



City of Seattle

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: 3001672
Applicant Name: Thomas Eanes of Hewitt Architecture for Seattle Housing Authority
Address of Proposal: 12536 33rd Avenue Northeast

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a four-story low-income, 86-unit apartment building (Seattle Housing Authority). Parking for 90 vehicles to be provided below grade. Project includes 22,000 cu. yds. of grading. Existing structures to be demolished. Determination of Non-Significance prepared by the Seattle Housing Authority.*

*Note: The project description has been revised from the following original notice of application: Land Use Application to allow a four-story low-income, 86-unit apartment building (Seattle Housing Authority). Parking for 90 vehicles to be provided below grade. Project includes 8,500 cu. yds. of grading. Existing structures to be demolished. Determination of Non-Significance prepared by the Seattle Housing Authority.

The following approvals are required:

Design Review – (Chapter 23.41, Seattle Municipal Code) with the following Development Standard Departures:

1. Structure Setback – To allow a residential structure to extend into the setback from a rear lot line that abuts a residential zone (SMC 23.47A.014.B.3).
2. Structure Setback – To allow a residential structure’s eaves to extend more than 18” into the required setback (SMC 23.47A.014.E.2).

SEPA - Environmental Determination – (Chapter 25.05, Seattle Municipal Code).

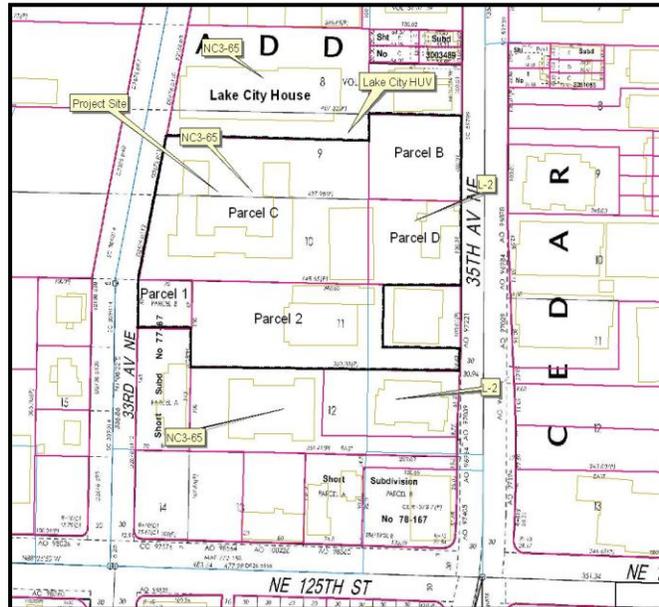
SEPA DETERMINATION: Exempt ¹ DNS MDNS EIS
 DNS with conditions
 DNS involving non exempt grading or demolition or involving another agency with jurisdiction.

¹SEPA Determination of Non-Significance issued by Seattle Housing Authority on July 1, 2009.

BACKGROUND INFORMATION

Site and Vicinity Description

The site is located at 12536 33rd Avenue Northeast. This approximately 102,548 square foot (sq. ft.) site is a lot with frontage along the east side of 33rd Avenue Northeast and the west side of 35th Avenue Northeast. The site is a split-zoned property located within both the Neighborhood Commercial 3 (NC3-65') and the Lowrise (L-2) zones. The proposal site (comprised of several tax parcels identified as Parcels 1, 2, B, C and D) is currently occupied by a one-story concrete retail building (formerly the Salvation Army Thrift Store); a two-story single family residence; a one-story triplex building; and surface parking areas. Part of the site was originally developed by the Seattle Housing Authority (SHA) with sixteen townhomes, referred to as "Lake City Village" (see "u-shaped" building outline on Parcel C). These townhomes were demolished eight years ago as a result of recurring flooding on the site.



For illustrative purposes only

The subject property is currently accessed via both 33rd Avenue Northeast and 35th Avenue Northeast. 35th Avenue Northeast is classified as a Secondary Arterial street, pursuant to SMC Chapter 23.53 with a total of two lanes of traffic—one lane of traffic running north and one lane running east. This street is partially improved with curbs, sidewalks and gutters on alternating sides of the street. 33rd Avenue Northeast is a non-arterial street, improved with curbs, sidewalks, gutters and street trees on both sides of the street.

The site is modestly vegetated with mature trees, shrubs and grass cover throughout most of the site. The topography of the western half of the site is generally flat with an upward sloping condition beginning in the middle of the site towards 35th Avenue Northeast resulting in a 19' grade change occurring along the site's northeasterly boundary line. A portion of this site has been identified as Environmentally Critical Area (ECA)-Steep Slope. The applicant has been granted a limited ECA exemption from ECA steep slope development standards for all work associated with this project (#3006340) but ECA review is still required for the building permit application(s). During the review of this application, the DPD Senior Ecologist has granted an ECA exemption for the Riparian Management Area. Per the DPD Senior Ecologist, the creek is located in a pipe and is not by definition a Riparian Corridor.

Surrounding property is zoned NC3-65' north and south of the subject property. C1-65' zoning is west of the subject site and L-2 is the sole zoning designation east of the proposal. Existing development near the site includes multifamily housing to the east; apartments and a medical office to the south; medical offices and retail to the west; and a seven-story elderly housing building (Lake City House) and apartments are north of the subject proposal.

Proposal

This proposal is the first phase of a phased multifamily housing development proposed by the Seattle Housing Authority (SHA). Specifically, the proposed redevelopment of the site involves the construction of one four-story building consisting of 88 low-income residential units. The existing structures (retail building, single family residence and triplex) will be demolished.

Accessory parking for 90 vehicles is proposed within a basement parking garage. Vehicular access to the proposed below grade garage will occur via a private access drive (ingress/egress easement) that partially extends onto the neighboring SHA-owned property (Lake City House) immediately south of the project site. Entrances to the proposed private driveway abut both 33rd Avenue Northeast and 35th Avenue Northeast.

Grading of approximately 22,000 cubic yards (cu. yds.) of material is anticipated to occur during the removal of debris, construction of the foundation of the residential building and its' partially below-grade parking garage.

Construction of the buildings and poor health status determinations necessitate the removal of several mature trees. Approximately 63 trees are planned to be planted throughout the property. Landscaping enhancements inclusive of plantings, shrubs and groundcovers are also proposed. Site improvements including new pedestrian pathways, rain gardens, barbeque area, playground area, community gardens and bike racks are included with this proposal.

Public Comments

Five members of the community attended the Early Design Guidance (EDG) meeting held on April 6, 2009. Public comments focused on the following issues:

- A Lake City House resident voiced support of the project. This same person explained that the residents currently experience exhaust fumes from idling Access vans near the Lake City House south main entrance. She encouraged the design team to find a creative way to address this issue.
- A neighboring commercial property owner commented on the increased level of crime activity that he has observed and experienced in the past year. He encouraged the incorporation of preventative security measures in the design.
- The neighbor, whose residential property (apartment building) is situated between the SHA property lines abutting 35th Avenue Northeast (Parcel D and Parcel 2) and the future market-rate site, cited concerns related to impacts associated with the future secondary vehicular access from 35th Avenue Northeast, parking location and impacts to their future property values. This neighbor also asked if the proposal would accommodate onsite parking.
- An additional Lake City House resident complemented the design of the proposal. This same resident commented that most of the on-street parking on 33rd Avenue Northeast is being utilized by residents and visitors associated with the apartment complex north of

the site (Solara Apartments @ 12724 Lake City Way Northeast). As a result, the Family Housing staff and caregivers serving Lake City House residents currently park at the visitor's surface parking area situated on the proposal site. Concern was voiced that the Lake City House building's surface parking area would not be able to accommodate parking for the residents, staff, visitors and healthcare providers once the future proposal is built.

