

March 30, 2016

Public Resource Center  
Seattle Department of Construction and Inspections  
Via email to [PRC@Seattle.gov](mailto:PRC@Seattle.gov)

cc: [Michael.Dorcy@seattle.gov](mailto:Michael.Dorcy@seattle.gov)

Re: Project 3020114 6726 Greenwood Avenue North

Some redevelopment of older properties are welcome additions or improvements to a neighborhood. Sadly that is not true in the case of the “Phinney Flats” project, the subject of my comments. Unfortunately I feel that the city permitting process in this case is responsible for some of the failures this project represents. On the road to achieving affordable housing goals, and adding density in “opportunity rich” neighborhoods, this project has plunged off the cliff!

Phinney Flats is simply too bulky, too large, and has too many undersized residential units crammed onto this parcel. The setbacks on the east side abutting a very stable single family zone are inadequate despite two early design guidance sessions and repeated requests by the neighbors and the community to create an appropriate transition zone between these two very different land use patterns. The huge blank wall on the south side is a terrible response to the neighboring apartment building.

Early in the entitlement process for this project, DPD stumbled badly by failing to inform the developer, that the City Council had approved a code change that will require future development along Phinney Ridge to have an upper level setback in split-zone situations, and to require the same consideration from Phinney Flats. Instead, the city let this project sneak in the backdoor.

The obvious tension this project has created in the neighborhood can hardly be ignored and this tension will grow exponentially unless the city takes a more site-specific and nuanced approach to permitting redevelopment in our urban village.

### **Specific Problems Associated with this Proposed Project**

#### **Deficient SEPA process.**

SEPA is about mitigation not merely disclosure. The perfunctory SEPA checklist provided by the developer turns a blind eye to the problem of parking impacts. The deficiencies in the developer’s traffic and parking study have been addressed in a separate letter from the PRCC parking committee, so I will not repeat those here. But there is a larger issue - that the city should not preclude reasonable forms of mitigation IN ADVANCE of assessing the facts pertinent to a specific proposal. A cunning amendment to SMC 25.05.675 M Table 3 in 2010 allows this and future residential and mixed use developments to evade the necessity of providing for their tenant’s anticipated parking demand. The city cannot rely on the non-project level of environmental assessment done for this code amendment when facing a specific proposal six years later when conditions have changed and when SEPA requires project specific evaluation in order to determine the appropriate mitigation at that time, for that project.

The city can’t render SEPA regulations meaningless by ignoring facts and substituting wishful thinking for mitigation. Providing information about bus passes does not eliminate cars. Assuming that residents will take their laundry miles away on their bikes is silly. Pretending that “share cars” don’t also require parking spaces is a delusion.

#### **Ignoring cumulative impacts because they occur beyond 800 feet.**

The developer and the city are relying on King County to mitigate the impacts of this project by providing for sufficient transit service to justify no on-site parking requirements but neither the city nor the

developer are able to compel the County to add needed capacity to handle the current demand, let alone the future demand created by this “car free” development. In addition the impacts are not limited to the immediate neighborhood. The worst impacts will be felt by residents to the south as the Route #5 bus will become hyper-crowded between 85<sup>th</sup> and 50<sup>th</sup> St., leaving bus riders in lower Phinney and Fremont watching the bus bypass them more often. This is externalizing responsibility for mitigation to another agency and ignoring the impact on other communities. This can’t be how SEPA was intended to be applied!<sup>1</sup>

**Potential contamination not disclosed.**

The Appendix A Report (building history dated May 2015) at page 6 mentions that part of the building was occupied by a “cleaners” between 1937 and 1942 and by a business called Dia-Chem Corp. Laboratory. There is no explanation of the implication of these land uses and the developer’s SEPA checklist denies any known or suspected sources of contamination. However not many blocks away, at 6010 Phinney, the city and Ecology required that property owner/developer study the area for soil and water contamination because a cleaners had operated on site. This potential for contamination should be further evaluated.

**Too little commercial space.**

The zone for this project is NC2-40 – Neighborhood Commercial, but the commercial space is being shortchanged in order to cram in more residential units. The existing building includes 4,000 sf of commercial uses (Kort Haus Tavern and Stumbling Goat restaurant.) The proposed amount of space in the new building is reduced to 3,300 sf. This is completely out of balance. NC zones should prioritize commercial space. In exchange for the unlimited residential density allowed, new development should increase the amount of commercial space or, at least, not diminish it.

**Conclusion.**

The residents of Phinney would welcome a redevelopment that respects our design guidelines and acts like a good neighbor. Phinney Flat falls flat on both scores and I sincerely hope that the new Department of Construction and Permitting will use its discretion to condition this project significantly – send it back to the drawing boards to become something we can all welcome, and not regret later.

Thank you.



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<sup>1</sup> I commute on the Route 5 to downtown and this morning caught the bus leaving Greenwood at 8:49 am. By 60<sup>th</sup> Street the bus was already standing room only. By 46<sup>th</sup> it was crowded well in excess of Metro standards for crowding busses based on occupancy and 20-minute standing rule.