



City of Seattle

Gregory Nickels, Mayor
Department of Planning and Development
D. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Numbers: 3003226, 3003227, 3003228, 3003229, 3003230, 3003231, 3003232, 3003233, 3003234, 3003235; and 3003236.

Applicant Name: Brian Sullivan for Mithun Architects and Seattle Housing Authority

Addresses of Proposals: 6400 30th Av SW; 6425 High Point Dr SW; 6424 31st Av SW; 3101 SW Holly St; 6500 30th Av SW; 6521 32nd Av SW; 6700 31st Av SW; 6520 32nd Av SW; 6501 Sylvan Way SW; 6530 Sylvan Way SW; 6515 30th Av SW

SUMMARY OF PROPOSED ACTION

Land Use Application to establish use for future construction of a 253 dwelling units in 97 structures of varying types on eleven development sites. Approximately 298 surface and covered parking spaces will be provided.

The following approvals are required:

Design Review – Chapter 23.41 Seattle Municipal Code
Departure requests shown for each block in analysis below

SEPA – Chapter 25.05 Seattle Municipal Code (Conditioning Only)

SEPA DETERMINATION: [] Exempt [] DNS [] MDNS [X*] EIS

[] DNS with conditions

[] DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

* FEIS published September 24, 2002.

VICINITY AND BACKGROUND:

The 120 acre High Point redevelopment has been through a rezone (MUP No. 2105600 Permit No. 736346) & related full subdivision (MUP 2202170 Permit No. 736347), which included certain large scale site planning requirements such as retention of significant trees, reduced roadway paving widths and general design based structure siting. Seattle Housing Authority (SHA) is currently constructing full street improvements throughout the High Point Subdivision (see figure below for site locations within the High Point community). City Council imposed conditions for Design Review and SEPA mitigation which apply to all developments in the High Point Project. The applicable conditions are found at the end of this document.

Seattle Design Commission – West Seattle Design Review Board

As part of the redevelopment of High Point, the Seattle Design Commission, in conjunction with the West Seattle Design Review Board, conducted a series of public meetings to discuss the impacts of the redevelopment of High Point due to the proposed Street Vacations and Dedications. The Board was convened to address the larger Urban Design issues with the proposed redevelopment and related platting actions. These meetings occurred on November 8, 2001, December 18, 2001, January 10, 2002, February 11, 2002 and July 25, 2002, with notice of the meetings published in the Land Use Information Bulletin and mailed to interested parties.

The Seattle Design Commission provides recommendations to the City Council as part of an overall action for a Street Vacation, per SMC 15.62. Much of the development in Phase I was under the review of the West Seattle Design Review Board as many of the properties were subject to Design Review due to the proposed L4 and NC2 zoning. Accordingly, the SHA and the Board developed a series of Design Guidelines to inform and assess the issues inherent in the physical planning of the entire site. The guidelines, as detailed in the contract rezone and full subdivision land use decisions noted above, provided tools to evaluate the effect of both the subdivision and the contract rezone.

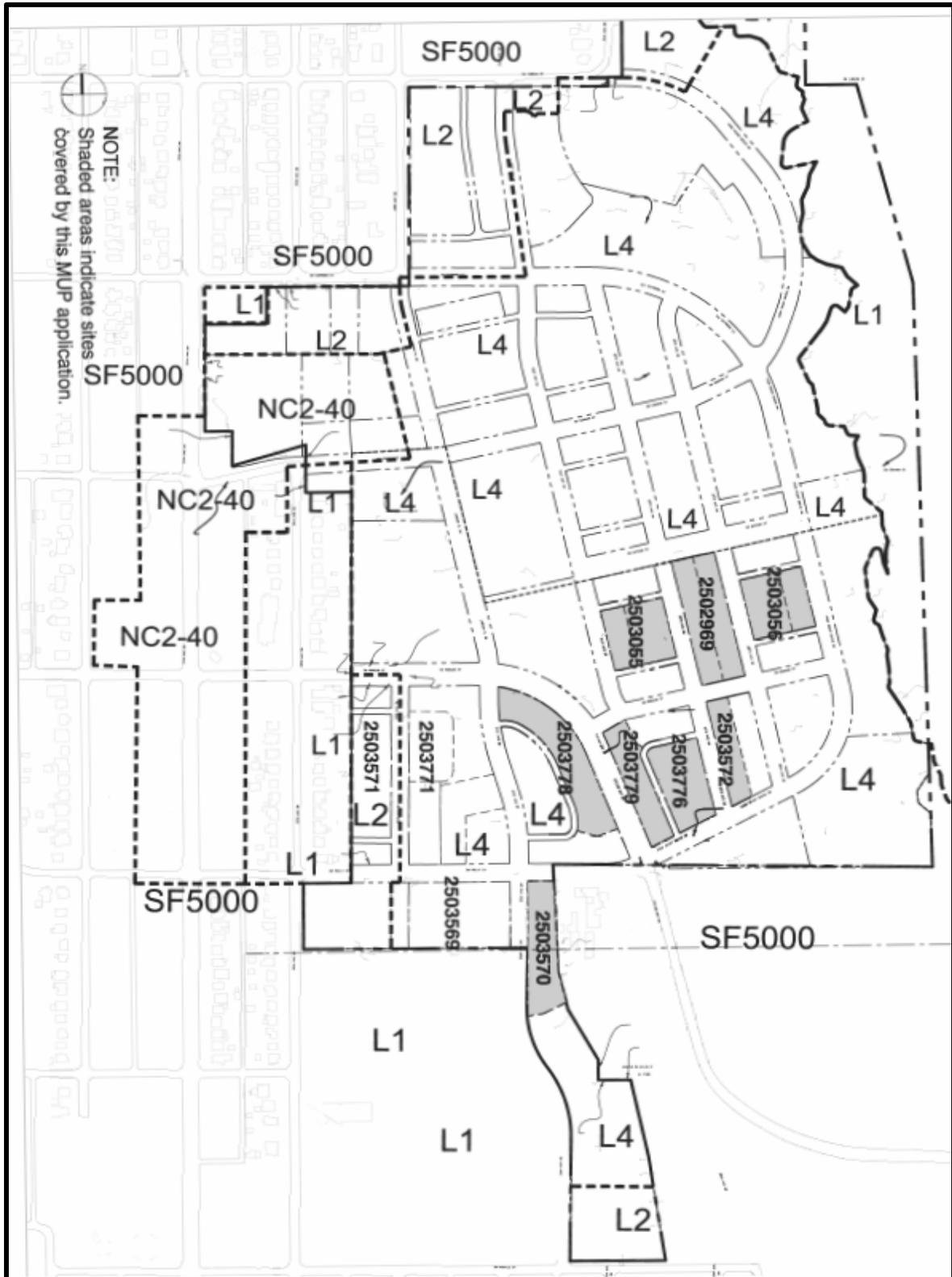
The Design Commission and West Seattle Design Review Board approved the street layout and building concept plan in addition to the Seattle Department of Transportation's requirements.

Many design issues associated with individual block and street design have been addressed through the previous design process for all of High Point.

For the Phase II of the High Point redevelopment, Design Review will be conducted for all projects to satisfy condition #5 of the Property Use and Development Agreement (PUDA) associated with the contract rezone and full subdivision Master Use Permits. The Design Review will be completed administratively to both satisfy the PUDA agreement, DPD's mission to provide timely review of low income residential development and the Mayors' priority of creating affordable housing in a timely manor.

PROPOSED PROJECT & SITE DESCRIPTION

The eleven projects are within the 120 acre redevelopment of the High Point public housing project known as Phase II. The table below summarizes the project addresses, related project numbers and specific block & lot locations within the High Point Community.