One member of the community attended the Recommendation meeting held on October 5, 2009. Public comment focused on the following item:

- Comment that the outcome of project team's design response to the design guidelines had created a very interesting design.

The SEPA public comment period for this project ended September 16, 2009. DPD received one written comment from a neighbor requesting that the comment period be extended an additional two weeks and one written comment from an anonymous person concerning construction noise.

ANALYSIS - DESIGN REVIEW

Design Guidance

At the Early Design Guidance (EDG) Meeting, the architect's presentation focused on three code complying project options or schemes, all of which included a combination of residential apartments and ground-related units in structures ranging from two stories to a maximum five stories in height with below-grade basement parking. Main vehicular access to the basement parking garage was proposed via an existing driveway that extends from 33rd Avenue Northeast to 35th Avenue Northeast. A secondary vehicle access driveway commencing from 35th Avenue Northeast was also being explored. The alternative massing diagrams were distinguished by the arrangement of the ground-related units with the apartment buildings; orientation of the residential entries, open space and play areas; how the proposed residential development relates to the Lake City House, future phased residential housing to the east and potential neighboring park site; varying roof forms; and the proximity of the development to the existing storm drainage line that traverses across the western area of the site.

The first scheme (Option A) was a cluster development consisting of two building masses; one two-story fourteen unit ground-related residential building and one "L-shaped" two-to-five-story seventy-two unit apartment building with a basement parking garage. This scheme illustrated several residential entries along the east and west facades of the ground related residential building and two main residential entries along the western facades of the "L-shaped" apartment building. A central open space oriented towards Lake City House and significant open space/play areas situated towards 33rd Avenue Northeast creating a visual extension of the potential park were shown. Another characteristic of this scheme was that the taller building elements are situated closer to the NC3-65' zoning edge where the grade is at a higher elevation.

The second scheme (Option C) included a development consisting of two parallel building masses; one four-to-five story fifty-two unit apartment building and one three-to-four story forty-four unit apartment building. This scheme illustrated residential entries more centrally located on the site and open space centrally oriented towards 33rd Avenue Northeast and the future market-rate development abutting 35th Avenue Northeast. Also, similar to the first scheme,

considerable open space and play areas were towards 33rd Avenue Northeast and allowed for a visual connection to the future park area. Both proposed buildings were situated away from the buried storm drain pipe area. The applicant explained the placement of northernmost structure created a “street-like relationship to the existing Lake City House complex”.

The third scheme (Option E-preferred scheme) showed two building masses connected by a narrow elevated enclosed corridor bridge creating one “crescent-shaped” two-to-five story eighty-six unit apartment building. The canted orientation of the northwest wing opened Lake City House to 33rd Avenue Northeast. This scheme illustrated residential entries oriented to a central courtyard and significant open space within the courtyard and play areas oriented towards 33rd Avenue Northeast. The entire building mass was situated away from the buried storm drain pipe area. The architect presented the third scheme (Option E) as the preferred scheme because, per the applicant, it encompassed the desired combination of design characteristics and met the identified urban and environmental objectives including:

- Formalization of a mid-block pedestrian connection to allow extension of the existing informal system of mid-block pedestrian connections in the neighborhood; enhancement of 33rd Avenue Northeast as a significant north-south pedestrian connection in the neighborhood; and
- Improvement of the quantity and quality of stormwater runoff from the site.

At the EDG meeting, the Board was supportive of Option E because of its sensitivity to the less intensive zone to the east (L-2) and its scale compatibility towards 33rd Avenue Northeast by providing a wide vegetated setback from the easterly zoning edge and terraced rooflines. Also the Board stated the preferred design more adequately addressed the public spaces and had more gravity as one structure in comparison to the other schemes presented at the meeting. The Board did voice concern with the experience of the roof view from inside the residential units of the building and with the length and expansiveness of the building’s easternmost façade. Therefore, the Board requested to review a scheme that addressed the enhancement of visible roof surfaces and breaks down the scale of the building façade that abuts the L-2 zoning edge. No departures from the Code development standards were proposed at the EDG meeting.

At the Recommendation meeting, the project architect team presented site analysis, floor plans, landscaping details, elevation sketches, street-level vignettes, color board and material samples for the Board’s consideration. The design presented at this meeting was most similar to the applicant’s preferred scheme, Option E: two building masses connected by an elevated corridor bridge situated away from the buried storm drain pipe area. The design had been altered from a “crescent-shaped two-to-five story structure” to represent a four-story with basement, “H-shaped” residential building. Vehicular access will be from both 33rd Avenue Northeast and 35th Avenue Northeast via an ingress/egress shared easement to a ninety stall parking garage. The design team altered the proposal to no longer include a secondary vehicle access from 35th Avenue Northeast. Alternatively, this existing driveway will serve as a gated emergency fire access.

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment at the April 6, 2009 EDG meeting, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those siting and design guidelines found in the City of Seattle’s “*Design Review*”:

Guidelines for Multifamily and Commercial Buildings” and “North District/Lake City Neighborhoods Design Guidelines” of highest priority to this project.

A summary of the citywide design guideline priorities is provided and followed by any neighborhood specific guidance. Some neighborhood specific guidance is not applicable due to location of this site or project type, and only applicable excerpts are provided. Please refer to the North District/Lake City Neighborhood design guideline documents for the full text. To assist in this endeavor the following highlights the supplemental guidelines by applicable sub-area within the North District/Lake City Neighborhood Design Guidelines:

| Citywide Guidelines | Design | North District/Lake City Area | Hub Urban Village Area | North/South Streets (33 rd Avenue Northeast) | Natural Areas |
|--------------------------------------|--------|-------------------------------|------------------------|---|---------------|
| A-Site Planning | | A-5, A-8 | A-3, A-4, A-5, A-10 | A-4 | A-1 |
| B-Height Bulk & Scale | | B-1 | B-1 | | |
| C-Architectural Elements & Materials | | C-4 | C-2, C-3, C-4 | C-1 | |
| D-Pedestrian Environment | | D-4 | D-1 | D-1 | D-1 |
| E-Landscaping | | E-1, E-2, E-3 | | E-2 | E-1 |

(Note: This proposal is within the North Neighborhood Planning Area and Hub Urban Village; has natural areas; and abuts a North/South Street (33rd Street) as described in the North District/Lake City design guidelines.)

EDG guidance by the Board appears after the bold guidelines text and the recommendations from the Final Recommendation meeting October 5, 2009 follow in **bold** text.

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| A. Site Planning (Review the North District/Lake City design guidelines for full text.) |
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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.

North District/Lake City design Guideline (augmenting A-1)

- *New site development and structures should use sustainable building practices that reuse and retain surface water runoff on-site to recharge groundwater and reduce pollution before it enters the creek to improve the quality of the creek and the health of wildlife.*

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the street.

