



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development

D. M. Sugimura, Director

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

Application Number: 3006882 (Formerly 2404635)
Applicant Name: Robert Humble, Developer and Project Architect
Address: 1320 East Remington Court

SUMMARY OF PROPOSED ACTION

Land Use Application to establish use for future construction of a three-unit, three-story townhouse structure and a single-family residence. Parking for four vehicles to be provided; two parking spaces at grade and beneath the single-family structure, one space at grade next to these, and one space within one townhouse structure. Existing single-family structure will be removed.

The following approvals are required:

Administrative Design Review - Chapter 23.41 Seattle Municipal Code (SMC)

Design Departures are requested from the following Code sections:

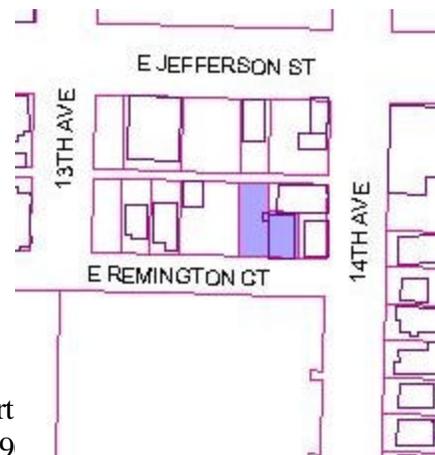
- SMC 23.45.018.B (Parking Access)
- SMC 23.45.011.A (Structure Depth)
- SMC 23.45.016.A and B (Open Space Location and Minimum Dimension)
- SMC 23.45.012.A (Front Façade Modulation)
- SMC 23.45.014.D.2 (Cluster Development Interior Setback)
- SMC 23.45.014.A (Front Setback)

BACKGROUND DATA

Project and Vicinity Description

The project proposes four (4) residential units and four (4) accessory parking spaces. The applicant is requesting design departures from various Land Use Code standards (see Design Departure matrix at end of document). The project has been reviewed administratively since the number of proposed units is below the threshold for Board Design Review.

The project site is located on the north side of East Remington Court between 13th and 14th Avenues East. The site is approximately 4,290 square feet in area and “L” shaped with 66 feet of frontage on East Remington Court but only 32 feet of frontage along the alley. Lot depth is 81 feet between East Remington Court and the alley but only 50 feet between East Remington Court and the adjacent property between the subject property and the alley. The site



is across East Remington Court from the open space area on the northern portion of the King County Juvenile Detention Center, also known as Whale Fin Park. The site topography is primarily flat with an approximately 30-inch retaining wall bisecting the lot into east and west halves. The site currently contains a single story structure with vehicle access from East Remington Court. This structure will be removed.

The zoning for the site and both sides of East Remington Court is Lowrise 3 (L 3). Across the alley to the north the zoning is Neighborhood Commercial 2 with a 40-foot height limit (NC 2-40). To the east across 14th Avenue East the zoning is Single-Family 5000 (SF 5000). The surrounding land uses are a mix of single-family and multi-family structures of various sizes and ages in the L 3 zone and a mix of sizes and ages of commercial structures in the NC 2-40 zone to the north.

ANALYSIS - DESIGN REVIEW

DESIGN GUIDELINE PRIORITIES, ADMINISTRATIVE EARLY DESIGN GUIDANCE JANUARY 18, 2005.

An Early Design Guidance application was made September 9, 2004. DPD identified the following design guidelines from the City of Seattle's "*Design Review: Guidelines for Multifamily and Commercial Buildings*" as having the highest priority for the project:

- A-2 Streetscape Compatibility
- A-4 Human Activity
- A-7 Residential Open Space
- A-8 Parking and Vehicle Access
- C-1 Architectural Context
- C-2 Architectural Concept and Consistency
- C-4 Exterior Finish Materials
- E-2 Landscaping to Enhance the Building and / or Site

Summary of Priority Early Design Guidance

The project design (applicant's preferred Concept One) was directed to respond to the narrow and truly court-like, not traditional street-like, character of Remington Court and to follow the set-back pattern and existing intimate structure-to-sidewalk relationship on Remington Court. For example, front yards (the front set-back area) should be open to the street while still providing resident privacy. Porches and entry stair / stoops should relate to the sidewalk. All elements of the front of the site and structure should foster a visual connection to Whale Fin Park across the street.