Development Site Summary

Block/Lot	Address	Project Number: EDG # \ MUP #	Total Units	Total Struct.	Parking Spaces
Block 22, Lots 1 & 2	6400 30th Av SW	2502969 \ 3003226	27	16	37
Block 23, Lots 2 & 3	6425 High Point Dr SW	2503056 \ 3003227	23	6	23
Block 21, Lots 2 & 3	6424 31st Av SW	2503055 \ 3003228	24	6	24
Block 33, Lot 2	3101 SW Holly St	2503569 \ 3003229	25	9	33
Block 29, Lot 1	6500 30th Av SW	2503572 \ 3003230	11	7	16
Block 25, Lot 2	6521 32nd Av SW	2503571 \ 3003231	23	8	24
Block 34, Lot 1	6700 31st Av SW	2503570 \ 3003232	10	7	15
Block 26, Lots 2 & 3	6520 32nd Av SW	2503771 \ 3003233	43	18	46
Block 27, Lot 1	6501 Sylvan Way SW	2503778 \ 3003234	36	7	43
Block 28, Lot 2	6530 Sylvan Way SW	2503779 \ 3003235	13	7	18
Block 28, Lot 3	6515 30th Av SW	2503776 \ 3003236	18	6	19

PUBLIC COMMENTS:

DPD received a few calls interested in the project, but no written comments were submitted.

STAFF COMMENTS:

Prior to EDG submittal, several meetings were held between DPD Staff and Mithun Architects to present each block's design and layout for the structures. As the building concept plan and street layout plans have been approved by the Design Commission and the West Seattle Design Review Board, this Early Design Guidance action seeks to provide specific guidance for elevation views of the proposed structures. Also, this document provides the necessary guidance for placement of structures, landscaping, pedestrian & vehicular access, and open space which were not reviewed or approved by the Design Commission or the West Seattle Design Review Board during the initial design process detailed above.

MEETING DISCUSSION

The proponents presented the site analysis for the entire High Point Community during the previous design stages. The site analysis included the street layout optimizing views of natural features, good transit connection, controlled vehicle access, systematic park locations, minimization of curbcuts, the use of alleys where possible, traffic calming measures, and ideal location of structures to increase the citizen surveillance and keep eyes on the street. The applicant presented departure requests by block and gave specific reasoning for each departure request and related the departures to similar departure requests granted during Phase 1 of the project. Analyses of the departures are found below if requested for each site and project.

Preliminary Meeting Attendees:

Brian Sullivan
Rob Lloyd

Mithun Architects

Lucas DeHerrera

DPD Staff

DESIGN GUIDANCE:

The following guidelines, found in: “*Design Review: Guidelines for Multifamily and Commercial Buildings,*” were cited as having the highest priority for the projects as a whole. The original EDG document with specific guidance statements can be found in the project file. The applicant submitted the Master Use Permit on 8/17/05 and received recommendations for Design Review and corrections for zoning issues. The applicant re-submitted the plans on 5/17/06 addressing the issues and information requested during review. The bulleted EDG statements and recommendations are found in the project file. Below are the guidelines that apply to all eleven projects in the development. The departure determinations and departure analysis are organized by block and project site below.

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.

A-2 Streetscape Compatibility

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

A-4 Human Activity

New development should be sited and designed to encourage human activity on the street.

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.

A-6 Transition Between Residence and 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.

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.

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.

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.

C. Architectural Elements and Material

C-1 Architectural Context

New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighborhood buildings.

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 context.

C-3 Human Scale

The design of new buildings should incorporate architectural features, element and details to achieve a good human scale.

C-4 Exterior Finish Materials.

Building exteriors should be constructed of durable and maintainable materials. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

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 oriented open space should be considered.

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 the 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 architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

D-4 Design of Parking Lots Near Sidewalks

Parking lots near sidewalks should provide adequate security and lighting, avoid encroachment of vehicles onto the sidewalk, and minimize the visual clutter of parking lot signs and equipment.

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.

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.

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.

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.

Separate Block Analysis

Block 21 lots 2-3 – MUP # 3003228 (6424 31st Ave SW)

Site Description and Proposal

The site is zoned L-4 and is located between 30 and 31st Avenues SW just north of SW Morgan St. The proposal is for twenty-four (24) dwelling units in six (6) structures. The types of structures proposed are townhomes (15) and apartments (9). All vehicle access is proposed from the two (2) twenty (20) foot wide cross block alleys. A mix of surface and covered parking is proposed. Of the twenty-four (24) parking spaces, eight (8) covered spaces are proposed within the two (2) cottage style apartment structures shown as building types MF-A.3 and MF-A.5.

Ten (10) foot setbacks are proposed from both 30th and 31st Avenues SW, consistent with the High Point development pattern and zoning requirements. Side setbacks meet zoning requirements, except for two structures (21.2-1 and 21.2-3). No curbcuts are proposed for the development site all access is from the two east west oriented (2) platted alleys. The design proposes a common access pocket park at the mid block of 30th Ave SW. The tree protection plan has been updated and the site contains (1) “tree to remain” (# 565). The applicant proposes to retain tree # 565 as required by the associated MUP, the remaining trees are proposed to be removed. Trees 527, 528, 529, 530 and 531 are proposed to removed and replaced as shown in the updated tree protection plan.

Requested Departures

Block 21, Lots 2-3

L-4 Zoning

Development Standard & Code Reference	Allowable	Proposed	Departure and Analysis (structures type requesting departure)
Structure Width 23.45.011-A	Townhouses = 150'	157' for background building (21.3-1) at Pocket Park.	Allow townhouse building width of 157' at Pocket Park. (21.3-1) To provide as close a relationship as possible to the pocket park, the units are joined into one building. This provides eyes on the pocket park and eliminates the problem of pedestrian cross block traffic, and provides more usable open space at the front and rear of the units. The building is set back 67' from the street, and screened by smaller duplex structures, thus minimizing street impact of the length. Also, from street elevation, the structure cannot be fully seen, so the bulk is minimized.
Modulation at front facades 23.45.012-A.1	Modulation shall be required if the front facade width exceeds thirty (30) feet with no principal entrance facing the street	38' Street facing elevations without full height modulation.	Increase allowable unmodulated façade width to 38' (21.3-2 and 21.3-3) Corner porches reduce ground level façade to 32'. Additional windows add to character of elevation. Building 21.3-2 has full height 2' bump out, and change in siding material. Building 21.3-3 has a special elevation with additional windows. Adjacent pocket park provides visual relief along street as well as usable open space.
Modulation at Interior Facades 23.45.012-C	Interior facades wider than forty (40) feet shall be modulated.	No modulation at backyard facades.	No modulation at facing backyard facades. (21.2-2 and 21.2-3) 21.2-2 has a 50' rear façade. Projecting gables on the two end units frame and differentiate them from the center unit. The elevation will be further broken up with rear entry porches. 21.2-3 has a 50' unmodulated portion. The building is modulated at the carriage house end. A projecting gable differentiates the other end unit. The elevation will be further broken up with rear entry porches.
Modulation at Apartment Buildings 23.45.012-D.2.a.1	Eight (8) feet for apartments in Lowrise 4 zones	6' Modulation	Reduce modulation depth for apartments to 6' (21.2-1 and 21.2-3) The majority of the units in the project are townhouse units, and a 6' modulation is typically used for structures in High Point. The upper floor units in the Barrier Free buildings and the Carriage House units would be considered apartments, and would be

			required to have an 8’ deep modulation when only one unit is an actual apartment.
Side Setback 23.45.014-C	6’ average, 5’ minimum.	4’, 14’ to centerline of alley.	Reduce side setback facing alley to up to 0’ for Carriage Houses (21.2-1 and 21.2-3) Carriage houses are proposed within the side yard facing the alley to screen some of the parking and to provide secure parking for residents. The setback is reduced to minimize the amount of paved area and increase the amount of usable open space.
Open Space 23.45.016 and Director’s Rule 11-98 (this departure was requested during the MUP review)	15,297 sq. ft.	14,643 sq. ft.	Allow less than the required amount of open space for the entire site. The open space is well programmed providing privacy but still allowing interaction between residents. Refuse areas are located out of open space areas allowing maximum utilization of open space. The preservation of tree 565 will provide a benefit to the block as whole and provide visual breakup for the site.
			Based on the above analysis and the proponent’s design response, the Department grants approval of the departures requested above. The Master Use permits plans reflect these departures.

