City of Seattle

** Department of Planning & Development**

 D. M. Sugimura, Director

**FINAL RECOMMENDATION OF THE**

**EAST DESIGN REVIEW BOARD**

Project Number: 3014366

Address: 103 12th Ave

Applicant: Jake McKinstry, Spectrum Development Solutions

Date of Meeting: Wednesday, July 10, 2013

Board Members Present:Dawn Bushnaq (Chair)

 Ric Cochrane

 Natalie Gualy

 Christina Orr-Cahall

 Dan Foltz

DPD Staff Present: Michael Dorcy

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## SITE & VICINITY



The site is zoned NC3P-65, as are properties to the north and east across 12th Avenue. Directly west of the site, the development site for Seattle Housing Authority’s 1105 E. Fir Street, project, is zoned MR, with a base height limit of 60 feet and a maximum height limit of 75 feet.

**BACKGROUND INFORMATION**

The rectangular, corner site is composed of 5 underlying parcels, totaling some 23,059 sq. ft., and slopes approximately 6 feet upwards from the southeast corner north along 12th Street. The site faces onto 12th Avenue on the east and E. Yesler Way on the south. The zoning of the site is NC3P-65. The site is located within the 12th Avenue Urban Center Village.

Five lots are being combined for the proposed project. The site is currently vacant and devoid of development. Directly across 12th Street are three single-story commercial buildings, the largest of which houses Seattle Curtain manufacturing and warehousing facilities.

Directly abutting the property along the west property line and extending along Boren Avenue between E. Yesler Way on the south and E. Fir Street on the north is the soon-to-be-developed site of Seattle Housing Authority’s 1105 E. Fir Street project. This project will consist of a six-story apartment building and three townhouse structures containing a total of 100 residential units. The large area west and south of the site across Boren Avenue is comprised by Yesler Terrace, a public housing development scheduled to be entirely rebuilt and redeveloped over the next twenty years. Bailey Gatzert Elementary School occupies an expansive site extending between E. Yesler Way and S. Main Street and between 12th Avenue S. and 14th Avenue S. The school property begins just diagonally across the intersection of E. Yesler Way and 12th Avenue from the subject site.

The area is characterized with a variety of commercial and residential structures, some of them housing human and social services. Architectural styles in the area are mixed vernacular and revival styles. Although most do not particularly stand out, they are not necessarily devoid of character. Washington Hall, a City of Seattle Landmark structure, is located a block away, north and east of the site. Constructed as a cultural and social gathering place for the Danish Brotherhood in 1908, the building has served as home for a diverse number of ethnic and cultural groups. Among other important functions, it has served over the years as an historically important music venue and public dance hall.

**PROJECT DESCRIPTION**

As explained by Hal Ferris of Spectrum Development Solutions at the EDG meeting, the goal is to construct a mixed-use building with an area of enclosed, parking partially below grade and accessed from E. Yesler Way. Some 4,000 square feet of retail commercial space would be provided, primarily along 12th Avenue. The structure would contain five floors of residential units, designed with “work-force” housing in mind. Parking would be provided at a ratio of .48 spaces per residential unit. The building would include approximately 100 units, some containing two bedrooms. Ample parking is proposed for bicycles. Private amenity areas, including a roof-top garden, recreation area and dog run would be included.

**Recommendation Meeting –July 10, 2013**

**Exceptional Trees**

The meeting began with the Land Use Planner explaining to Board, applicants and public in attendance that subsequent to the Early Design Guidance meeting on February 13, 2013, the Department had identified two “exceptional” trees on the development site. This, discovery, occurring after the EDG meeting, when basic siting and massing configurations are normally discussed and given direction, created a situation that was awkward at best for all parties involved. The Land Use Code provides that when exceptional trees are encountered on site, the Design Review Board should weigh in alternatives in siting and the granting of departures to try to accommodate both development and the protection of the tree(s), or to recommend that the trees not be considered for retention. An exceptional tree may be removed only if avoiding development in the tree protection area could not be achieved by development adjustments or departures through design review and/or a deduction in required parking spaces. Relying on an arborist report several months old, the applicants had accepted the advice that there were no exceptional trees on site. Since that time the arborist report had been updated and the two trees re-measured, resulting in the new determination.

As explained at the meeting by the project’s arborist, the tree at the east edge of the property was not particularly robust, but the tree located along the western property line held greater chances for survival, except that nearly half of its protection zone lay across the property line. The project at 1105 E. Fir Street will encroach on the root system of the big leaf maple, and it is not likely the tree will thrive once that occurs. Saving the big leaf maple would require a redesign of the project at 1105 E. Fir Street, which has already undergone City review and approval, as well as re-design of this proposal.

Further, saving the fir tree would be difficult because it is located right at the sidewalk edge but growing well above the sidewalk grade. Guidelines previously cited by the Board as of highest applicability to the project, Guidelines A-10 and C-2, called for establishing a coherent street wall both at grade in the upper stories along 12th Avenue. This would also be in keeping with the neighborhood commercial zoning of the site. Likewise, Guideline E-2 had called for establishing a coherent urban streetscape design with aligned street trees. A sizeable portion of the retail space desired along the 12th Avenue front would no longer meet the Code and practical requirements for depth of commercial space. In addition to the practical difficulties of an attenuated root system, re-designing around the big leaf maple would necessitate an awkward relationship between the open space of the project and that of the planned courtyard at 1105 E Fir Street, rather than the syndetic and harmonious relationship called for by the Board at the EDG meeting (see Guideline, E-2). In addition, the parking garage would have to be reduced in size, affecting not only the parking count but ramping configurations and necessitating, quite probably, a reduction in commercial area on the ground floor as well as the allotted residential amenity space.