The open space proposed relies on *Design Departures* to respond to the unusual lot shape and surrounding urban context. Open space provided at grade should be usable as a personal lingering area for residents, not as a primary area for active recreation, since Whale Fin Park is proposed for that purpose. In fact, more active neighborhood use of the park would help to enliven it and bring safety through activity. Roof-top open space should be truly usable and also allow for a visual neighbor-to-neighborhood connection with the street.

In keeping with the above guidance on the project's relationship to the streetscape, the proposed vehicle access for Unit 3 should provide adequate driveway depth to assure vehicles will not block the sidewalk and should include materials and design elements to create visual interest and soften the "hard-scape" of a traditional driveway surface.

The building design proposed a modern and “edgy” architecture that would fit loosely with the surrounding eclectic context. Toward this end, the design was directed to use high quality materials to assure an appropriate scale and create visual interest. Landscaping should be of a high quality to off-set the reduction in ground related open space.

Design Departure Requests.

During EDG the applicant requested five *Design Departures* from the Land Use Code: Parking Access, Structure Set-Back from the Alley, Structure Set-Back from the Rear Property Line, Open Space at Grade, Open Space Quantity. The specific requests have been modified over the course of project design development. See *Design Departure Matrix* at the end of the document for the current requests.

PUBLIC COMMENT

The 2-week comment period for the Early Design Guidance ended October 19, 2004. A two-week extension was requested November 2, 2004. Two comment letters were received during that time. Comments concerned traffic and parking impacts as follows:

- A concern about traffic congestion in the alley if vehicular alley access is required,
- A concern about traffic congestion on East Remington Court during construction,
- Support for parking access from the alley, and
- No loss of parking spaces on East Remington Court.

ADMINISTRATIVE DESIGN REVIEW MASTER USE PERMIT

SUMMARY OF MUP PROPOSAL

Application for a Master Use Permit was made on May 5, 2005. The project design pursues applicant’s “preferred” Concept One from the Early Design submittal. Three attached units facing East Remington Court (Units 1, 2, and 3), and one detached unit (Unit 4) facing the alley are proposed. The design continues its request for certain *Design Departures*, but includes modifications and new requests, as shown in the *Design Departure* matrix at the end of this document.

PUBLIC COMMENT

No comments were received during the two-week MUP comment period.

DIRECTOR’S ANALYSIS - ADMINISTRATIVE DESIGN REVIEW

The submitted MUP proposal substantially, but not completely, responded to the *Early Design Guidance* outlined above. Consequently, design discussions between the project planner and applicant further refined the proposal to better achieve the intent of the design guidance given.

The project goal is to create a development of three townhouse type structures and one single-family structure that better respond to unique site characteristics and neighborhood development patterns. To achieve this, the final project design requires seven *Design Departures*.

The Director finds that the final proposal responds to the previous design guidance. The street facing structure is sited to continue the street-wall pattern established by neighboring structures but at the same time includes a successful transition between the structure and the sidewalk through a number of elements: the provision of a multipart open space for Units 1 and 2; an interesting and “soft-scaped” driveway area for Unit 3; and a

visually “leading” entry courtyard-like open space for Unit 4. All units will therefore have a usable physical connection to the street.

Street and project human activity will be fostered by the above open space areas and provided building elements. The street facing units will contain prominent main entry doors located at the top of individual unit flights of stairs. Units 1 and 2 will also provide ground level entries to access the front open space areas. The same access directly to the ground level will be available from Unit 3’s garage entry. All three levels of each unit will be extensively glazed for a strong visual connection between the building interiors and the sidewalk and park. The roof open space areas above level 3 will have portions of their parapets open for a similar visual connection.

