



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: 3003014
Applicant Name: Wayne Ivory for Sy Iffert and Jena Myers
Address of Proposal: 11300 Roosevelt Way NE

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a four story building containing 4,068 square feet of retail at ground level and 21,000 square feet of administrative offices above. Parking for 81 vehicles will be provided in two levels within the structure. The existing structure will be demolished. The project includes 3,100 cubic yards of grading.

The following approvals are required:

Design Review pursuant to Chapter 23.41 Seattle Municipal Code (SMC)

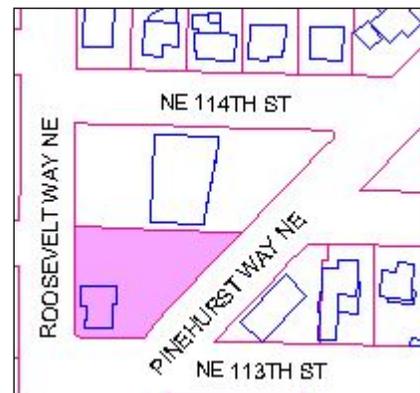
SEPA - Environmental Determination - Chapter 25.05 SMC

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

BACKGROUND DATA

Site and Vicinity Description

This 16,300 square foot site is bordered by Roosevelt Way NE on the west, Pinehurst Way NE on the east, and NE 113th Street on the south. The site is located in a Neighborhood Commercial 3 zone with a 40 foot height limit (NC3 40'). There is an existing 1,800 square foot one story office building located at the southwest portion of the site. The site slopes approximately ten feet from an elevation of 102 feet at the



northwest corner of the site down to an elevation of 92 feet at the northeast corner of the site. There is a triangle shaped island of land across NE 113th Street to the south of the site which is owned by the Seattle Department of Transportation (SDOT).

The site is located two blocks north of Northgate Shopping Mall and one block west of Thornton Creek. Development in the vicinity consists of a mixture of retail, office, and warehouse uses in the Neighborhood Commercial 3 40' zone along both sides of Roosevelt Way NE and Pinehurst Way NE. There is existing multifamily development in the Lowrise 3 zone along NE 113th and 114th Streets. There is a large single family zone to the north and east of the site developed with single family residences on lots of varying sizes and shapes.

Proposal Description

The proposal is for a four-story building containing 4,068 square feet of retail at ground level and 21,000 square feet of administrative offices above. Parking for 81 vehicles will be provided on the first and second floors within the structure. The existing structure will be demolished. The project includes 3,100 cubic yards of grading.

Public Comment

One comment letter was received during the comment period which ended March 14, 2007.

ANALYSIS – DESIGN REVIEW

PRIORITIES

On July 31, 2006 an Early Design Guidance meeting was held before the Northeast Design Review Board. After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance 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*" of highest priority to this project:

A-1 Responding to Site Characteristics

The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

A-2 Streetscape Compatibility

The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

The Board said the proposed Roosevelt pedestrian access points look good and there is good visibility at the entrance to the building. However, the Board said it is an unusual corner. The Board asked who will use the proposed plaza, what will it be used for, why it is at the grade level of the pedestrian entrance, and will it line up with the grade of the open space on the SDOT island. The Board said there should be something in the architecture of the structure to express the site's prominence as a point of entry to the neighborhood to the north, and the architecture should have a synergistic relationship with the SDOT island.

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the street.

The Board said the three massing options presented did not show walk up access to the building that would be pedestrian friendly because the entries appear to be backdoor entries. The Board said the grades shown on the topographic survey are not clear and do not explain why the garage appears sunken halfway into the ground. The Board said the option C would be the most advantageous because the corner, the sidewalk and the connections work together. There is a footpath through the SDOT island that pedestrians are currently using although there is no crosswalk. That direct pedestrian access should be enhanced in the design of the project.

A-8 Parking and Vehicle Access

Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

The Board wants the pedestrian and parking entrances to operate so the pedestrian and vehicle traffic does not conflict. The Board said vehicle access is not good on Pinehurst because there are four lanes of traffic, visibility is not good, and it is difficult to take a left out of the garage. The Board said none of the access options appear to work for garage access, so a right turn only onto Pinehurst from the garage should be considered.

A-10 Corner Lots

Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

The Board said the prominent location of the site at the intersection of two arterials, Roosevelt Way NE and Pinehurst Way NE, and the entrance to the residential neighborhood to the north calls for an interesting treatment and signage.

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.

C-2 Architectural Elements and Materials

Building design elements, detail 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 facade walls.

C-3 Human Scale

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

The Board said respect for adjacent sites is a big item. The Board said any parking lot walls should be addressed to soften its appearance. The Board suggested including a landscaped buffer along the north property line because they do not want a blank wall facing the adjacent property. The Board wants to see windows at the ground floor to the extent possible due to the

proposed above grade location of the parking. The Board asked the architect to prepare site sections for the recommendation meeting. The Board said there is no strong or desirable architectural context to draw good cues from in the vicinity. However, the Board did feel that the proposed structure should have compatible materials and read similarly to the building to the north of the site because it is under common ownership. The Board offered that the design of the new building could use the same color palette or roof material as the existing building, as an example, but distinguish itself as the corner lot and entrance to the neighborhood.