North District/Lake City design Guideline (augmenting A-3)

- *Clearly indicate main entries to new commercial and multiple family residential buildings through design, material changes, lighting and street visibility.*

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.

North District/Lake City design Guideline (augmenting A-5)

- *Avoid locating exterior lights above the ground floor on the sides of structures facing residential uses.*

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 to properties and pedestrian safety.

North District/Lake City design Guideline (augmenting A-8)

“Cut through” traffic—coming from outside the neighborhood and driving on residential streets to reach a destination outside the neighborhood—is a significant concern to residents. Consider the following:

- *Vehicular traffic of the new development should ingress and egress toward the more intensive zoned area and not the lesser zoned area.*

The Board emphasized the importance of developing a respectful and consistent relationship of the overall massing and design of the development to the future pedestrian environment and general pattern of development in the neighborhood. The Board acknowledged the design challenge of relating the west-facing building facades to the street (33rd Avenue Northeast) and distinguishing the residential entries to make them as visible from the street as possible. At the next meeting, the Board expects to review a design that includes the development of a hierarchy of residential entrances and methods used (i.e. signage, architecture) to achieve delineation of those entrances.

The Board needs to more clearly understand how the future design will relate to the Lake City House, neighboring properties and the potential future City park. The Board requests enlarged site sections and shadow studies be provided at the next meeting to address this request.

The board was excited to learn about the varied residential open spaces-play areas, pea patch, barbeque area and terraces. However, the Board agreed that securing the play areas and privacy of ground floor open areas is very important and will be a design challenge. The Board looks forward to reviewing a high-quality well programmed and well landscaped open space design that will appropriately meet the needs of the residents and be secure. The Board requests a phase I schematic landscape plan be presented at the recommendation meeting.

The Board stated the design should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent to properties and pedestrian safety. The Board is suspicious that the secondary access point from 35th Avenue Northeast will not be realized. The Board liked the implied differentiation of materials on the curb and cites that as an important feature. The Board discussed the concern related to removal of the visitor's/staff parking area serving the Lake City House residents. The Board acknowledged the design, as the presenter alluded to in his presentation, incorporating visitor parking just off of the entry which is currently shown as landscaped area on the site plan. However, the Board felt that doesn't solve issues related to staff parking needs. The Board suggested exploration of shared parking and reserved parking methods to address this concern. Ultimately, the Board wants to review details as to how the parking function between the two properties is resolved at the next meeting. Details related to

the drop-off parking areas (location, signage and amount) should also be identified at the next meeting.

At the Recommendation meeting, the design presented a building configuration that situates the main building entrance closer to 33rd Avenue Northeast and closer to the proposed breezeway leading from Lake City House. The building shape creates two differing courtyard environments: the westernmost area being a public entry court and the easternmost area becoming more private with limited public accessibility. The landscape design articulated further refinement of the following planned open space areas: playground, vegetable gardens (Department of Neighborhoods (DON) Pea-Patch), barbeque area, ground-related trellised patios/decks and two courtyards.

Vehicular access occurs via a shared ingress/egress driveway situated between the SHA-owned properties extending between 33rd and 35th Avenue Northeast. The updated design includes a basement floor plan and a site plan identifying parking stalls contained in the parking garage and a surface parking area situated along a southerly portion of the site's drive. The sole entrance/exit ramp to the garage is orientated such to direct traffic to/from 33rd Avenue Northeast. The applicant clarified that the proposed parking areas are reserved for the future residents onsite and SHA staff, with surface parking areas intended for short-term parking needs (deliveries, load/unload, etc.). No parking is proposed for private service providers serving Lake City House residents on the proposal site. The applicant further explained that SHA plans to monitor onsite parking concerns after the proposal is operational and would consider informal shared parking opportunities between the two neighboring SHA-owned properties in the future.

The Board was very pleased with the applicant's response to their guidance related to the creation of more distinguishable residential entrances and agreed that the new building configuration more clearly defines the 33rd Avenue Northeast street front and establishes a strong presence as the street/sidewalk edge. The Board was very supportive of the proposed residential outdoor residential amenity areas. The Board agreed that this would allow future residents maximum utilization and create a sense of community between the neighboring residential properties. (See Also B-1, D-1, D-12 and E-2)

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| B. Height, Bulk and Scale (Review the North District/Lake City design guidelines for full text.) |
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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.

North District/Lake City design Guideline (augmenting B-1)

Consider the following when a sensitive edge condition calls for design methods to provide a positive transition:

- *Varying color, texture and materials to break up the potential monolithic character of a large structure; perhaps create more of a townhouse look facing the lower-intensity residential neighborhood.*

- *Articulating the building façades vertically or horizontally in intervals that respond to the existing structures or platting pattern in the vicinity.*
- *Consider stepping back upper stories to maintain scale compatibility, provide for light and air on streets and avoid a canyon effect for structures in 65-foot and higher zones.*
- *Where there are zone edges between commercial and residential parcels, a vegetated buffer is encouraged between the differing zones. This, along with street trees and wider sidewalks, will be critical to creating the transition desired by the community that will make increased heights and densities compatible with surrounding areas.*

The proposed massing configurations were discussed at length by the Board. The Board debated the merits of the three schemes and which scheme would provide a sensitive transition to the near-by less intensive zoning edge and to the street; and appropriately differentiate between the future public and private community spaces. The Board agreed that the applicant's preferred massing option (Option E) seems to be the best option because of its sensitivity to the less intensive zone to the east (L-2) and its scale compatibility towards 33rd Avenue Northeast by providing a wide vegetated setback from the easterly zoning edge and terraced rooflines. Also the Board stated the preferred design more adequately addresses the public spaces and has more gravity as one structure in comparison to the other schemes presented at the meeting.

The Board voiced concern with the experience of the roof view from inside the residential units of the building. The Board suspects that if the design includes torch-down roof surfaces and visible mechanical equipment (i.e. plumbing stacks) instead of green roofs, it will be an unpleasant experience for the residents whose immediate views look directly onto the roofs. The Board believes the design should resolve this issue in an elegant fashion. Thus, the Board would like to review a design that addresses the enhancement of visible roof surfaces. Details related to roof surface materials and roof plans must be provided at the next meeting.

The Board also voiced concern with the length and expansiveness of the building's easternmost façade even though this façade is setback a substantial distance (more than 120') from the site's easternmost property line. The Board stated it would like to review a design that breaks down the scale of the building façade that abuts the L-2 zoning edge. The Board suggested modulation, differentiation of the upper floors and architectural treatment as possible methods to achieve this guidance. A site section and building elevations highlighting how this is achieved should be presented at the next meeting.

At the Recommendation meeting, the preferred design massing had been revised to an "H-shaped" building with floor plans illustrating the main building entrance, circulation core and common facilities located in the center of the building. The visibility of roof surfaces and rooftop mechanical equipment from inside the residential units has been substantially minimized due to the massing reconfiguration, removal of terraced rooflines and the containment of equipment within a rooftop mechanical penthouse. The lower roofs, visible by residents, are planned to be standing seam metal. Additionally, equipment not housed in the mechanical penthouse will be screened by a pitched roofed trellised structure designed to house roof-mounted solar collectors.

