



City of Seattle

Department of Planning & Development
D. M. Sugimura, Director



FINAL RECOMMENDATION OF THE NORTHWEST DESIGN REVIEW BOARD

Project Number: 3014630

Address: 3806 Fremont Avenue North

Applicant: Bradley Khouri, B9 Architects for Fremont Avenue Ventures, LLC

Date of Meeting: Monday, September 30, 2013

Board Members Present: Ted Panton (Chair)
Ellen Cecil
Jerry Coburn
Mike DeLilla

Board Members Absent: David Neiman (Recusal)

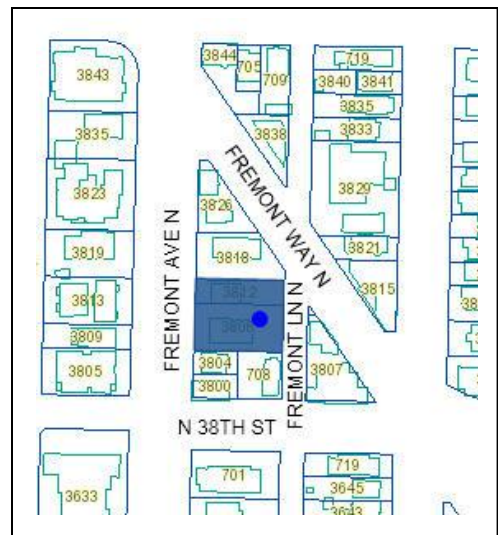
DPD Staff Present: Bradley Wilburn, Senior Land Use Planner

SITE & VICINITY

Site Zone: LR3

Nearby Zones: (North) LR3 & LR2
(South) LR3 & NC3-40
(East) LR2 & C1-40
(West) LR3

Lot Area: 10,080 square feet



Current Development: The development site combines two parcels of land, mid-block between North 39th Street to the north and North 38th Street to the south, and is bounded by Fremont Avenue North to the east, and a named alley, Fremont Lane North, to the east. Each parcel is currently occupied with an apartment building in a converted single family structure. Both sites are modestly landscaped with several mature trees providing a sense of privacy from its surroundings.

Access: Existing vehicular access to surface parking is taken from the named alley (Fremont Lane North) to the east. Primary pedestrian access to the front entries adjacent to Fremont Avenue North, sits approximately 4 – 10 feet above the sidewalk grade.

Surrounding Development and Neighborhood Character: Development in the surrounding area includes a mix of uses and architectural styles in a deeply rooted neighborhood. Nearby development includes older 1-4 story residential and nonresidential structures of various materials (i.e., lap siding, masonry, etc.). Several blocks to the south are a number of newer 3-4 story retail mixed-use structures. One historic landmark structure, B.F. Day School is located one block north.

Fremont’s vibrant commercial core, with retail, restaurants, and night clubs is located two blocks south. Further south is Ship Canal setting the southern edge provides recreational opportunities adjacent to the Burke-Gilman Trail.

The area offers frequent transit service, with routes serving the University of Washington, Ballard, Downtown Seattle, Green Lake, and Lower Queen Anne to name a few. Metro’s Rapid Ride station is located two blocks to the west with express service to downtown.

ECAs: The development site contains a DPD mapped 40% Steep slope Environmentally Critical Area (ECA). The development site may qualify for environmentally critical area 40% Steep slope exemption which will require a survey to verify if in fact a steep slope is present as it relates to ECA Ordinance. The site slopes approximately 25’ in elevation from the west up to the east with a ten foot cross slope downward from north to south.

PROJECT DESCRIPTION

The proposal is for the construction of a ten unit townhouse development arranged around a common courtyard easily accessible to all units. The preferred scheme would disburse ten units into four 3-story structures. Parking for 10 vehicles would be provided adjacent to the alley above grade.

EARLY DESIGN GUIDANCE MEETING: April 22, 2013

A report of the meeting and applicant's packet materials presented at the meeting are available online by entering the project number (3014630) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The report and packet are also available to view in the file, by contacting the Public Resource Center at DPD:

Mailing Public Resource Center

Address: 700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

The applicants proposed to construct a ten unit townhouse development arranged around a common courtyard easily accessible to all units. The preferred scheme would disburse ten units into four 3-story structures. Parking for 10 vehicles would be provided adjacent to the alley above grade.

