch was to be planted with a substantial tree.
3. In order to provide a first-class pedestrian experience along Stone Way, overhead weather protection needs to be provided along the entire non-residential frontage of the proposed building.
4. The project being approved must be built of the materials as shown, explained and presented at the Design Review Board Recommendation meeting, and must be in keeping with the colored elevation drawings that had been there presented-- except that the drawings and proposal must be revised to show a five-foot front setback along Stone Way for those portions of the façade above the ground floor level (see Condition #1 above).

Non-Appealable Conditions

5. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce P. Rips, 615-1392). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
6. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 615-1392), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
7. Embed the MUP conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.

CONDITIONS-SEPA

Prior to Issuance of a Demolition, Grading, or Building Permit

8. Attach a copy of the PSCAA demolition permit to the building permit set of plans.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

9. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:
 - A. Surveying and layout.
 - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
 - C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
10. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M and 6:00 P.M.

Hours on weekdays may be extended from 6:00 P.M. to 8:00 P.M. on a case by case basis. All evening work must be approved by DPD prior to each occurrence.

Once the foundation work is completed and the structure is enclosed, interior construction may be done in compliance with the Noise Ordinance and is not subject to the additional noise mitigating conditions.

Signature: _____ (signature on file) Date: January 16, 2006
Bruce P. Rips, AICP, Senior Project Planner
Department of Planning and Development

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