The Board voiced strong support for the revised design and agreed that this massing option appropriately addresses the Board’s concerns and the design guidance. (See Also C-2)

**C. Architectural Elements and Materials
(Review the North District/Lake City design guidelines for full text.)**

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 concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its façade walls.

North District/Lake City design Guideline (augmenting C-2)

The proper articulation of a building’s façade should add to the quality and variety of Lake City’s Hub Urban Village architecture.

- *Establish a building’s overall appearance based on a clear set of proportions. A building should exhibit a sense of order.*
- *Employ a hierarchy of vertical and horizontal elements. Use materials to unify the building as a whole. Façade articulation should reflect changes in building form and function, from the base, to the middle, to the top. Vertical lines should be carried to the base of a building.*
- *Provide a clear pattern of building openings. The pattern of windows and doors should unify a building’s street wall—not detract from it—and add to a façade’s three-dimensional quality. Recessed windows are encouraged to create shadow lines and further promote three-dimensional expression.*
- *Large expanses of blank walls should be avoided.*

C-3 Human Scale

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

North District/Lake City design Guideline (augmenting C-3)

- *Use façade treatments and changes in materials to distinguish the ground level of a building from the upper levels, especially where a building orients to the street and/or defines public space.*

C-4 Exterior Finish Materials

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

North District/Lake City design Guideline (augmenting C-4)

Design signs that are appropriate for the pedestrian scale and character that is envisioned for the area. Signs should be oriented and scaled for both pedestrians on sidewalks and persons in vehicles on streets within the immediate neighborhood.

Use materials, colors and details to unify a building’s appearance; buildings and structures should be built of compatible materials on all sides. Consider limiting the number of materials and colors used on the exterior of an individual building so that there is visual simplicity and harmony. If intense color is used it should only be used as an accent in a carefully executed and balanced color scheme. Buildings sided primarily in metal are discouraged. Design architectural features that are an integral part of the building. Avoid ornamentation and features that appear “tacked-on” or artificially thin.

The Board did not highlight a single architectural expression to develop given the varied collection of buildings in the vicinity. Rather the Board encouraged innovative residential design that is cohesive, achieves a good human scale and is applied evenly throughout the building.

No future building materials were presented during the meeting. However, the Board looks forward to reviewing a more detailed, high quality materials and color board at the next meeting.

At the Recommendation meeting, the design included a hierarchy of vertical and horizontal elements. The materials proposed for the residential building base and bays include fiber cement flat panel siding with vertical wood battens; upper levels consisting of horizontal fiber cement lap siding; and residential vinyl windows. The design includes a dark brown color at the base; upper levels predominately a light tan color and varying complimentary hues of brown on the bays and surrounding the windows.

The Board was extremely pleased with the quality of the building materials presented. The Board was also pleased with the incorporation of sustainable features such as the solar panels and rain gardens that not only will enhance the energy conservation qualities of the building but also be interesting and an architectural feature as well. (See Also A-1)

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| D. Pedestrian Environment (Review the North District/Lake City design guidelines for full text.) |
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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.

North District/Lake City design Guideline (augmenting D-1)

- *Plazas and vegetated setbacks should be considered on sites located immediately across from and adjacent to natural drainage areas including Thornton Creek.*
- *Appropriate lighting, including at-grade lights, should be considered to help ensure safe pedestrian areas.*
- *Encourage a new development(s) to provide an open space pedestrian passageway, safe for pedestrians and secure for site tenants, which connects 33rd Avenue Northeast to 35th Avenue Northeast; and, 33rd Avenue Northeast to Lake City Way, preferably near Northeast 127th Street.*
- *Create visual interest in the block, building-faces or walls by adding small pedestrian indentations for seating and outdoor eating.*
- *New development is encouraged to support development of a new park mid-block to offset anticipated increases in low-income and affordable housing.*

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 higher retaining walls are unavoidable, they should be designed to

reduce their impact on pedestrian comfort and to increase the visual interest along the streetscapes.

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.

North District/Lake City design Guideline (augmenting D-4)

- *As sites with large surface parking areas, such as auto dealerships, are redeveloped, consider locating parking under, beside or behind new structures.*

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.

D-12 Residential Entries and Transitions

For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.

The Board strongly agreed that the applicant should create a positive pedestrian experience along 33rd Avenue Northeast; along 35th Avenue Northeast; the pedestrian passageway (mid-block connector) between 33rd Avenue Northeast and 35th Avenue Northeast; and through the courtyard/play areas. The Board commented that the access drive is serving many functions for vehicular usage and the pedestrian experience hasn't been given as much attention. Therefore, the Board wants to review a design that celebrates the pedestrian experience along the mid-block connector and highlights the pedestrian access points throughout the play areas and public gathering spaces as well. The Board would like to see grade-level vignettes and site sections showing the design character of the east-west pedestrian passageway, along 33rd and 35th Avenue Northeast, and through the play/courtyard/community space areas. The Board expects to see a description explaining how pedestrians will be able to differentiate between public and private spaces occur along these paths.

The trash collection area should be enclosed and screened in an architectural form reflective of the development and not intrusive to pedestrians. The Board recognizes that continual containment of trash collection areas onto the private property it serves is not being practiced in the immediate neighborhood. The Board understands, based on neighbors' comments heard at past design review meetings related to the neighboring commercial-residential development (12730 33rd Avenue Northeast), the Solara Apartment property is not containing their trash collection areas onto their site-specifically, trash dumpsters are being continuously situated on the street (33rd Avenue Northeast). The board wants reassurance that this guideline is adequately addressed with this proposal. Therefore the Board wants program details as to how the trash collection will occur (i.e. trash collection days, dumpster containers, collection pick-up location);

as well as, details of the proposed location of the trash collection area and screening to be provided at the next meeting.

The Board felt that opportunities for enhancing personal safety and security within the play areas, courtyard and surrounding neighboring properties should be sought as part of this proposal. The Board also stated that providing high visibility of residential entries and building identity is priority. Therefore, the Board specifically requested signage and lighting concepts be developed and presented at the next meeting.

At the Recommendation meeting, the architect presented grade-level vignettes, site sections, site plan and elevation views illustrating the pedestrian experience along the east-west mid-block connector, along 33rd and 35th Avenue Northeast and throughout the play/courtyard/community space areas. The design shows a continuous sidewalk with ADA accessible features (ramps with handrails and landings) extending the length of the connector. A raised crosswalk with flush curb was shown at the intersection between the Lake City House and Lake City Village building entries situated across the private drive. Large specimen trees situated among seating walls distinguished the main entry points into the proposed structure. Porous concrete paving or specialty pavers will be used in conjunction with lighting at the seating elements to provide a sense of entry and transition from the public street. Pathways will be a combination of concrete, porous concrete, gravel or pavers.

The Board reviewed a conceptual lighting and signage plan that show bollards, vehicular and pedestrian lighting, directory/monument signage along the connector, residential entries and pathways. The Board was very complimentary of the design elements incorporated throughout the proposal that assists in enhancing the pedestrian experience, providing personal safety and distinguishing residential entries.