Recommendation MUP # 3003228

- Please demonstrate how the trees 527, 528, 529, 530, and 531 are being replaced with comparable alternatives. The proponents written response states they are being replaced but no note on the plan. The plan should be updated to clearly show which trees are serving as replacements.

Final Analysis

The recommendation is no longer valid as the tree protection plan was updated in and the trees noted above are not required to be saved. This site is compliant with Design Review requirements.

Block 22 lots 1-2 – MUP # 3003226 (6400 30th Ave SW)

Site Description and Proposal

The site is zoned L-4 and is bounded by 30th and 29th Avenues SW, SW Morgan St and SW Bataan St. The proposal is for twenty-seven (27) dwelling units in sixteen (16) structures. The types of structures proposed are townhomes (10), apartments (12) and single family (5). All vehicle access but one curbcut is proposed from 29th and 30th Avenues SW, all via shared driveways between each structure. One curbcut is proposed from SW Morgan St for barrier free parking. Surface parking is proposed for all units. Parking will be located between the structures; mostly Y shaped driveways are proposed to allow two parking spaces between structures accessed from one 10 foot curbcut.

Ten (10) foot setbacks are proposed from all rights of way, except for three structures which provide larger setbacks in order to retain trees. Open space is proposed at the front, sides and rear of the structures producing a single family development pattern with strong street presence. The development site contains two (2) “trees to remain” (#’s 512 and 557) as designated in the tree protection plan associated with the full subdivision, contract rezone and PUDA. The site also contains one (1) “tree to remain if feasible” (# 560). The applicant proposes to retain tree #’s 512 and 557 as required by the associated MUP. The applicant is also saving tree # 560 as it is feasible. The remaining trees are proposed to be removed.

Departures

Block 22, Lots 1-2

L-4 Zoning

Development Standard & Code Reference	Allowable	Proposed	Departure and Rationale (structures type requesting departure)
Distance between curb cuts 23.54.030.F.1.d	There shall be at least thirty (30) feet between any two (2) curbcuts located on a lot.	2 curbcuts at 27’ apart	Allow 27’ distance between curb cuts (22.1-3 and 22.1-4); (22.2-5 and 22.2-6) Two pairs of curb cuts are 27’ apart due to the need to avoid existing trees.
<i>(New Departure found during MUP review)</i> Number of Curbcuts 23.54.030-F.1a	1130/80 = 14.125 or 14 curbcuts	15 curbcuts	Allow 1 additional curbcut All but one driveway is shared and if each lot was on a different development site, no departure would be required
Open Space 23.45.016 and Director’s Rule 11-98 (this departure was requested during the MUP review)	20,759 sq. ft.	19,900 sq. ft.	Allow less than the required amount of open space for the entire site. The open space is well programmed providing privacy but still allowing interaction between residents. Refuse areas are located out of open space areas allowing maximum utilization of open space. The preservation of tree 512, 557 and 560 will provide a benefit to the block as whole and provide visual breakup for the site.
			Based on the above analysis and the proponent’s design response, the Department grants approval of the departures requested above. The Master Use permits plans reflect these departures.

Recommendation MUP # 3003226

None.

Final Analysis

Based on the shared drive “Y” access design, the retention of the mature trees and well programmed open space the requested departures are granted and this site is approved for Design Review.

Block 23 lots 2-3 – MUP # 3003227 (6425 High Point Dr SW)

Site Description and Proposal

The site is zoned L-4 and is located between High Point Drive SW and 29th Ave SW just north of SW Morgan St. The block layout is virtually identical to Block 21 lots 2-3 (MUP # 3003228). The proposal is for twenty-three (23) dwelling units in six (6) structures. The types of structures proposed are townhomes (12) and apartments (11). All vehicle access is proposed from the two (2) twenty (20) foot wide cross block alleys. A mix of surface and covered parking is proposed. Of the twenty-three (23) parking spaces, eight (8) covered spaces are proposed within the two (2) cottage style apartment structures shown as building types MF-A.6.R and MF-A.3 on the MUP plans.

Ten (10) foot setbacks are proposed from High Point Drive SW and 29th Ave SW, consistent with the High Point development pattern and zoning requirements. Side setbacks meet zoning requirements, except for two structures (23.3-1 and 23.3-3), see departure request and analysis below. No curbcuts are proposed for the development site access is proposed from the two (2) platted alleys. The design proposes a common access pocket park at the Middle of the site adjacent to 29th Ave SW. The development site contains two (2) “trees to remain” (#’s 497 and 498) as originally designated in the tree protection plan associated with the full subdivision, contract rezone and PUDA. The applicant proposes to retain tree #’s 497 and 498 as required by the associated MUP.

Requested Departures

Block 23, Lots 2-3

L-4 Zoning

Development Standard & Code Reference	Allowable	Proposed	Departure and Analysis (structures type requesting departure)
Structure Width 23.45.011-A	Townhouses = 150’	157’ for background building at Pocket Park.	Allow townhouse building width of 157’ at Pocket Park. (23.2-3) To provide as close a relationship as possible to the pocket park, the units are joined into one building. This provides eyes on the pocket park and eliminates the problem of pedestrian cross block traffic, and provides more usable open space at the front and rear of the units. The building is set back 67’ from the street, and screened by smaller duplex structures, thus minimizing street impact of the length. Also, from street elevation, the structure cannot be fully seen, so the bulk is minimized.
Modulation at front facades 23.45.012-A.1	Modulation shall be required if the front facade width exceeds	38’ Street facing elevations without full height	Increase allowable unmodulated façade width to 38’ (23.2-1, 23.2-2) Corner porches reduce ground level façade to 32’. Additional windows add to character of elevation.

	thirty (30) feet with no principal entrance facing the street	modulation.	Building 21.3-2 has full height 2’ bump out, and change in siding material. Building 21.3-3 has a special elevation with additional windows. Adjacent pocket park provides visual relief along street as well as usable open space.
Modulation at Interior Facades 23.45.012-C	Interior facades wider than forty (40) feet shall be modulated.	No modulation at backyard facades.	No modulation at facing backyard facades. (23.3-1) There is a 50’ unmodulated portion of the rear facade of this building. The building is modulated at the carriage house end. A projecting gable differentiates the other end unit. The elevation will be further broken up with rear entry porches.
Modulation at Apartment Buildings 23.45.012-D.2.a.1	Eight (8) feet for apartments in Lowrise 4 zones	6’ Modulation	Reduce modulation depth for apartments to 6’ (23.3-1 and 23.3-3) The majority of the units in the project are townhouse units, and a 6’ modulation is typically used for structures in High Point. The upper floor units in the Barrier Free buildings and the Carriage House units would be considered apartments, and would be required to have an 8’ deep modulation when only one unit is an actual apartment.
Side Setback 23.45.014-C	6’ average, 5’ minimum.	4’, 14’ to centerline of alley.	Reduce side setback facing alley up to 0’ for Carriage Houses (23.3-1 and 23.3-3) Carriage houses are proposed within the side yard facing the alley to screen some of the parking and to provide secure parking for residents. The setback is reduced to minimize the amount of paved area and increase the amount of usable open space.
			Based on the above analysis and the proponent’s design response, the Department grants approval of the departures requested above. The Master Use permits plans reflect these departures.

Recommendation MUP # 3003227

None

Final Analysis

This site is compliant with Design Review requirements.

Block 25 lot 2 – MUP # 3003231 (6521 32nd Av SW)

Site Description and Proposal

The site is zoned L-2 and is located between 32nd and 34th Avenues SW just north of SW Holly St. The proposal is for twenty-one (23) dwelling units in eight (8) structures. The types of structures proposed are townhomes (13) and apartments (9). Vehicle access is proposed from three (3) locations; two points are the two (2) abutting twenty (20) foot wide cross block

alleys. The third point of vehicle access is proposed from 32nd Ave SW via a ten (10) foot curbcut*. A mix of surface and covered parking is proposed. Of the twenty-four (24) parking spaces, four (4) covered spaces are proposed within the one (1) cottage style apartment structure shown as building types MF-A.4.R in the submitted EDG packet.