PUBLIC COMMENT

At the public Early Design Review Guidance meeting, two members of the public signed in to be a party of record and two members from the public submitted their comments via e-mail. Comments and questions included the following:

- Alley access is most desirable and Scheme "B" seems the most successful with the green roof on top of the carport.
- Vehicle access from the street is not safe and should not be encouraged.
- The proposal's two building masses along Fremont Ave is a preferred option to minimize bulk impacts adjacent to the right-of-way.
- The proposed height of the buildings could have a negative impact on surrounding residential lots; the applicant should consider lowering the height.
- The proposed building's mass will cast shadows on adjacent buildings, and may impact those neighboring properties. The applicant should provide a shadow study that shows the full extent of the proposed development's shadow impacts.
- Parking is in high demand in the neighborhood and the developer should provide parking at a 1.25 car to unit ratio.
- Fremont Lane North (named alley) is in need of improvements including paving the surface, the city should either improved the alley or have a strong maintenance program in place to address the washout effect from a heavily traveled gravel road surface.
- Setback should not compromise fire safety risks when structures are in close proximity property lines.

FINAL RECOMMENDATION MEETING: September 30, 2013

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PUBLIC COMMENT

No members from the public were in attendance to share comments, issues and concerns during the public meeting:

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

EARLY DESIGN GUIDANCE (April 22, 2013):

General Board Comments: The Board expressed their collective opinion that the design team's presentation and Design Review packet was exemplary; the attention to detail in explaining design cues and view perspectives enabled a richer understanding of the proposal. The Board noted that greater clarity/refinement was needed to properly evaluate the Design Review departure request to reduce side setbacks and allow a ten-car carport adjacent to the alley. The addition of a green roof on the carport appears successful in mitigating visual impacts but more detail information is required.

1. Alley:

- a. The Board encouraged the applicant to design the parking to acknowledge the conditions along the named alley. A detailed study of the alley experience should inform the design treatments to mitigate surface parking whether covered or not adjacent to the alley. This documentation should be included in the Recommendation design phase. (A-5, A-8)

- b. The design intent to construct a carport with a green roof adjacent to a building with lower level windows may impede natural light into the units. The applicant needs to demonstrate how these areas would function and how natural light will be impacted into unit windows in this location. (A-8, D-8)
 - c. The alley is much wider than most alleys in the city; it appears to have a multimodal functionality of access. The applicant should demonstrate how the alley is used. The design should relate to the existing conditions in the alley. (A-4, D-8)
- 2. Respect for adjacent sites:**
- a. The Board would like to see a massing that is respectful to the properties to the north and south with spacing and modulations to further provide light and air for the residents across the property line. (A-5, B-1, C-1)
 - b. The Board acknowledged that blank walls do provide a sense of privacy but other techniques need to be employed to reduce the scale of the buildings through modulation and fenestration that takes into account the privacy of the adjacent uses. (A-4, C-3, D-2)
 - c. The Board appreciated the modulated stepped back mass on the east and west elevations. (A-1, C-3)

The applicant was instructed to provide the following at the Design Recommendation meeting:

1. Further demonstrate how locating parking in the rear adjacent to the alley will create an attractive addition to the proposal and maintain safe spaces for pedestrians and vehicles. (A-4, A-8, D-8)
2. Provide additional information about how the alley currently functions from a multimodal perspective and identifying potential impacts of a surface level parking pad. (A-4, A-8, D-8)
3. Provide elevation detail with shadow impacts of the parking structure adjacent east facing units demonstrating natural light impacts into the units. (C-2, D-5)

FINAL RECOMMENDATION (September 30, 2013):

1. General Board Comments

The Board expressed their collective opinion that the design team exceeded expectations in their design response to Board comments from the Early Design Guidance meeting. The Board was pleased with the treatment of alley frontage, execution of building form and how the four buildings integrate on-site and by extension their surroundings, and minimizing bulk impacts with request for setback reductions. The Board noted the execution of the alley frontage is respectful to adjacent properties by treating the alley as if it were a street front. To the west, at the street level along Fremont Avenue, the design language of the area between the front facades and street property line, the Board recommended more vibrant landscaping and subtle attention directed towards reducing the appearance of smooth faced retaining walls surfaces.

2. **Alley: (A-4, A-5, A-8 & D-8)**
 - a. The Board noted that the massing is an appropriate response to Early Design Guidance.
 - b. Secondary scale characteristics such as the materials, window proportions, and removal of 10-car covered parking stalls reflect a thoughtful response to nearby scale and activity.

3. **Respect for adjacent sites: (A-4, A-5, B-1, C-1, C-3 & D-2)**
 - a. The application of materials and building form relates well to its surrounding architectural context.
 - b. Superimposing the adjacent building's fenestration on the elevation renderings revealed privacy was being protected. Modulation of the colored of the panels and material change patterning helped to minimize the appearance of bulk on adjacent lots.
 - c. The exterior colors appear appropriate within context with the surrounding buildings.