The open space areas will provide a variety of usable spaces that better meet the strict prescriptive standards of the Land Use Code. The street facing open space for Units 1 and 2 will be divided into two sections with one at sidewalk grade and a second level, connected by a short run of stairs that has access to the unit’s first level interior. Units 1, 2, and 3 will have small open space areas on the unit’s north side to provide an outdoor area accessible to the rear facing living areas of each unit. These three units will also have roof level open spaces of 310, 310, and 415 sf respectively. Unit 4, the alley fronting rear unit and structure, will have all open space at grade accessible to its south-side and having frontage on Remington Court for a street-scape supportive connection.

The street vehicle access for Unit 3 proposes a driveway entry that in conjunction with the unit’s entry stairs and landscaping will avoid the typical visual vehicle impacts on the street-scape. Parking for Units 1 and 4 will be provided at grade beneath Unit 4 and for Unit 2 at grade next to Unit 4 respectively.

The project design proposes a modern expression of exposed concrete, standing and flat steel siding and extensive south facing large aluminum framed windows. The street facing units will be sided predominately with standing seam steel, while the alley facing unit will be a contrast of predominately flat steel siding. All units are flat roofed with the street facing structures (Units 1, 2, and 3) having a flat roofed penthouses for the roof access stairs. Each penthouse roof will have a wide eave over the stairway entry. Units 1, 2 and 4 will have large skylights for natural light penetration into the building interiors. The sides and rear of all units will have smaller and fewer windows where visual conflict could occur with adjacent structures. Proposed landscaping for the entire project will provide the visual softening and breaks between the various built elements and the street.

DESIGN DEPARTURE REQUESTS AND ANALYSIS

SUMMARY OF DEPARTURE REQUESTS

<i>Land Use Code Standard</i>	<i>Proposed Departure</i>	<i>Rationale for Request</i>	<i>DPD Response</i>
Parking Access. Alley access is required when the site abuts an alley and the Director determines that alley access is feasible and desirable to mitigate parking access impacts (SMC 23.45.018).	To allow one curb cut and street access for one townhouse facing East Remington Court.	The lot shape and dimensions makes vehicular alley access for the eastern most portion of the site difficult when trying to provide predominately ground related housing and associated open space. A curb cut exists in this location with little impact on the street. The new structure design would improve on the current curb	The Director finds that the final design responds to the design guidance and will result in a superior project design than if approved without this departure. The departure request is approved.

<i>Land Use Code Standard</i>	<i>Proposed Departure</i>	<i>Rationale for Request</i>	<i>DPD Response</i>
		cut / streetscape interaction.	(Guidelines A-2, A-8)
Structure Depth. A maximum of 65% of lot depth. Although the lot's greatest depth is 81 feet, it is an unusual "L" shape and thus calculated as 65 feet. Structure depth is calculated to include separate structures if one is behind the other and less than 10 feet apart. A structure depth of 42.25 feet is allowed here (SMC 23.45.11.A)	Allow a (combined) structure depth of 53 feet.	The already unusually shallow lot is functionally reduced to 65 feet in depth, rendering flexibility in building design difficult. The proposed average side setbacks are greater than required, thus causing no impacts to abutting side properties. The lot abuts an NC2-40 zone across the alley.	The Director finds that the final design responds to the design guidance and will result in a superior project design than without this departure. The departure request is approved. (Guidelines C-1, C-2)
Open Space Location. Ground Related and Single-Family Structures: An average of 300 sf of ground level open space per unit with no unit having less than 200 sf. (SMC 23.45.016.A) A total of 1,200 sf of ground level open space is required.	Provide open space for Units 1, 2, and 3 both on the ground and on individual roof tops. Units 1 and 2 will have 270 and 275 sf of ground level open space and thereby exceed the 200 sf minimum Unit 3 will have 165 sf at ground level. Unit 4 will have 410 sf. In combination with the roof top open space for Units 1, 2, and 3 total area will be 2,155 sf with an average of 538 sf.	The unusually shaped lot and the location across from a large park and open space makes the provision of the required amount of ground related open space difficult and unnecessary. The open space at grade in front of Units 1 and 2 will provide a location for outside interaction between the property and the sidewalk. The grass-crete driveway area for Unit 3 will do the same. Units 1, 2 and 3 will have additional ground level open space in the rear. The roof top open space will provide maximum solar exposure and territorial views.	The Director finds that the final open space design responds to the design guidance and will result in a superior project design. The departure request is approved. (Guideline A-7)
Open Space Minimum Dimension. Open space is not required in one contiguous area but no individual area may be less than 120 square feet and no horizontal dimension may be less than 10 feet. (SMC 23.45.016.B.1.c.1)	Ground level open space for Units 1 and 2 will be in the front and rear. The rear locations will have less than 120 sf (approximately 100 sf each) and a 6-foot minimum dimension. Ground level open space for Unit 3 (165 sf) will be in	The unusually shaped lot makes the provision of the required open space dimensions difficult. The roof top open space, ground level open space in the front of Units 1 and 2, and the open space across the street will provide sufficient open space. The under-sized open spaces areas, however, will provide an area for light and air at the rear of the units.	The Director finds that the final design responds to the design guidance and will result in a superior project design than without this departure. The departure request is approved. (Guideline A-7)