Proposed front setbacks are staggered along 32nd Ave SW. For the structures that face the street when moving from south to north, front setbacks are proposed as follows: 10', 10', 10', 20', 16', and 16' accordingly. Side setbacks are proposed at 0' for the two structures located off each of the two alleys, see departure request and analysis below. A common access pocket park is proposed at the South West area of the site abutting the southern alley. The development site contains four (4) "trees to remain" (#'s 661, 664, 668, and 669) as designated in the tree protection plan associated with the full subdivision, contract rezone and PUDA. The applicant proposes to retain tree #'s 664, 668, and 669 as required by the associated MUP. Tree # 661 was removed due to damage incurred during a storm and is noted in the updated Tree Preservation Plan by SvR Design Company.

Requested Departures

Block 25, Lot 2

L-2 Zoning

Development Standard & Code Reference	Allowable	Proposed	Departure and Analysis (structure requesting departure)
Structure Width 23.45.011-A	L-2 Zone Apartments and Ground Related Housing = 50'	Carriage House Buildings 67'6" wide.	Allow buildings with attached Carriage House to be 70' wide. (25.2-1 MF-A.4) In order to screen parking from the street and to provide secure parking for the units, attached garages below a Carriage unit are proposed at the end of the townhouse buildings. The majority of units within the structure are townhouse style units and would be allowed to be 90' wide. The structure will appear to be a series of townhouses from the street, with the garage portion concealed behind the entry porch to the upper floor unit.
Rear Setback 23.45.014-B.1	25 feet or 20 percent of lot depth, whichever is less, but in no case less than fifteen (15) feet. Lot Depth = 126.7' Required = 25'	20'	Reduce rear setback facing alley to 20' (25.2-2 and 25.2-4) 38' side facades of 2 duplex units are set 10' from rear lot line and undeveloped alley. The alley facing facades of these two structures spans only 76' of 411' block length (18%). The other four adjacent structures provide larger rear setbacks than required by the Land Use Code.

*Related Rezone (No. 2105600 Permit No. 736346) Property Use and Development Agreement Condition 6: *On Block 25, a minimum setback is required along the west property line, a maximum front yard setback is required for uses on Block 25 and **no alley access shall be required from the existing east west alley.** The appropriate setbacks will be determined through administrative design review, which is required for the Block 25.*

	Measured from the centerline of the alley.		
Side Setback 23.45.014.C	5' or 6' average with a 5' minimum, depending on final plate height facing the side lot line.	4', 14' to centerline of alley.	Reduce side setback facing alley up to 0' for Carriage House (25.2-1) Carriage houses are proposed within the side yard facing the alley to screen some of the parking and to provide secure parking for residents. The setback is reduced to minimize the amount of paved area.
Structure Depth 23.45.011.A	65% of Lot Depth or 82.55'	90'	Allow structure depth to be exceeded by 7.45' (25.2-2 with 25.2-3 and 25.2-4 with 25.2-5)
			Based on the above analysis and the proponent's design response, the Department grants approval of the departures requested above. The Master Use permits plans reflect these departures.

Recommendation MUP # 3003231

- Structure 25.2-5 did not change its design to meet the design guidance. The written response and site plan (E demarcation) noted the alternate elevation referred to, but the alternate elevation was not shown in the plan set. One appropriate solution would be to provide a material break as shown for structure 25.2-3, which is supported by the Department. Or another appropriate solution should be provided.

Final Analysis

The proponent provided a revised plan including two slider windows on the first and second floor of structure 25.2-5 facing the street. This meets the intent of the addressing the street facing condition. This site is compliant with Design Review Requirements.

Block 26 lots 2-3 MUP # 3003233 (6520 32nd Ave SW)

Site Description and Proposal

The site is zoned L-4 and is located between 31st and 32nd Ave SW just north of SW Holly St and south of SW Morgan St. The proposal is for forty-three (43) dwelling units in eighteen (18) structures. The types of structures proposed are single family (1) townhomes (30) and apartments (12). Vehicle access is proposed from three (3) locations, two accesses are from 32 Ave SW. The third point of vehicle access is proposed from SW Holly St. All three proposed curbcuts are proposed to be twenty (20) feet. All vehicle access areas are proposed as vehicle access easements as no alleys were platted on this block. There will be no vehicle access from 31st Ave SW. A mix of surface and covered parking is proposed. Of the forty-eight (48) parking spaces (46 by Land Use Code standard 4 tandem spaces), twenty-three (23) covered spaces are proposed within the proposed cottage style apartment structures.

A ten (10+) foot front setback is proposed from SW Holly St. The proposed rear setback is 17'-5", required is twenty-five (25) feet; see below for departure analysis and request. The proposed side setback along 32nd Ave SW is 10'. Side setbacks along 31st Ave SW are also

proposed at ten (10) feet. A common access pocket park is proposed at the South East area abutting the site at the corner of SW Holly St and 31st Ave SW. The development site contains three (3) “trees to remain” (#’s 716, 719, and 704) as designated in the tree protection plan associated with the full subdivision, contract rezone and PUDA. The applicant proposes to retain these trees as required by the associated MUP. Tree #704 is located in the pocket park which is not part of the development site but will be retained and reviewed under a separate permit.

Requested Departures

Block 26, Lots 2-3

L-4 Zoning

Development Standard & Code Reference	Allowable	Proposed	Departure and Analysis (structure type requesting departure)
Modulation at front facades 23.45.012.A.1	Modulation shall be required if the front facade width exceeds thirty (30) feet with no principal entrance facing the street, or forty (40) feet with a principal entrance facing the street.	30 < x	<p>Allow buildings with to be greater than 40’ wide. (26.2-2 MF-A.3 (46’), 26.2-4 MF-A.3.R (46’-2”), 26.3-10 MF-C.2 (67’-10”), 26.3-11 MF-C.3 (67’-10”), 26.3-12 MF-A.2.R (44’-10”), 26.3-13 MF-A.2 (46’-4”).</p> <p>The large site and layout of the structures will mask the width of the structures as most of the larger width facades will be obscured by structures front of them. Also varying setbacks and the large park at the south east corner of the site will further break up these larger masses.</p>
Modulation at Interior Facades 23.45.012.C	Interior Facades. Within a cluster development all interior facades wider than forty (40) feet shall be modulated according to the standards of subsection D of Section 23.45.012, provided that the maximum modulation width shall be forty (40) feet.	Interior facades up to 64’ and 68’ wide without modulation.	<p>No modulation at facing backyard facades (26.3-4 MF-C.3, 26.3-5 MF-A.1 26.3-10 MF-C.2, 26.3-11 MF-C.3) 26.3-12 MF-A.2.R, 26.3-13 MF-A.2</p> <p>Note: The elevations described below all face a private access drive, which is the functional equivalent of a public alley. If this route were public, the elevations would be considered rear elevations, which do not require modulation.</p> <p>26.3-10 MF-C.2: The rear elevation of these units is 64’ long. Gables delineate the end units and break down the elevation scale. Additional character is provided by rear entry porches and a change in siding for the center units.</p> <p>26.3-4, 26.3-11 MF-C.3: The rear elevation of these structures is 68’ long. Gables over the roof of every other unit clearly delineate the four separate townhomes. Horizontal siding changes and rear entry porches add further variety.</p>
Modulation at Apartment Buildings 23.45.012.D.2.a.1	The minimum depth of modulation shall be four (4) feet in Lowrise 2 and	6’ Modulation	<p>Reduce modulation depth for apartments to 6’ (26-3.6, 26-3.12, 26-3.13)</p> <p>The majority of the units in the project are townhouse units, and 6’ is typically used at all the buildings. The</p>

	Lowrise 3 zones and for townhouses in Lowrise 4 zones, and eight (8) feet for apartments in Lowrise 4 zones		Carriage House units would be considered apartments, and would be required to have an 8' modulation. In order to maintain consistency in design, provide a maximum amount of private open space, a 6' modulation is requested.
Access Easement Dimensions 23.53.025 D1,2	Vehicle access easement serving ten (10) or more Residential Units; easement width shall be a minimum of thirty-two (32) feet. . .provide a surfaced roadway at least twenty-four (24) feet wide.	20' easement with 16' paved surface.	Apply public alley dimensional standards to private access easement. Easement shared between Lots 26-1, and 26-2 Emergency and visitor access to units is provided by adjacent public streets. Access easement to rear of units is functionally equivalent to a public alley. Narrower dimensions minimize pavement and allow for more usable open space.
			Based on the above analysis and the proponent's design response, the Department grants approval of the departures requested above. The Master Use permits plans reflect these departures.