The floor plans presented at the meeting identified a trash collection area within the northeast portion of the structure's ground floor. The applicant explained that the pickup location and arrangement has been designed to accommodate the weekly collection of trash and recycling containers at the access driveway opposite the collection room. The Board agreed that enclosed trash collection area and program is appropriate. (See Also A-3, A-5, A-6 and A-7)

| |
|--|
| E. Landscaping (Review the North District/Lake City design guidelines for full text.) |
|--|

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.

North District/Lake City design Guideline (augmenting E-2)

- *Use landscaping to further define and provide scale for open space. Lush plants, warm materials and pleasing details are encouraged. Retain existing mature trees wherever possible.*
- *Use lighting to emphasize landscaping where appropriate.*

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.

North District/Lake City design Guideline (augmenting E-3)

The landscape design should attempt to re-inject into the ground water resource the run-off from buildings, sidewalks, streets, parking lots and large paved areas by using surfaces which allow filtration, grassy swales or other types of water runoff courses, landscaped detention areas or permeable detention vaults and other associated treatments to filter run-off and retain it.

Landscaping should enhance the design, by creating a transition from the street/public areas, softening edge conditions, taking advantage of natural areas and by helping create a green streetscape. The Board liked the conceptual landscape plan presented at the meeting and looks forward to reviewing a more detailed schematic landscape plan that includes landscaping and screening along the property lines, open space areas (courtyards, patios, play areas, etc.), the future market-rate residential area (Parcels B and D), the mid-block pedestrian passageway and at residential entries. The plan should also include details regarding the preservation of the existing trees, as well as trees that may be deemed exceptional per the City of Seattle Tree Ordinance.

The Board encourages continued coordination with DPD and Seattle Department of Transportation (SDOT) regarding potential improvements along both 33rd Avenue Northeast and 35th Avenue Northeast (street trees); and consultation with Parks regarding their possible acquisition of the property (12510 33rd Avenue Northeast) immediately southwest of the site to allow the creation of a public park.

At the Recommendation meeting, the landscape design included ground-level open spaces along the property lines; within courtyards and residential amenity areas. It also proposes trees, shrubs and groundcovers to be native, drought tolerant and low-allergen plantings. Large canopy trees are planned along 33rd Avenue Northeast and the north side of the access drive. The design also proposes rain gardens, filled with water stemming from adjacent surface flow and roof cisterns, throughout the site in order to filter runoff before entering the proposed detention vault. Several existing mature coniferous trees, some meeting the criteria to be classified as exceptional tree status (Director's Rule (DR) 16-2008), are situated in the southeast area of the site and will be preserved.

The proposed street improvements along 33rd Avenue Northeast consist of SDOT standard sidewalk replacement and new street trees. The applicant explained that the community-sponsored study of street improvements for 33rd Avenue Northeast is not complete; therefore, preparation of the Street Improvement Plans have not commenced. SHA will continue to participate in this study.

The Board was pleased with the proposed landscaping design and particularly the residential amenity areas.

After further discussions with Parks, it was explained that Parks has not purchased the aforementioned property due to the lack of funds to purchase and develop the property appropriately.

Design Review Departure Analysis

Two departures from the Code were proposed at the Final Recommendation meeting.

Departure Summary Table

| | REQUIREMENT | REQUEST | APPLICANT'S JUSTIFICATION | BOARD RECOMMENDATION |
|----|---|---|--|--|
| 1. | SETBACK REQUIREMENTS (SMC 23.47A.014.B.3) A structure containing a residential use must be setback from a rear lot line that abuts a lot in a residential zone 15' for portions of structure above 13' in height to a maximum of 40'. | Allow the northeast wing to extend 8' into the setback. | This departure is an outcome of providing additional modulation of the east façade adjacent to the L-2 zone which is consistent with the guidance given by the Board at EDG. | Board agreed the proposed modulation treatment creates a stronger residential base. Board voted 4-0 in favor of departure request and recommends approval. (B-1) |
| 2. | SETBACK REQUIREMENTS (SMC 23.47A.014.E.2) Eaves, cornices and gutters projecting no more than 18" from the structure façade are permitted in the required setbacks. | Allow the eaves on the lower portion of the building's east façade to project more than 18" in to the required setback. | This departure is an outcome of providing additional modulation of the east façade adjacent to the L-2 zone which is consistent with the guidance given by the Board at EDG. | Board agreed the proposed modulation treatment creates a stronger residential base. Board voted 4-0 in favor of departure request and recommends approval. (B-1) |

Summary of Board's Recommendations

At their final meeting on October 5, 2009, the Board recommended approval of the project design based on the determination that the design has met the Board's priority guidelines from the City of Seattle's "Design Review: Guidelines for Multifamily and Commercial Buildings" and "North District/Lake City Neighborhoods Design Guidelines". The Board indicated that after considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the four Design Review Board members in attendance recommended **CONDITIONAL APPROVAL** of the proposed design as shown at the Final Recommendation meeting. The recommendations summarized below are based on the plans submitted at the Final Design Review meeting. Design, siting or architectural details specifically identified or altered in these recommendations are expected to remain as presented in the presentation made at the Final Recommendation public meeting and the subsequent updated plans submitted to DPD.

1. The level of design detail in the landscaping plans, elevation plans, schematic drawings and architectural materials and colors presented as the Final Recommendation meeting should be shown on elevation and landscape plans in the MUP and Building permit plans.

The recommendations of the Board reflected concern on how the proposed project would be integrated into both the existing streetscape and the Lake City community. Since the project would have a strong presence from both 33rd and 35th Avenue Northeast, the Board was particularly interested in the establishment of an attractive design that would encourage pedestrian activity; and improve upon the existing streetscape, while being sensitive to the

neighboring residential neighbors and well integrated with existing surrounding commercial uses.

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision that makes compliance with the recommendation of the Design Review Board a condition of permit approval, unless the Director concludes that the recommendation of the Design Review Board:

- a. Reflects inconsistent application of the design review guidelines; or*
- b. Exceeds the authority of the Design Review Board; or*
- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- d. Conflicts with the requirements of state or federal law.*

Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

Four members of the Northeast Design Review Board were in attendance and provided recommendations to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F.3). The Director acknowledges the street level details, building materials, and architectural design that support a high-quality, functional design responsive to the neighborhood's unique conditions. Most of the recommendations made by the Design Review Board have already been reflected in the plans. The Director accepts the conditions recommended by the Board that further augment compliance with Guidelines A-1, A-3, A-5, A-7, B-1, C-2, C-3, C-4 D-1, D-6, D-7 and D-12.

Following the Final Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include most of the recommendations of the Design Review Board. As conditioned, the final plans must reflect all of the Design Review Board recommendations prior to issuance of the Master Use Permit.

Director's Decision

The Director finds that the conditions of approval on the design recommended by the Board are warranted. In developing their guidance for the project, the Board prioritized guidelines aimed at further refining and developing an active and vibrant street-level design.

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle's "*Design Review Guidelines for Multifamily and Commercial Buildings*" and "*North District/Lake City Neighborhoods Design Guidelines*". The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design with the conditions enumerated above and summarized at the end of this Decision.

ANALYSIS - SEPA

Environmental impacts have been analyzed in environmental documents prepared by Seattle Housing Authority. These include a SEPA Checklist dated June 29, 2009 and a Determination of Non-Significance issued by Seattle Housing Authority dated July 1, 2009.