<i>Land Use Code Standard</i>	<i>Proposed Departure</i>	<i>Rationale for Request</i>	<i>DPD Response</i>
	the rear have an 8-foot dimension.		
Front Façade Modulation. Front facades exceeding 40- feet in width shall be modulated. (SMC 23.45.011.A)	Provide no modulation as defined by Code.	The intent of this requirement is to reduce the apparent bulk of a long façade and differentiate one unit from another. The façade will achieve the intent of the modulation requirement by the inclusion of the large front stairways, narrow unit widths, and extensive glazing.	The Director finds that the final design responds to the design guidance and will result in a superior project design than without this departure. The departure request is approved. (Guidelines A-2, C-1, C-2)
Cluster Development Interior Set-Back. A minimum 10-foot distance between the alley facing structure and Unit 1 is required. (SMC 23.45.014.D)	Provide a 6-foot separation.	The constrained and unusually shaped site makes a 10-foot separation difficult to provide. Reducing the setback to 6-feet maintains the required rear setback (a former departure request), allows adequate vehicle maneuvering and reduces the impact of future NC development to the north on the single-family structure. Additionally, the side façade design for both structures reduces the apparent bulk of the two structures.	The Director finds that the final design responds to the design guidance and will result in a superior project design than without this departure. The departure request is approved. (Guideline C-1)
Front Set-Back. Stairs may project into a front set-back but must be a minimum of 8-feet from the property line. Stairs less than 18 inches above grade are discounted. The averaged front setback is 12 feet. (SMC 23.45.014.F.3)	Stairs for Units 1, 2, and 3 and above 18-inches would be located 5 feet from the property line.	The previously outlined site constraints and desire to use the stairs as a modulation element are the rationale for extending the stairs closer than 8 feet to the property line.	The Director finds that the final design responds to the design guidance and will result in a superior project design than without this departure. The departure request is approved. (Guidelines A-2, A-4)

DECISION - DESIGN REVIEW

Based on the project plans dated January 10, 2007 and the analysis above, the Director grants the Departures as requested and **CONDITIONALLY APPROVES** the proposed design along with the *non-appealable, building permit, and pre-Certificate of Occupancy* conditions below.

DESIGN REVIEW CONDITIONS

Non-Appealable Design Review Conditions

1. Any proposed changes to the exterior of the buildings or the site must be submitted to DPD for review and approval by the Land Use Planner (Art Pederson, 733-9074).
2. The building constructed shall comply with all images and text on the MUP drawings, design review guidelines and approved design features and elements (including exterior materials and landscaping). This shall be verified by the DPD planner assigned to this project (Art Pederson, 733-9074), or by the Design Review Manager, before the issuance of the Certificate of

Occupancy. 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.

3. Embed all conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.
4. Embed MUP approved colored building elevations and site and landscape plans from issued MUP plan sets into all subsequent building permit plans.

Prior to Issuance of the MUP Permit

5. Insert the above Departure Table in the "Departures Sought" section of Sheet A 1.0. Call out all departures on relevant MUP sheets.

Prior to Issuance of the Building Permit

6. The design shown in the building permit plans must be reviewed and approved by the project design review planner to verify conformance with the approved MUP design.

Signature: (signature on file) Date: May 17, 2007

Art Pederson, Land Use Planner
Department of Planning and Development