Recommendation MUP # 3003233

- The setbacks for block 26 lots 2 and 3 must be shown as one site. The plan shows two front setbacks and inconsistent side setbacks. All the development standards are shown for both sites and the lots were combined under one project number. As discussed, the front should be from SW Holly St. All other property lines would be side lot lines with the exception of the northern property line, which would be rear property line. Please change the plans to meet this requirement.

Final Analysis

The applicant designated the setbacks as requested. This site is compliant with Design Review Requirements.

Block 27 lot 1 MUP # 3003234 (6501 Sylvan Way SW)

Site Description and Proposal

The site is zoned L-4 and is located between Sylvan Way SW and 31st Ave SW just north of SW Holly St. The proposal is for twenty-four (36) dwelling units in seven (7) structures. The proponent broke up the buildings slightly from the City Council approved concept building plan, by adding one additional structure, reducing the scale of the north end of the block, which is supported by the Department. Twelve (12) townhouse structures are proposed. Twenty-four (24) apartments are proposed in the south three structures. Vehicle access and all forty-three (43) parking spaces are from the twenty (20) foot platted alley abutting the site. All parking spaces will be provided as surface parking.

Larger front setbacks (15'-1" – 18'-5") are proposed from Sylvan Way SW. There is a substantial grade change from sylvan way to the proposed structures, the siting of the structures

is appropriate and will keep eyes on the street. The proposed rear setbacks range from 34'-10" to approximately 55'. The proposed side setback along 31st Ave SW is 10'-2". The proposed south side setback is 8'-1". The development site contains three (3) "trees to remain" (#'s 772, 773, and 759) and one tree to remain if feasible (752) as designated in the updated tree protection plan associated with the full subdivision, contract rezone and PUDA. The applicant proposes to retain all four of these trees as required by the associated MUP.

SHA has requested to name the associated alley "SW Judy Fay Lane". The Fire Department has approved this naming based on certain conditions for fire access as part of the fire code. See conditions at the end of this decision.

Requested Departures

Block 27, Lot 1

L-4 Zoning

Development Standard & Code Reference	Allowable	Proposed	Departure and Analysis (structure type requesting departure)
Open Space 23.45.016 and Director's Rule 11-98 (this departure was requested during the MUP review)	Total = (2) + (4) = 20,536	20,507	Allow less than the required amount of open space. The open space is well programmed providing privacy but still allowing interaction between residents. Refuse areas are located out of open space areas allowing maximum utilization of open space.
Modulation at Apartment Buildings 23.45.012. D.2.a.1	The minimum depth of modulation shall be four (4) feet in Lowrise 2 and Lowrise 3 zones and for townhouses in Lowrise 4 zones, and eight (8) feet for apartments in Lowrise 4 zones	6' Modulation	Reduce modulation depth for apartments to 6' (27.1-5, 27.1-6, 27.1-7) Structures provide modulation and are designed to appear more as townhouse style designs and the mass is modulated with front facing covered porches.
Structure Width 23.45.011-A	Apartments = 90'	96' for background building at Pocket Park.	Allow townhouse building width of 157' at Pocket Park. (27.1-5, 27.1-6, 27.1-7) The covered porches, modulation, pitched roofs and grade change will provide enough design relief for the proposed buildings
			Based on the above analysis and the proponent's design response, the Department recommends approval of the departures requested above. The actual approval of the departures will be given when

			the Land Use Design Review Decision is published for the Master Use Permit.
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Recommendation MUP # 3003234

- Structure 27.1-1 did not change its design to meet the design guidance. The written response and site plan (E demarcation) noted the alternate elevation referred to, but the alternate elevation was not shown in the elevation section of the plan set as was shown for structure 25.2-3. The elevation plan should be updated.

Final Analysis

The proponent provided a revised plan including two slider windows on the first and second floor of structure 27.1-1 facing the street. This meets the intent of the addressing the street facing condition. This site is compliant with Design Review Requirements.

Block 28 lot 2 MUP # 3003235 (6530 Sylvan Way SW)

Site Description and Proposal

The site is zoned L-4 and is located on Sylvan Way SW between SW Morgan St and High Point Drive SW. The proposal is for thirteen (13) dwelling units in seven (7) structures. The proponent retained the basic building concept as approved on the approved building concept plan. Six (6) townhouse units, six (6) apartment units and one (1) single family structure are proposed. Vehicle access and all eighteen (18) parking spaces (6 tandem spaces) are from the twenty (20) foot platted alley abutting the site. All parking spaces will be provided as surface parking.

Larger front setbacks ranging from 15’ to 20’ are proposed from Sylvan Way SW. The siting of the structures is appropriate as Sylvan Way SW is proposed as a boulevard and major through street of the High Point Community. The proposed rear setbacks of the structures range from 20’-3” to 32’. The proposed side setback along High Point Drive SW is 10’-1”. The proposed side setback from SW Morgan St is 10’-7”. The development site contains one (1) “tree to remain” (# 547) as designated in the tree protection plan associated with the full subdivision, contract rezone and PUDA. The applicant proposes to remove #547 and replace with a similar or greater species, as shown on the site plan (Cedar of Lebanon). The proponent’s landscape architect reviewed and recommended removal and replacement of the tree. The two replacement trees are located at the northwest and southwest corners of the site at street intersections.

Requested Departures

None

Recommendation MUP # 3003235

- The “replacement trees” shown on the landscape plan do provide a nice gesture to the street intersections and are supported by the Department.

Final Analysis

This site is compliant with Design Review Requirements.

Block 28 lot 3 MUP # 3003236 (6515 30th Av SW)

Site Description and Proposal

The site is zoned L-4 and is on 30th Ave SW between SW Morgan St and High Point Drive SW. The proposal is for eighteen (18) dwelling units in six (6) structures. The types of units proposed are townhomes (7) and apartments (11). Vehicle access and all nineteen (19) parking spaces are from the twenty (20) foot platted alley abutting the site. A mix of surface and covered parking is proposed. Of the nineteen (19) parking spaces, eight (8) covered spaces are proposed within the proposed cottage style apartment structures.

A ten (10) foot front setback is proposed from 30th Ave SW. The proposed rear setbacks range from 14’-2” to 38’-1”. The proposed side setback along High Point Drive SW is 10’. The north side setback is proposed at 6’-10”. See below for departure analysis. A common access pocket park is proposed at the central East area of the site off of 30th Ave SW. The development site contains one (1) “tree to remain” (# 435) and two (2) trees “to remain if feasible” (#’s 432 and 433) as designated in the tree protection plan associated with the full subdivision, contract rezone and PUDA. Tree # 432 was removed due to storm damage. Tree 435 will be retained, while 433 and 435 are to be removed and replaced with a similar or greater species. The proponent’s landscape architect reviewed and recommended removal and replacement of trees 433 and 435. The replacement tree is located in the pocket park near 30th Ave SW.