Seattle Municipal Code (SMC) Section 25.05.660 provides that proposals can be conditioned or denied in order to mitigate environmental impacts. All conditions must be related to impacts identified in the environmental documents, based on adopted policies, and must be reasonable and capable of being accomplished. This proposal is reviewed under that substantive SEPA authority.

The Department is reviewing the environmental impacts of the proposal in order to impose further conditions if necessary. Disclosure of the potential impacts from this proposal was made in the environmental documents listed above. This information, supplemental information provided by the applicant, comments and the experience of this agency with review of similar proposals form the basis of this analysis and conditioning.

Short-term Impacts

The following temporary demolition and construction-related impacts are expected: decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by construction activities; potential soil erosion and potential disturbance to subsurface soils during grading, excavation, and general site work; increased traffic and demand for parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794). Although not significant, these impacts are adverse and, in some cases, mitigation is warranted.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: Stormwater, Grading, and Drainage Control Code (grading, site excavation, and soil erosion); Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way); the Building Code (construction

measures in general); Environmentally Critical Areas Ordinance (protection of water quality and soil stability in environmentally critical areas) and the Noise Ordinance (construction noise). Compliance with these applicable codes and ordinances will reduce or eliminate short-term impacts to the environment and, with the exception of demolition and construction traffic/parking impacts they will be sufficient without conditioning pursuant to SEPA policies. Further discussion of short term construction-related noise, air quality, greenhouse gas emissions, soils, grading and construction traffic and parking related impacts follows.

Noise

The site abuts an Arterial, 35th Avenue Northeast, which is a north-south roadway. Residential properties are situated north, south, east and west of the project site. Vehicular traffic is cited as an existing noise source.

Short-term noise and vibration from construction equipment and construction activity (e.g., backhoes, trucks, concrete mixers, generators, pneumatic hand tools, engine noise, back-up alarms, etc.); demolition of the existing structures; and, construction vehicles entering and exiting the site would occur as a result of construction and construction-related traffic. Compliance with the Noise Ordinance (SMC 25.08) is required and will limit construction noise in Neighborhood Commercial and Lowrise zones, registering 55 dB(A) or more at the receiving property line or a distance of 50 feet from the equipment, to the hours between 7:00 a.m. and 7:00 p.m. on weekdays, and between 9:00 a.m. and 7:00 p.m. on weekends and holidays. This level is further reduced by 10 dB(A) between the hours of 10:00 p.m. and 7:00 a.m. during the weekdays, and between 10:00 p.m. and 9:00 a.m. on weekends where the receiving property lies within a residential district of the City (25.08.420). The use of impact construction equipment such as jackhammers, pile drivers and other loud noise emitters are restricted further in accordance with SMC 25.08.425.

To mitigate noise impacts resulting from demolition of the existing structures and construction of the residential building, the SEPA checklist notes the following mitigating element of the proposal:

- The hours of operation will be limited during construction.

The Noise Ordinance is sufficient to control construction noise impacts. No potential short term significant adverse impacts to nearby residential uses are anticipated and noise mitigation is not necessary.

Air Quality

Demolition, grading and minor construction activities each may create adverse air quality impacts in the surrounding area. Additionally, the indirect impact of construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacturer of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas (GHG) emissions that adversely impact air quality and contribute to climate change and global warming.

It is the City policy to minimize or prevent adverse impacts resulting from toxic or hazardous materials and transmissions. The Seattle Stormwater, Grading and Control Code (SMC 22.800-

22.808) regulates onsite grading activities and requires soil erosion control techniques be initiated for the duration of work. Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. Additionally, the Puget Sound Clean Air Agency (PSCAA) has local responsibility for regulation and permitting of stationary sources (i.e. power plants), construction emissions and the removal of hazardous materials such as asbestos.

The SEPA checklist notes that during construction, dust, fuel-powered equipment and commercial construction vehicle exhaust are the most likely types of emissions. The applicant also submitted a Phase I Environmental Site Assessment report prepared by Don W. Spencer, M.Sc., P.G., R.E.A. (Environmental Associates, Inc.) dated April 30, 2009 and a Phase I Environmental Site Assessment and Hazardous Materials Survey prepared by William F. Kane (Eco Compliance Corporation) dated July 21, 2009. Both reports note that preliminary results from the hazardous material surveys conducted on the structures planned to be demolished indicate the presence of asbestos-containing materials, lead-containing paints (LCP), and underground heating oil tanks. The following measures are cited in the SEPA checklist to reduce or control emissions during construction:

- Temporary Best Management Practices (BMPs) during construction may include: stabilized construction entrance, covering stockpiles, silt fence, catch basin inserts, clearing limits delineated, portable stormwater filtration treatment using chitosan® and other temporary erosion and sediment control measures.

Existing regulations are sufficient to control the identified short-term air quality impacts. However, SHA did not disclose what measures would be sought to mitigate the identified hazardous material from the site. It is of utmost importance that PSCAA be notified prior to start of work. This is accomplished by filing a Notice of Intent to demolish with that agency. Therefore, as a condition of approval prior to demolition, the proponent will be required to submit a copy of the required PSCAA Notice to DPD to minimize adverse impacts related to handling and disposal of asbestos.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacturing of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Earth

The ECA Ordinance and Directors Rule (DR) 3-2007 requires submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with steep slopes, liquefaction zones, and/or a history of unstable soil conditions. Pursuant to this requirement the applicant submitted a "Geotechnical Report, Lake City Village, Seattle, Washington" prepared by Thomas M. Gurtowski, P.E. (Shannon & Wilson, Inc.) dated May 15, 2009. The report evaluates the soil and site conditions and provides recommendations for erosion and drainage controls, slope stability, grading earthwork, and foundation construction.

The summary of the Geotechnical Report findings is the following: *“In general, very dense glacial till is present near the ground surface at the east side of the site, which is suitable for spread footings. Transitioning to the west, deposits of loose to medium dense sands are located within the upper 10 to 20 feet. Peat is also present at some locations. These soils are not suitable for shallow foundations alone due to bearing capacity, settlement, and liquefaction concerns. Deep foundations or shallow foundations with ground improvement may be suitable in these areas.”* The submitted report, which is located in the project file, further details the specific requirements for proper installation of foundations; pavements; floor slabs; drainage; excavations; grading techniques; site preparation and seismic considerations.

A DPD Geotechnical Engineer has reviewed the abovementioned soils report in association with submitted plans and has deemed this soils report to be relatively complete for this proposal. The soils report, construction plans, and shoring of excavations as needed, will be reviewed again by the DPD Geotechnical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the Stormwater, Grading and Drainage Control Code (SGDCC) (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geotechnical engineer prior to issuance of the permit. The SGDCC provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

Excavation and the import of fill to establish desired building grades; backfill the basement garage; and to allow for the structure's foundations will be necessary. The maximum amount of grading proposed will consist of 22,000 cu. yds. of material. Some of the unsuitable soils removed will not be reused on the site and will need to be disposed off-site by trucks.