The landscape architect for the project pointed out that the proposal was to replace these two trees with 21 new trees. The total caliper inches of the two removed trees is 71.5 inches, while the total caliper inches of the replacement tress at planting would be 76.5 inches.

The Board unanimously wanted to go on the record, as protesting the awkwardness of the situation they had been placed in because at this late date of design development and Board’s review the removal of the trees was all but a *fait accompli*. The Board did affirm, however, that it would be acceptable to remove the two trees in question as long as the City agreed to the applicant’s evidence and reasoning

**Architects’ Further Presentation**

The applicants’ presentation re-emphasized the objectives set out at the EDG meeting and indicated how the developed design maintained that strong sense of direction while responding to the identified Guidelines and guidance that had been given by the Board. The residential portion of the structure continued to target the “work force” housing market. A strong visual element anchored the corner of 12th Avenue and E. Yesler Way; the 12th Avenue street edge added to the existing 12th Avenue commercial corridor and enhanced the pedestrian experience there; the project responded to the 1105 E. Fir Street project, in particular to the open courtyard of that project.

The elaborated design was that of the preferred third scheme (Massing “Option 3”) from the EDG meeting, showing a “C” shaped scheme with its hollowed-out portion open to the west. The building base was set back along both 12th Avenue and E. Yesler Way, allowing for wider sidewalks. The upper building massing was set 3 feet forward of the base, except at the southeast corner where the vertical indentation aligned with the retail plane and allowed an opportunity for a distinctive corner or “gateway” element. This scheme was said to allow for a building that related strongly to its west neighbor, strongly held itself to the two street fronts, and provided for an engaging street-level retail base, while presenting a potentially distinguished corner.

A notable feature of the developed plans was the random placement of a number of canted and protruding window bays, perhaps a dozen in all, set within the 5 residential floors along both Yesler and 12th Avenue.

**Design Departure Request**

As indicated at the EDG meeting, the proposed scheme would need a departure from the development standard (SMC 23.47A.014) that requires a 15-foot setback for portions of the building above 13 feet in height along the rear property line, required because the site abuts a residential zone. The applicants are proposing a 10 foot setback all along the entire west property line.

**PUBLIC COMMENT**

Approximately six members of the public attended the meeting. As he had at the EDG meeting, Tom Eanes, senior development manager at the Seattle Housing Authority (SHA), acknowledged SHA’s continued support of the project, its design and the requested departure. He explained how the design teams for each project had been continuously engaged in coordinating window alignments for the two projects to enhance privacy concerns for each of the developments. Regrettably, Mr. Eanes commented, in response to Board members’ questions about inter-penetrability of the adjacent projects, there would not be any cross-access between them, since SHA property management would not allow this.

Another member of the public, generally in favor of the design of the project, encouraged the design team to provide some genuine shadow lines around the residential windows and to design the retail space so that it could be broken down into 500 square foot chunks.

**BOARD DELIBERATIONS**

At the beginning of their deliberations, the Board members identified some areas for further discussion: the trees, the various façade treatments, the materials, the open space/courtyard, the articulation of the “gateway” corner element at the corner of 12th Avenue and Yesler, and the requested setback departure.

* Regarding the trees, the Board once again voiced their displeasure and frustration at being informed of the status of the trees at this late date; they would have requested alternate schemes to undertake a fuller study and review had the issue arisen at the EDG meeting or before; they felt their hands were tied at this late date in the process. Given what they had been told, nevertheless, they would recommend the removal of the trees as long as the City concurred that there were at this time no viable alternatives to the removal of the trees.
* After some discussion the Board agreed that the colors and materials of the various facades seemed appropriate to the project. They agreed that the canted bays gave vitality to the building and that the touches of accent color and the shadows of the bays gave some welcome relief to the two street-facing facades. It was noted that, in concert with one of the remarks during the public comment period, even a modicum of relief and shadow-line at the windows’ edges could contribute to an even livelier façade.
* It was noted that the renderings on pages 29 and 31 in the presentation packets perhaps conveyed a sense of more activity in and animation of the central courtyard that that conveyed in the “Courtyard Plan” shown on p.27, where the heart of the open space was filled with bio-retention planters and a network of metal runnels. That reality heightened the need for the rooftop open space to be designed in such a way as to function as a true amenity for the residents of the building. Although the west elevation was thought to be too “drab,” and “flat,” at the EDG meeting, it was conceded by the Board that the yellow accent panels and broader strokes of yellow within the courtyard itself had done much to enliven the space.
* After further discussion regarding the “gateway” treatment of the corner of the building at Yesler and 12th, the Board agreed that a strong vertical sweep suggested in a sketch of the corner shown at the EDG meeting had been lost in the currently proposed design. The verticality had been compromised by the six horizontal bands that defined the floors and provided the base of the windows. At the EDG meeting the Board had noted that “the appearance of a recessed corner element, whether gateway or simply a celebration of the intersection of two important wayfaring paths, was a strong architectural move and feature of the preferred scheme. It should be enhanced and detailed as the project design continues. “The Board stated it was their intention to condition their approval of the design and of the requested departure by requiring the design team to work with DPD’s Planner to achieve a design that would effectively restores the more strongly vertical feel they believed the corner element needed.

DEVELOPMENT STANDARD DEPARTURE

After acknowledging their support and approval of the design, with the tweaks noted, the Board indicated support of the requested setback departure, noting that, as proposed and treated, it better met the intention of the guidelines by providing a better edge and relationship to the development proposed west of its property line, following the intentions of B-1 and C-2.

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