Requested Departures

Block 28, Lot 3

L-4 Zoning

Development Standard & Code Reference	Allowable	Proposed	Departure and Analysis (structure type requesting departure)
Modulation at front facades 23.45.012.A.1	Modulation shall be required if the front facade width exceeds thirty (30) feet with no principal entrance facing the street, or forty (40) feet with a principal entrance facing the street.	Street facing elevations without full height modulation.	Increase allowable unmodulated façade width to 38’ (28.3-1 MF-B.1, 28.3-5 DU-D.3) 28.3-1 Corner porches reduce ground level façade to 32’. Side elevation has an upper level bay window, and change in siding material. 28.3-5 DU-D.3 Corner porches reduce ground level façade to 32’. A horizontal change in siding material and adds visual interest.
Modulation at Interior Facades 23.45.012.C	Interior Facades. Within a cluster development all interior facades wider than forty (40) feet shall be modulated according to the standards of subsection D of	42’ side façade without modulation	No modulation at interior side facade. (28.3-1 MF.B.1.R.E) 42’ side façade exceeds 40’ limit in order to accommodate large floor plate of required 5br barrier free unit while maintaining scale and character of neighboring buildings. A corner porch shortens the visible façade length to 37’, and a central gable adds further façade variety.

	Section 23.45.012, provided that the maximum modulation width shall be forty (40) feet.		
Modulation at Apartment Buildings 23.45.012. D.2.a.1	The minimum depth of modulation shall be four (4) feet in Lowrise 2 and Lowrise 3 zones and for townhouses in Lowrise 4 zones, and eight (8) feet for apartments in Lowrise 4 zones	6' Modulation	Reduce modulation depth for apartments to 6' (28.3-2 MF-A.6, 28.3-3 MF-A.5) The majority of the units in the project are townhouse units, and a 6' is typically used at all the buildings. The Carriage House units would be considered apartments, and would be required to have an 8' modulation. In order to maintain consistency in design, provide a maximum amount of private open space, a 6' modulation is requested.
			Based on the above analysis and the proponent's design response, the Department grants approval of the departures requested above. The Master Use permits plans reflect these departures.

Recommendation MUP # 3003236

- The “replacement tree” shown on the landscape plan does provide a nice gesture to the street intersections and are supported by the Department.
- Structure 28.3-1 did not change its design to meet the design guidance. The written response and site plan (E demarcation) noted the alternate elevation referred to, but the alternate elevation was not shown in the elevation section of the plan set as was shown for structure 25.2-3. The elevation plan should be updated.

Final Analysis

The proponent provided a revised plan including two slider windows on the first and second floor of structure 28.3-1 facing the street. The plans showed the change on the non-street facing end, but a note was added to the plans stating that the alternate facade is for the street facing elevation. This meets the intent of the addressing the street facing condition. This site is compliant with Design Review Requirements.

Block 29 lot 1 – MUP # 3003230 (6500 30th Av SW)

Site Description and Proposal

The site is zoned L-4 and located on 30th Ave SW between High Point Drive SW and SW Morgan St. The proposal is for eleven (11) dwelling units in seven (7) structures. The types of units proposed are townhomes (4), apartments (4) and single family (3). All vehicle access is proposed from 30th Ave SW, via shared driveways between each structure. Surface parking is proposed for all units. Parking will be located between the structures; mostly Y shaped driveways are proposed to allow two parking spaces between structures accessed from 10 foot curbcuts.

A ten (10) foot front setback is proposed from 30th Ave SW. A 10 foot north side setback is proposed. The south side setback is not linear and ranges from 10’-6” to 20’-9” moving from east to west accordingly, this provides nice corner with unique setback and pulled back design. Open space is proposed at the rear of the structures producing a single family development pattern with strong street presence. The development site contains one (1) “tree to remain” (# 470) as designated in the tree protection plan associated with the full subdivision, contract rezone and PUDA. The applicant proposes to retain the tree.

Departures

Block 29, Lots 1

L-4 Zoning

Development Standard & Code Reference	Allowable	Proposed	Departure and Rationale (structure type requesting departure)
Curb cuts 23.54.030.F.1.a	1 curb cut per 80’ of street frontage. Street frontage at 30 th Av SW = 425’ 425/80 = 5 curb cuts, per (SMC 23.86.002-B1)	6 curbcuts	Allow 6 curb cuts at 30th Ave SW Curb cuts are paired and driveways screened with landscaping to minimize visual impact. The opposite block face is alley loaded, minimizing total curb cuts.
			Based on the above analysis and the proponent’s design response, the Department grants approval of the departures requested above. The Master Use permits plans reflect these departures.

Recommendation MUP # 3003230

- The site plan and landscape plan should show or make note how the fencing on the east property line will be constructed around tree 470.

Final Analysis

The proponent amended the plans to reflect the tree 470 critical root zone protection area. This site is compliant with Design Review Requirements.

Block 33 lot 2 MUP # 3003229 (3101 SW Holly St)

Site Description and Proposal

The site is zoned L-4 and is located at the southwest corner of the intersection of 31st Ave SW and SW Holly St. The proposal is for twenty-five (25) dwelling units in nine (9) structures. The types of structures proposed are all townhomes (25). All Vehicle access is proposed from SW Holly St. The vehicle access area is proposed from one common driveway, as no alleys were platted on this block. Surface parking is proposed for all 33 parking spaces.

A 10’-2” foot front setback is proposed from 31st Ave SW. The proposed rear setback has a slight variation from 33’-4” to 32’-3”. The proposed side setback along SW Holly St is 13’-11”. Side setbacks along the south property line of the High Point Elementary School site are 4’-10” and 5’-2” for both structures along that property line. A common access pocket park is proposed at the Southeast area of the site off of 31st Ave SW. The development site contains

three (3) “trees to remain” (#’s 689, 694, and 696) as designated in the tree protection plan associated with the full subdivision, contract rezone and PUDA. The applicant proposes to retain these trees as required by the associated MUP.

Requested Departures

Block 33, Lot 2

L-4 Zoning

Development Standard & Code Reference	Allowable	Proposed	Departure and Analysis (structure type requesting departure)
Modulation at front facades 23.45.012.A.1	Modulation shall be required if the front facade width exceeds thirty (30) feet with no principal entrance facing the street, or forty (40) feet with a principal entrance facing the street.	38’ Street facing elevation without full height modulation.	Increase allowable unmodulated façade width to 38’ (33.2-5 MF-C.3, 33.2-6 DU-D.1.R) Corner porches reduce ground level façade to 32’. Additional windows and horizontal siding change add to character of elevation. Adjacent pocket park provides visual relief along street as well as usable open space.
Modulation at street facing side facades. 23.45.012.B	Side Facades. On corner lots, side facades which face the street shall be modulated if greater than forty (40) feet in width for ground-related housing, and thirty (30) feet in width for apartments.	38’ Street facing elevation	Increase allowable unmodulated façade width to 38’ (33.2-1 MF-C.1, 33.2-6 DU-D.1.R, 33.2-8 MF-B.1) Corner porch reduces ground level façade to 32’. Additional windows add to character of elevation. For 33.2-1, the façade is set back 42’ from street. Also the SW Holly St facing facade elevation is screened by the large existing tree (689), which is to be retained.
Modulation at Interior Facades 23.45.012.C	Interior Facades. Within a cluster development all interior facades wider than forty (40) feet shall be modulated according to the standards of subsection D of Section 23.45.012, provided that the maximum modulation width shall be forty (40) feet.	Interior facades 68’ wide without modulation.	No modulation at facing backyard facades. (33.2-2, 33.2-8 MF-B.1, 33.2-5 MF-C.3) Note: The units below all face rear yards and a private access drive. They are all functionally rear elevations which would not require modulation if the units were on separate lots. 33.2-2, 33.2-8 MF-B.1, The rear elevations of these units are 50’ and 54’ long. Gables delineate the end units and break down the elevation scale. Additional character is provided by rear entry porches and a change in siding for the center units. 33.2-5 MF-C.3: The facing facades are setback far from rights of way and obscured by retained tree 694.

			Based on the above analysis and the proponent's design response, the Department grants approval of the departures requested above. The Master Use permits plans reflect these departures.
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Recommendation MUP # 3003229

- Structures 33.2-3 and 33.2-6 did not change there façade design to meet the design guidance. The written response noted the alternate elevation referred to, but the alternate elevations were not marked with an “E” as provided elsewhere or shown in the elevation section of the plan set as was shown for structure 25.2-3. The elevation plans should be updated for both structures. The alternate elevation provided for structure 33-2.4 is a good example of how to meet the guidance.
- The plans should be updated to show the front setback off of 31st Ave, the north and south property line as side setbacks and the west property line as the rear property line. Other departures would be required otherwise.