To mitigate erosion resulting from grading activities associated with the removal of the existing structures, unsuitable soils and construction of the project, the SEPA checklists notes the following mitigating element of the proposal:

- Temporary Best Management Practices (BMPs) during construction may include: stabilized construction entrance, covering stockpiles, silt fence, catch basin inserts, clearing limits delineated, portable stormwater filtration treatment using chitosan® and other temporary erosion and sediment control measures.

The SGDCC requires an enhanced TESC plan be submitted for approval by DPD that identifies methods to be used to minimize off-site migration of soils. 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 en-route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Streets, Construction Traffic and Parking

The proposal includes onsite excavation/grading. The Street Use Ordinance includes regulations which mitigate dust, mud and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation (SDOT.) It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675 R).

SHA indicates the project would primarily generate traffic during the construction period, which may last for up to 18 months. SHA estimates there will be a few weeks of very intense construction traffic while other days will have minimal traffic. Submitted documents don't clearly address what estimated traffic levels would be.

SHA did not disclose the maximum amount of construction workers anticipated to be working at the project site. However, it is anticipated that future contractors will use vehicular entrances abutting both 33rd and 35th Avenue Northeast leading to the easternmost existing surface parking area which will be closed to the public for the duration of the construction project. The submitted MUP plans indicate this area will be dedicated for use by the construction employees for limited parking, construction staging and other related construction uses. Construction flaggers may be used (as needed) to assist vehicles approaching and leaving the site. If primary access entering and exiting the site is via either street, street parking may be disrupted during construction. Additionally, limiting street parking along one side of 33rd Avenue Northeast may be necessary during work hours in order to accommodate construction traffic for large concrete pours and material deliveries.

Construction activities may result in obstacles to pedestrians. Similarly, traffic lanes and on-street parking may be affected by construction staging, deliveries, etc. Adverse impacts are not adequately mitigated by existing City codes nor has SHA specifically identified the adverse impacts and measures to mitigate these impacts. Thus, mitigation is warranted pursuant to the Construction Impacts Policy (SMC 25.05.675 B). A construction-phase transportation plan addressing street and sidewalk closures, construction employee parking, as well as truck routes and hours of truck traffic will be required to mitigate identified impacts.

Long-term Impacts

Long-term or use-related impacts anticipated by this proposal include: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased ambient noise associated with increased human activity and vehicular movement; minor increase in light and glare from exterior lighting and from vehicle traffic (headlights); increased traffic and parking demand due to residents and visitors; increased airborne emissions resulting from additional traffic; increased demand on public services and utilities; and increased energy consumption.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on-site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City

Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts. However, the proposal represents the construction of a substantial residential development. Therefore, additional discussion regarding plants, historic preservation, air quality; height, bulk and scale; traffic and parking impacts is warranted.

Plants

Per SMC 25.05.675.N, Seattle's SEPA Plants policy aims to "*minimize or prevent the loss of wildlife habitat and other vegetation which have substantial aesthetic, educational, ecological, and/or economic value. A high priority shall be given to the preservation and protection of special habitat types...A high priority shall also be given to meeting the needs of state and federal threatened, endangered, and sensitive species of both plants and animals.*" Additionally, SEPA policy suggests mitigation or denial of a project if it is found, "*...that a proposed project would reduce or damage rare, uncommon, unique or exceptional plant...or habitat diversity for species (plants or animals)...*" In this instance, several existing mature trees situated onsite have the potential to be affected by the proposed project. The proposal includes removal of 34 mature trees and construction activity within close proximity of several mature trees of which may be considered exceptional tree status per DR 16-2008. The tree species affected include *Washington Hawthorne (Crataegus phaenopyrum)*, *Black Cottonwood (Populus trichocarpa)*, *Douglas Fir (Pseudotsuga menziesii)*, *Quaking Aspen (Populus tremuloides)*, and *Red Maple (Acer rubrum)*. Therefore, further discussion of the ecological value of these trees is warranted.

The applicant provided an arborist report prepared by James M. Barborinas, ISA Certified Arborist/Certified Tree Risk Assessor (Urban Forestry Services, Inc.) dated September 16, 2009. The summary of the Arborist report findings is the following:

"A grove means a group of 8 or more trees 12" in diameter or greater that form a continuous canopy. Trees that are part of a grove shall also be considered exceptional unless in diameter that are part of a grove's continuous canopy cannot be removed if their removal may damage the health of the grove...There are 8 Black Cottonwood, Populus trichocarpa, trees over 12" in diameter growing in the center of the Lake City Village property at 12536 33rd Ave. Northeast. They form a continuous canopy...These trees technically meet the tree grove category. During an assessment of all the trees on the site, the 8 Cottonwood trees were found to be sound, healthy and vigorously growing. However, these trees are not favorable trees to be retained near new construction for several reasons and would significantly limit the use of the site if they were retained...In summary, the owners would like to remove these trees and plant more appropriate varieties in specified locations to more appropriately benefit the new construction and site."

The submitted report, which is located in the project file, and tree survey plans further details the tree matrix with tree identifications, names and driplines.

SMC 25.05.675.N.2.b states in part that projects which are proposed within an identified plant habitat shall be assessed to determine the extent of the adverse impact and need for mitigation. As noted above, mature trees exists onsite that meet the exceptional status criteria outlined in DR 16-2008. Per the MUP landscape plans, the identified exceptional trees situated within the proposed building footprint will be removed: however, several exceptional trees near the

property's southeasterly property edge will not be removed. DPD in consultation with the Seattle Department of Transportation (SDOT) City Forester, have reviewed the identified reports/landscape plans and concur with the Arborist's findings. However, in order to guarantee the preservation of the trees, a condition will be added to require the applicant to incorporate an approved tree protection landscape plan with future grading/building permit application plans.

Historic Preservation

Section 25.05.675 H of the SEPA code describes the City's policies for protecting historical sites. *"It is the City's policy to maintain and preserve significant historic sites and structures and to provide opportunity for analysis of archeological sites.....For projects involving structures or sites which are not yet designated as historical landmarks but which appear to meet the criteria for designation, the decisionmaker or any interested person may refer the site or structure to the Landmarks Preservation Board for consideration.....On sites with potential archaeological significance, the decisionmaker may require an assessment of the archaeological potential of the site."*

SEPA provides authority to mitigate impacts to historic buildings (SMC 25.05.675.H.2.c). In this instance, no structures situated on the project site are designated as historic landmarks by the City of Seattle. However, because this proposal involves the demolition of three structures which are more than 50 years old, SHA hired staff employed with The Johnson Partnership to prepare a Landmarks Nomination Report. DPD referred this information to the Department of Neighborhoods (DON) Historic Preservation Officer. DON determined "that it is unlikely, due in part to a loss of integrity, the buildings located at the addresses [12526 33rd Avenue Northeast, 12531 35th Avenue Northeast and 12535 35th Avenue Northeast] would meet the standards for designation as individual landmarks". Therefore, no SEPA mitigation of historic preservation is warranted.

Air Quality

Emissions from the generation of greenhouse gases due to the increased energy and transportation demands may be adverse but are not expected to be significant due to the relatively minor contribution of emissions from this specific project. The other impacts such as but not limited to, increased ambient noise, and increased demand on public services and utilities are mitigated by codes and are not sufficiently adverse to warrant further mitigation by condition.