4. **Street Level Façade: (A-1, A-2, A-6, D-3, D-12, E-3)**
 - a. The pedestrian pathways and landscaping was a positive component of the building's program, framing Fremont Avenue and should create visual interest to enhance the street level experience.

DESIGN REVIEW GUIDELINES

The Board identified the following Citywide Design Guidelines of highest priority for this project.

The Neighborhood specific guidelines are summarized below. For the full text please visit the [Design Review website](#).

- 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-8 **Parking and Vehicle Access.** Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.
- 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 anticipated development potential of the adjacent zones.
- 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-8 **Treatment of Alleys.** The design of alley entrances should enhance the pedestrian street front.
- 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.

DEVELOPMENT STANDARD DEPARTURES

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

At the time of the Recommendation meeting, four departures were requested:

1. **Side Setback (SMC 23.45.518.A):** The Code requires a 7 feet average, 5 feet minimum setback between a structure and the side property line for a structure with a façade length greater than 40 feet. The applicant proposes to reduce the average to 3 feet 11 inches and

the minimum setback along the north property line to 3 feet 2 inches (bldg. #3); and reduce the average to 3 feet 3 inches and the minimum to 2 feet 6 inches along the south property line (bldg. #2).

This departure provides an overall design that better meets the intent of Design Review Guidelines A-2, A-7, B-1, and D-7 by maintaining privacy and by modulating the setbacks to provide a more sensitive edge to adjacent parcels and allow the proposal's to break down its scale throughout the development site.

The Board unanimously recommended in favor of the departure.

- 2. Separations (SMC 23.45.518.F):** The Code requires a 10 foot setback between principal structures at any two points on different interior facades. The applicant proposes a 6 foot 9 inch separation at the street, widen to 8 feet 8 inches at the courtyard (west set of bldgs. #'s 1 & 2); and an 8 foot 6 inch setback, widen to 10 feet separation between the two buildings adjacent to the alley (bldgs. #'s 3 & 4) along the east property line.

This departure provides an overall design that better meets the intent of Design Review Guidelines A-4, A-7, B-1, and C-2 by creating a well scaled landscaped space and visual interest adjacent to the pedestrian realm.

The Board unanimously recommended in favor of the departure.

- 3. Façade Length (SMC 23.45.527.B):** The Code requires a 65% maximum combined façade length for all portions of facades within 15 feet of a lot line that is neither a rear lot line nor a street or alley lot line. The applicant proposes a façade length of 70.9% (to the north) and 66.8 façade length (to the south) within 15 feet of the side property lines.

This departure provides an overall design that better meets the intent of Design Review Guidelines A-2, A-7, B-1, and D-7 by modulating the massing on all facades reducing the overall visual impact of bulk of the proposed structures and increases its compatibility to surrounding properties. The central courtyard has been increased in sized to better scale the proposed structures to the streetscape, and affords a secondary benefit to better facilitate internal social interactions with a greater sense of openness at the development site.

The Board unanimously recommended in favor of the departure.

- 4. Projection Permitted in All Required Setback and Separations (SMC 23.45.518.H.9):** The Code requires in each required setback or separation, an arbor may be erected with no more than a 40 square foot footprint to a maximum height of 8 feet. In each required setback abutting a street, an arbor over a private pedestrian walkway with no more than 30 square foot footprint may be erected to a maximum height of 8 feet. The applicant proposes to erect a 50 square foot arbor in the building separation area between bldgs. #'s 1 & 2 higher

than 8 feet, erect a 98 square foot arbor in the rear setback, and a 7 foot arbor in the front setback higher than 8 feet.

This departure provides an overall design that better meets the intent of Design Review Guidelines A-1, A-2, A-3, A-4, B-1, and C-2 by developing a language that registers the topography of the site and creates linear breaks related to pedestrian access points. The arbors establish visual cues signaling pedestrian gateways from Fremont Avenue through to the alley.

The Board unanimously recommended in favor of the departure.

BOARD DIRECTION

The recommendation summarized above was based on the design review packet dated April 10, 2013, and the materials shown and verbally described by the applicant at the April 10, 2013 Design Recommendation meeting. After considering the site and context, hearing public comments, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design and departures with the following conditions.

1. The Board recommends that the design should minimize smooth surface retaining walls with punctuated visual interests in its treatment of the materials.
2. The Board recommends that the design should incorporate robust landscaping reflective of the eclectic neighborhood should impart a distinctive presence for each unit with street frontage.