Final Analysis

The proponent provided a revised plan for the 33.2-7 structure facing the street. 33.2-6 was provided as more pedestrian friendly. For 33.2-7, the plans showed the change on the non-street facing end, but a note was added to the plans stating that the alternate facade is for the street facing (left) elevation. This meets the intent of the addressing the street facing condition. This site is compliant with Design Review Requirements.

Block 34 lot 1 MUP # 3003232 (6700 31st Ave SW)

Site Description and Proposal

The site is zoned L-4 and is located at the southeast corner of the intersection of 31st Ave SW and SW Holly St. The proposal is for ten (10) dwelling units in seven (7) structures. The types of units proposed are townhomes (6) and single family homes (4). All Vehicle access is proposed from 31st Ave SW. “Y” shaped common driveways are proposed for all driveways. 12.5 parking spaces (5 tandem spaces) are proposed.

Proposed front setbacks are staggered along 31st Ave SW. The proposed rear setback varies from 15’-11” and 34’-3”. The proposed side setback along SW Holly is at 10’. The side setback along the south property line is proposed at 12’-4”. A common access pocket park is proposed in the central area of the site off of 31st Ave SW. The development site contains the one (1) Seattle Exceptional Tree (per Director’s Rule 6-2001) and is designated as a “tree to remain” (# 784) as designated in the tree protection plan associated with the full subdivision, contract rezone and PUDA. Also, tree #785 is located on the subject block. The applicant proposes to retain both trees as required by the associated MUP.

Requested Departures

None

Recommendation MUP # 3003232

- Structure 34.1-1 did not change its façade design to meet the design guidance. The written response noted the alternate elevation referred to, but the alternate elevation were not marked with an “E” as provided elsewhere nor shown in the elevation section of the plan set as was shown for structure 25.2-3. The elevation plans should be updated for this structure.

Final Analysis

34.1-1 was provided as more pedestrian friendly. This site is compliant with Design Review Requirements.

DECISION - DESIGN REVIEW

Considering the applicant’s response to the recommendations and conformance with the approved building concept plan, the Department *approves* all the designs for the blocks as proposed. Conditioning is appropriate to ensure all elements are carried through the construction phase of the project.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the final environmental impact statement (FEIS) submitted by the applicant, dated September 24, 2002, and reviewed by this Department. DPD has reviewed the FEIS and adopted it pursuant to SMC 25.05.600. The information in the FEIS, supplemental information provided by the applicant (plans, including landscape plans, building elevations) 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 25.05.665) establishes the relationship between codes, policies, and environmental review. Specific policies for specific elements 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 certain limitations/circumstances (SMC 25.05.665) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

ENVIRONMENTAL IMPACTS

The proposed and approved contract rezone and full subdivision for High Point required an EIS to evaluate the impacts of the High Point redevelopment. The FEIS considered the following environmental impacts: Earth; Air; Water; Energy; Environmental Health; Plants and Animals; Noise; Land Use; Light and Glare; Aesthetics; Cultural/Historic Resources; Housing Relocation; Population; Socioeconomic Conditions; Environmental Justice; Transportation; Parks and Recreation; Public Services; Circulation and Parking. A copy of the FEIS was reviewed by DPD, the City’s Hearing Examiner and City Council for the SEPA conditioning associated with the High Point redevelopment.

The information provided by the applicant and its consultants, the public comment received, and the experience of the lead agency with the review of similar proposals form the basis for review and conditioning of the proposal. The potential environmental impacts may be referenced by the Draft and Final EIS. Where appropriate, mitigation may be required pursuant to Seattle's SEPA Ordinance (SMC 25.05).

Short-term Impacts

Demolition and construction activities could result in the following temporary or construction-related adverse impacts:

- construction dust and storm water runoff;
- erosion;
- increased traffic and demand for parking from construction equipment and personnel;
- increased noise levels;
- occasional disruption of adjacent vehicular and pedestrian traffic;
- decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment;
- increased noise; and
- consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Street Use Ordinance requires debris to be removed from the street right-of-way, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

Noise

Noise impacts would most likely occur when construction activities are proximate to sensitive locations and when there would be many simultaneous construction operations. The levels of construction noise mentioned in the Final EIS suggest the need for careful consideration of means to reduce noise transmission to nearby residences. The limited hours for construction previously conditioned by City Council provide mitigation for identified impacts.

In addition to the Noise Ordinance requirements in SMC 25.08, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays from 7:30 a.m. to 6:00 p.m. and to Saturdays between 9:00 a.m. and 5:00 p.m (Saturday with limitations. No construction work on Sundays is permitted other than site staking, security, clean up (non-machine) surveying and other non construction related tasks. This is consistent with the SEPA conditions imposed by council

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residential units, major noise creating work, is **not** permitted on Saturdays from 9:00 a.m. to 5:00 p.m. (see Council condition).

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 time frame if conducted during these hours. During the Phase I construction one of the major complaints from nearby residents was the use of back up alarms for construction vehicles. Council's Conditions address the back up alarm's impact on neighboring residents. No additional conditioning is necessary.

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 or Noise Abatement Program prior to each occurrence. Periodic monitoring of work activity and noise levels may be conducted by DPD.

The Council's conditions mitigate noise impacts to nearby uses. All other conditions from the original Council decision still apply and are listed under the conditions section of this document.

Grading and Construction

A mass grading permit (#6076853) and demolition permit (#6076846) for the phase II area as a whole has been reviewed and issued by the Department prior to the publication of this decision. Impacts of the mass grading permit were covered in the FEIS and conditioned as necessary by MUP 2105600 and Council File 305400. The proposed 21,000 cubic yards of grading for the subject applications does not include the total grading proposed for High Point as a whole, but it should be noted that the Council's conditioning of MUP #2105600 and SEPA authority apply to all grading and building permits. Conditioning is warranted to ensure that Council's conditions are upheld on all grading and building permits.

If material is transported to or from the site, 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. Considering the amount of earth that will be leaving the site, spillover materials onto the adjacent street system is a foreseeable impact. The contractor must take appropriate measures to wash the wheels of construction vehicles leaving the site to minimize this impact to the greatest extent possible. The construction entrance must be constructed to be durable. Additional conditions are unnecessary to mitigate these issues beyond the Council's conditions of MUP #2105600 (listed at the end of this decision).

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal and include: potentially decreased water quality in surrounding watersheds; increased bulk and scale on the site; increased ambient noise due to increased human activity; increased demand on public services and utilities; increased light and glare; increased energy consumption, increased on-street parking demand. These long-term impacts are not considered significant because the impacts are minor in scope and SEPA mitigation is not required. During the review SHA and Mithun requested to name a public alley on block 27 in honor of Judy Fay, a long time employee of SHA (SW Judy Fay Lane). Fire code requirements and the applicability to the alley are currently under review. In order to officially name the alley the Fire Department will need to give approval based on the details provided by the applicant. A condition is warranted requiring that the applicant meet the Fire Department's requirements before the alley can be officially named on the City's mapping systems and as a Fire dispatch destination.

Other Impacts

Several adopted codes and ordinances and other agencies will appropriately mitigate the other use-related adverse impacts created by the proposal. Specifically, these are the Puget Sound Clean Air Agency (increased airborne emissions); and the Seattle Energy Code (long-term energy consumption). The other impacts not noted here as mitigated by codes, ordinances, or conditions (increased ambient noise; increased pedestrian traffic, increased demand on public services and utilities) are not sufficiently adverse to warrant further mitigation by conditions.

DECISION - SEPA

Environmental impacts for the proposal were identified and analyzed in the Final Environmental Impact Statement issued by Seattle Housing Authority. DPD has the authority to mitigate impact pursuant to the City's SEPA practices. Therefore, the proposal is **CONDITIONALLY APPROVED** subject to the conditions/mitigating measures noted at the conclusion.