Height, Bulk and Scale

The subject proposal has been through the Design Review Process, previously discussed in this decision. A project that is approved pursuant to the design review process is presumed to comply with the City's height, bulk and scale policies. This presumption may be rebutted only by clear and convincing evidence that the height, bulk and scale impacts documented through environmental review have not been adequately mitigated (SMC 25.05.675.G.2.c). Measures employed to mitigate height, bulk and scale impacts, as incorporated into the building architecture, were reviewed by the Design Review Board and found sufficient.

Long-term height, bulk and scale impacts have been addressed through the Design Review process. No additional SEPA mitigation measures are warranted.

Transportation

Heffron Transportation, Inc. prepared a Transportation Impact Analysis Report (dated September 10, 2009) for this proposal. This report evaluates transportation impacts of the SHA Lake City Village residential proposal. Specifically, it evaluates the project's possible impacts to the roadway system, intersection operations, site access and parking. The analysis in this report is based on the construction of an 87-unit low-income residential development and "20 single-family, townhome-style, ownership units" situated on the easternmost portion of the property.

Traffic

The following roadways are adjacent to and nearby the project site: Northeast 125th Street, Lake City Way Northeast, 35th Avenue Northeast, 30th Avenue Northeast and 33rd Avenue Northeast. Primary vehicular access to a proposed below-grade parking garage is planned via a shared ingress/egress driveway situated between the SHA-owned properties (Lake City House and Lake City Village) extending between 33rd and 35th Avenue Northeast. The low-income residential parking garage's entrance/exit ramp situated along the southerly portion of the private drive is orientated such to direct traffic to/from 33rd Avenue Northeast. A secondary emergency vehicular access point is provided on the east side of the site via an existing curb cut along 35th Avenue Northeast.

The traffic volume resulting from both the low-income apartment and townhouse residential projects was estimated by dividing the total number of person trips expected to be made in vehicles by the average-vehicle-occupancy (AVO) rates for residents and employees in the vicinity. The report states the proposed low-income apartment development would generate approximately 42 new PM peak hour vehicle trips.

The traffic report identified three signalized and four unsignalized intersections for analysis during the weekday PM peak hour for operational characteristics. Based on both the background growth and future traffic volumes with the project, the traffic analysis indicates that the seven observed intersections would continue to operate at the same intersection average level of service (LOS) (none worse than LOS D).

Because this project would have a negligible impact on traffic operation in the area, no additional conditioning is warranted pursuant to SEPA policies for traffic and transportation SMC 25.05.675 R.

Parking

The Land Use Code requires a total of 86 parking spaces for the low-income residential proposal. The submitted MUP plans indicate approximately 90 parking spaces are provided on site.

Analysis of the parking demand is necessary considering the context and scope of the project. The *Institute of Transportation Engineer's (ITE) Parking Generation (3rd edition)* manual estimates an average demand rate of one parking space per Low/Mid Rise Apartment dwelling unit. Using this multiplier, the estimated parking demand for 86 dwelling units would be 86 parking spaces.

In summary, the proposed development will provide a total of 90 parking spaces which exceeds the estimated peak parking demand of 86 parking spaces. As a result, the development should have adequate onsite parking to meet estimated peak parking demand. No mitigation of parking impacts is necessary pursuant to SEPA and no conditioning is warranted.

DECISION - SEPA

The environmental checklist, Master Use Permit plans submitted on the project, public comment and responses to requests for information all comprise Department of Planning and Development's (DPD) record. Pursuant to SMC 25.05.600.D.1, DPD relies on the environmental documents and technical reports prepared by the Seattle Housing Authority in their role as lead agency. DPD has determined that the DNS issued and utilized for the environmental analysis of the *Lake City Village Project* and permitted herein, is adequate. The SEPA conditions listed below are imposed based on Master Use Permit (MUP) plans as well as on all environmental documentation submitted to date.

CONDITIONS – DESIGN REVIEW

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Tamara Garrett (206 684-0976), at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved. **Prior to an alteration of the approved plan set on file at DPD, any specific revisions shall be subject to review and approval by the Land Use Planner.**

Prior to Issuance of the Master Use Permit

1. Update the submitted MUP plans to reflect those architectural features, details and materials described at the Design Review Recommendation meeting; and all of the recommendations made by the Design Review Board and reiterated by the Director's Analysis and Decision. Include the following recommendations on the plans:
 - The level of design detail in the landscaping plans, elevation plans, schematic drawings and architectural materials and colors presented at the Final Recommendation meeting should be shown on elevation and landscape plans in the MUP and Building permit plans.
2. Embed the 11" x 17" colored elevation, landscape drawings and approved departure summary table from the DR Recommendation meeting and as updated, into the MUP plans. Also embed these colored drawings and departure summary table into the Building Permit Plan set in order to facilitate subsequent review of compliance with Design Review.

Prior to Issuance of the Grading or Building Permit

3. The plans shall reflect those architectural and landscape features, details and materials approved for design review under MUP #3001672.

During Construction

4. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Tamara Garrett, 684-0976), or by the Design Review Manager (Vince Lyons, 233-3823). 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.

Prior to Issuance of a Certificate of Occupancy

5. 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 Land Use Planner assigned to this project or by the Design Review Manager prior to the final building inspection. An appointment with the assigned Land Use Planner must be made at least three 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.

For the Life of the Project

6. Materials and colors shall be consistent with those approved with MUP #3001672. Any change to the materials or colors shall require approval by the Land Use Planner (Tamara Garrett, 684-0976), or by the Design Review Manager (Vince Lyons, 233-3823).

CONDITIONS - SEPA

Prior to Issuance of the Demolition Permit

7. The owner(s) and/or responsible party(s) will be required to submit a copy of the Puget Sound Clean Air Agency (PSCAA) demolition permit. PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

Prior to Issuance of the Grading or Building Permit

8. In order to address construction related transportation and parking impacts, the responsible party shall submit a Construction Transportation Management Plan (CTMP) to be reviewed and approved by DPD in consultation with Seattle Department of Transportation (SDOT). A construction transportation plan for workers and truck deliveries/routes shall be prepared to minimize disruption to traffic flow on adjacent streets and roadways. This plan shall include a requirement that truck trips be scheduled to avoid peak periods of 7:00-9:00 a.m. and 4:00-6:00 p.m., Monday through Friday. The plan shall consider the need for special signage, flaggers, haul route definitions, street cleaning; identification of construction-worker parking; identification of potential street and/or sidewalk closures; vehicle, bicycle and pedestrian circulation and safety.

9. The owner(s) and/or responsible party(s) will be required to incorporate a copy of the approved tree protection landscape plan and arborist report with grading/building permit application plans. Plans should meet all requirements per Arborist report (Barborinas, September 16, 2009). Final tree protection plan must be reviewed by City of Seattle Forester.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

10. Comply with the provisions set forth by the approved Construction Transportation Management Plan.
11. Implement all recommendations for tree protection as identified in the approved arborist report and illustrated on the approved tree protection landscape plan. The arborist conducting the work must attend an on-site pre-construction conference with DPD's Site Inspector to discuss protection measures and monitoring methodology prior to the start of work.

Signature: _____ (signature on file) Date: March 04, 2010
Tamara Garrett, Land Use Planner
Department of Planning and Development