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.

The Board feels that the building finishes should be made of durable materials.

C-5 Structured Parking Entrances

The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

D-5 Visual Impacts of Parking Structures

The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

The Board supports the architect's plan to reduce the five existing curb cuts to two curb cuts. However, the Board has concerns that the garage entrance could dominate the façade and cautions the architect to minimize the appearance of the garage entrance. The Board said the three options did not fully explain how the levels of parking and ramping would work, particularly the open air upper level parking deck as an option. The Board wants to see plans that fully show how the parking levels and ramps would look and operate at the next Board meeting.

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.

The Board wants to see a good connection created between the pedestrian path across the SDOT island and the proposed enhancements to the sidewalk area and plaza next to the building. The Board would like to see a consistent treatment of both the SDOT island and the project site. The Board supports the architect's concept for an urban garden court at the corner.

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 high retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscape.

The Board thinks that the appearance of any retaining wall along the north property line needs to be softened. The Board is also concerned that due to the grade of the site that the building foundation will be set into the ground with half of the concrete garage wall above grade with no windows or visual relief. The Board wants to see an interesting treatment of any blank walls above grade.

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.

The Board said the dumpsters should be inside of the structure.

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites

Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

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.

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.

The Board feels that the landscaping should reflect the goals of the Northgate Overlay District. The Board feels that the landscape plan should enhance and emphasize the prominent nature of this corner site. The Board wants to see interesting landscaping in the proposed urban garden court on the corner.

DEVELOPMENT STANDARD DEPARTURES

No development standard departures were requested.

Staff Comments:

Consider incorporating a flagpole to emphasize the prominence of the corner at the intersection of Roosevelt and Pinehurst.

Master Use Permit Application

The applicant applied for a Master Use Permit on January 9, 2007.

DESIGN REVIEW BOARD RECOMMENDATIONS SUMMARY: MAY 7 AND 21, 2007 MEETINGS

On May 7, 2007 the Northeast District Design Review Board convened for a Final Recommendation meeting. Elevation renderings and plans were presented for the Board members' consideration. By the final meeting, the applicant had refined the elevations. The applicant did not request any development standard departures from the City's Land Use Code. A follow-up meeting was held on May 21, 2007 for the architect to present the materials board.

ARCHITECT'S DESIGN RESPONSE

The design responds to the specific site conditions including the irregular shaped lot which slopes in three directions, convergence of two major streets, the scale of the surrounding built environment, vehicular and pedestrian circulation, the location as a transitional property to the Northgate Business Areas, the site exposure and view, and the opportunity to enhance the experience of the area. New landscaping and a pedestrian entry court with benches and a water feature will enhance the Roosevelt Avenue NE right-of-way. The existing parking strip and sidewalk along Pinehurst Way NE will be replaced with new landscaping and a wider sidewalk to enhance the pedestrian and motorist experience. A new sidewalk and landscaping along NE 113th Avenue will connect to the prominent entry court and to the WSDOT traffic triangle south of the site. The plaza at the corner will be used by pedestrians and building occupants. The landscaping in the plaza will relate and connect to the landscaping on the traffic island to the south.

The main building entry will be at street level as part of the connecting urban court. The crossing point at the intersection of Roosevelt and NE 113th Street will be a natural congregation point and the entry court and main building entry will be located at this southwest corner. Vehicle access will be located at the north end of the building away from the major street corners and the pedestrian access to minimize conflicts. The exterior finish materials include a concrete base, brick and tile at the street-front levels and several shades of a warm buff colored brick with a brown accent, textured metal at the upper floors, and a white cornice and overhangs. There will be a grey metal satin finish treatment at the entry. A third floor open space will be provided for the building occupants. The clear glass would be slightly blue-green and would not reflect glare to passing vehicles or pedestrians. A green screen on the north side of the building would be provided to meet the green factor requirements of the code as well as to soften the appearance of the north façade. Retail storefronts will face Roosevelt Way NE.

PUBLIC COMMENT

There was no public comment.

DEVELOPMENT STANDARD DEPARTURES

The applicant did not propose any development standard departures.

Recommendations: The recommendations summarized below were based on the plans submitted at the May 7 and 21, 2007 meetings. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the May 7 and 21, 2007 public meetings. 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 unanimously recommended approval of the subject design with the following conditions.

1. Use outdoor lighting to highlight the primary entrance including recessed ground lights.
2. Use signage to highlight the interior uses.
3. Use the materials and color palette provided on the materials board at the May 21, 2007 meeting.
4. Provide a flagpole to highlight the prominent corner of the site as a gateway to the neighborhood.