CONDITIONS - DESIGN REVIEW

Non-Appealable Conditions

1. Embed all of the Design Review and SEPA conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all Building Permit drawings (adding extra sheets for the conditions may be required).
2. All changes to the exterior facades of the building and landscaping on site and in the R.O.W. must be reviewed by a Land Use Planner (Lucas DeHerrera, 206.615.0724) prior to proceeding with any proposed changes. 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.
3. 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 (Lucas DeHerrera, 206.615.0724), 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.

Prior to Certificate of Occupancy

4. Compliance with the approved design features and elements, including exterior materials, roof pitches, facade colors, landscaping and R.O.W. improvements, shall be verified by the DPD Planner assigned to this project. Inspection appointments with the Planner (Lucas DeHerrera, 206.615.0724) must be made at least 3 working days in advance of the inspection.
5. A schedule for Design Review inspection and verification should be provided to the Land Use Planner for all blocks in order to allow proper and realistic inspection times for the individual blocks. The schedule should be provided to the Planner once the contractor has a finishing schedule for each block.

CONDITIONS - SEPA

Non-Appealable Condition

6. Submit revisions to DPD for the issued mass grading (6076853) and demolition (6076846) permits to include the SEPA conditions from City Council's Decision (MUP 2105600 and CF # 305400). This is to ensure Council's conditions are on site and microfilmed for the record.
7. If naming of the alley located on block 27 is sought, obtain approval from The Fire Department prior to the naming of "SW Judy Fay Ln." If approval is gained the name must read as "SW Judy Fay Ln" and verification of approval of the alley name must be submitted with the building permit for block 27.

Prior to Issuance of any Construction Permits

8. Include the Construction Mitigation Plan (CMP) as required by the SEPA conditions of Seattle City Council #305400 and MUP # 2105600. The non-appealable remaining applicable conditions read as follows:

"Provide a Construction Mitigation Plan (CMP) to DPD at the time of building permit for related construction permits. The plan will consist of items listed under subparts a-k below. The CMP must be approved by DPD in consultation with Seattle Department of Transportation prior to commencement of any demolition, grading or construction activity. The CMP shall be one comprehensive document that can be easily referenced and maintained throughout the construction process by contractors and subcontractors, and available to the public at the project site.

- a. *A detailed description of the demolition and construction phasing/schedule.*
- b. *SHA shall coordinate with the Police and Fire Departments in identifying methods to prevent arson or other criminal activity during the period between vacation of the units, and actual demolition of the units.*
- c. *Demonstration of compliance with federal, state and regional regulations to ensure that impacts are adequately addressed by such regulations or permits, and how such measures can be achieved. Permits from the following agencies must be provided: state Department of Ecology; PSCAA; and a NPDES permit from the appropriate agency.*
- d. *An air quality mitigation plan to mitigate impacts from fugitive dust, and consisting of the following:*
 - *Spraying exposed soil with water to reduce PM-10 emissions and deposition of particulate matter.*
 - *Covering exposed soil during grading and pre-seeding periods to reduce deposition of particulate matter.*
 - *Covering all trucks, transporting materials, wetting materials in trucks, or providing adequate freeboard (space from the top of the material to the top of the truck) to reduce PM-10 and deposition of particulate during transportation.*

- *Providing wheel washers to remove particulate matter that would otherwise be carried offsite by vehicles to decrease deposition of particulate matter on area roads.*
 - *Removing mud deposited on paved, public roads to reduce particulate matter on area roadways.*
 - *Routing and scheduling construction trucks so as to reduce delays to traffic during peak travel times and to reduce secondary air quality impacts caused by a reduction in traffic speeds while drivers wait for construction trucks.*
 - *Requiring appropriate emission-control devices on all construction equipment powered by gasoline or diesel fuel to reduce emissions in vehicular exhaust.*
 - *Planting vegetation as soon as possible after grading to reduce windblown particulate in the area and/or retaining as much existing vegetation as practicable.*
- e. *A noise mitigation plan to mitigate impacts from noise to contain the following:*
- *The applicant will be required to limit periods of construction to between the hours of 7:30 a.m. and 6:00 p.m. during weekdays and on Saturdays to between the hours of 9:00 a.m. and 5:00 p.m. This condition may be modified by DPD to allow work of an emergency nature or allow low noise interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.*
 - *Construction activities which generate the loudest noise shall be performed during the weekday hours. Identification of the type of construction activity that will occur between the hours of 9:00 a.m. to 5:00 p.m. on Saturday needs to be disclosed. No work, deliveries or otherwise will be allowed outside of the designated Saturday hours.*
 - *Commitments and proposals to prohibit back-up alarms on vehicles and equipment, (utilization of sound buffering or barrier devices, utilization of construction equipment that generate lower noise decibels or utilization by other means to mitigate noise must be included in the plan.*
 - *The applicant shall publish a periodic construction newsletter (at least quarterly) showing expected dates for specific operations, especially those which would interrupt or slow traffic movement, be especially noisy or disrupt any utility service.*
 - *The mailing list for the newsletter shall include all addresses within 300 feet of the site and affected City departments, including DPD, Department of Transportation, Police Department, Fire Department, and Neighborhoods, as well as community members and organizations*

who ask to be notified of construction activities. The meeting time and place shall be well-publicized, using at a minimum the same mailing list as above, giving at least 14 days notice of the meeting.

- *The approved plan shall be available at the site for the duration of construction.*

- f. *A stormwater Pollution Prevention Plan to mitigate water quality impacts.*

- g. *A Temporary Erosion and Sediment Control Plan to mitigate water quality, including all tree protection measures detailed as conditions in the approved Subdivision (DPD 2202170).*

- h. *A Spill Prevention Control and Countermeasures Plan to mitigate water quality impacts.*

- i. *Transportation Construction Mitigation Plan to mitigate traffic and parking impacts consisting of the following:*
 - *Identification of temporary street closures;*
 - *Identification of detour routing to ensure adequate accessibility to remaining older housing units and new constructed units within High Point, including any potential impacts on existing residential units on adjacent streets not subject to this redevelopment;*
 - *Identification of staging areas and haul routs. Hauling between 4:00 p.m. and 6:00 p.m. shall be minimized.*
 - *Identification of parking locations for construction workers. Construction workers shall park on-site, or off-site in designated remote parking lots. Provide shuttle buses for construction workers between the job site and any remote parking sites.*

- j. *An appropriate mitigation must be determined and provided in a construction rodent impact mitigation plan (CRIMP) and provided to DPD.*

- k. *A Tree Preservation Plan which can be fulfilled through the tree plan required by Hearing Examiner decision MUP-02-051(SD), shall be developed in conjunction with the Temporary Erosion and Sedimentation Control Plan.*

During construction:

The following non-appealable condition(s), to be enforced during construction, shall be posted at the site in a location visible and accessible to the public and to construction personnel from the street right-of-way. Conditions shall be posted at both abutting streets. The conditions shall be printed legibly on placards available from DPD, shall be laminated with plastic or other weatherproofing material, and shall remain in place for the duration of construction.

9. The owner(s) and/or responsible party(s) shall comply with the construction mitigation plan. A copy of that plan must be kept on-site.

(from related Council SEPA decision)

- *The applicant will be required to limit periods of construction to between the hours of 7:30 a.m. and 6:00 p.m. during weekdays and on Saturdays to between the hours of 9:00 a.m. and 5:00 p.m. This condition may be modified by DPD to allow work of an emergency nature or allow low noise interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.*
- *Construction activities which generate the loudest noise shall be performed during the weekday hours. Identification of the type of construction activity that will occur between the hours of 9:00 a.m. to 5:00 p.m. on Saturday needs to be disclosed. No work, deliveries or otherwise will be allowed outside of the designated Saturday hours.*
- *Commitments and proposals to prohibit back-up alarms on vehicles and equipment, utilization of sound buffering or barrier devices, utilization of construction equipment that generate lower noise decibels or utilization by other means to mitigate noise must be included in the plan.*

Signature: _____ (Signature on file) Date: August 3, 2006
Lucas DeHerrera, Land Use Planner

LD:bg