DIRECTOR'S ANALYSIS: DESIGN REVIEW

With respect to the design of the project, the Director concludes that the design has successfully responded to the Design Review Board's guidance. For this reason, the Director concurs with the four Design Review Board members' recommendations and **approves** the subject design as presented in the official plan sets on file with DPD.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated January 5, 2007) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain

neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, “Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” subject to some limitations. Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

Short-Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers’ vehicles. Existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several construction-related impacts. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Engineering Department, and no further SEPA conditioning would be needed.

Construction of the project is proposed to last for several months. Parking utilization along streets in the vicinity is moderate and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. This temporary demand on the on-street parking in the vicinity due to construction workers’ vehicles may be adverse. In order to minimize adverse impacts, construction workers will be required to park onsite in the surface parking lot as soon as it is constructed for the duration of construction. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

The proposal site is located adjacent to a residential area where construction of this scale would impact the noise levels. The SEPA Noise Policy (Section 25.05.675B SMC) lists mitigation measures for construction noise impacts. It is the department’s conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is necessary to mitigate impacts that would result from the proposal on surrounding properties, because existing City ordinances do not adequately mitigate such impacts. This is due to the density of residential units in the area and the proximity of these structures to the proposal site. The proposal is, therefore, conditioned to limit construction activity to non-holiday weekday hours between 7:00 A.M. and 6:00 P.M. and Saturdays from 9:00 A.M. to 6:00 P.M. After the structure is enclosed, interior construction may be done in compliance with the noise ordinance. The department may modify this condition to allow work of an emergency nature or which cannot otherwise be accomplished during these hours by prior written approval of the Land Use Planner.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary

means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist which warrant additional mitigation, per the SEPA Overview Policy.

Long-Term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of a mixed-use structure and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

Drainage

Rain water on roofs and on the driveways is the major sources of water runoff on the site. The rain water on the roofs will be collected in gutters and connected to the storm drainage system. No drainage will be directed to the adjoining streets. Verification of an appropriate stormwater control system and its proposed location of connection to the public system will be required to be shown on the construction plans. No additional mitigation measures will be required pursuant to SEPA

Height, Bulk, and Scale

Section 25.05.675G2c of the Seattle SEPA Ordinance provides the following: "The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project."

There are no sensitive height, bulk or scale impact issues which have not been addressed during the Design Review process in the design of this project in an NC3 40' zone as determined by the Design Review Board's review and unanimous approval without conditions. Therefore, no additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Traffic and Transportation

A trip generation analysis dated November 15, 2006 was submitted. The analysis noted that the new three story building will provide 8,538 square feet of retail space will be provided on the

first and second levels, and that 10,752 square feet of office space will be provided on the third floor. The site will be served by two driveways, one onto each street. The grade of the site makes it so that each driveway will lead to only one level of the two level parking structures which provides parking on the first and second stories. The parking structure does not have ramps between the two levels.

Trip generation for the site is estimated using data from the sixth edition of The Institute of Transportation Engineers (ITE) Trip Generation. Specialty retail was chosen as the land use for the specialty retail portion of the building. General office was chosen as the land use for the general office portion of the building. The project will generate 39 PM peak hour trips. Of the 39 new PM peak hour trips, 13 will be entering and 26 will be exiting. The 39 additional vehicle trips would not be a significant increase to existing volumes and would not reduce the existing levels of service at neighboring intersections. The availability and proximity of transit will make it likely that there will be fewer vehicle trips than from developments in outlying areas on which the ITE generation equation is based. The site has ready vehicle access to an arterials (Roosevelt Way NE, Pinehurst Way NE, and NE Northgate Way) and the freeway (Interstate 5). The volume of traffic along this section of both Roosevelt and Pinehurst is moderate and nearby intersections operates at acceptable levels. The amount of traffic expected to be generated by the proposed project is within the capacity of the streets in the immediate area. Therefore, no SEPA mitigation of traffic impacts is warranted.

Parking

The parking policy in Section 25.05.675M of the Seattle SEPA Ordinance states that parking impact mitigation may be required only where on-street parking is at capacity as defined by the Seattle Transportation Department or where the development itself would cause on-street parking to reach capacity. Parking utilization in the vicinity appears to be below capacity and on-street parking can be found during the daytime or evening hours. The 81 parking spaces provided on-site in the parking garage would exceed the code requirement and are expected to accommodate the parking demand generated by the project. Car utilization by the occupants of the units is anticipated to be lower than average due to the centralized location of the building and accessibility to transit. Therefore, no mitigation of parking impacts is necessary pursuant to SEPA.

SUMMARY

In conclusion, several adverse effects on the environment are anticipated resulting from the proposals which are nonsignificant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment with respect to transportation, circulation, and parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

SEPA AND DESIGN REVIEW CONDITIONS

Prior to Issuance of the Building Permit Update the Plans to Show:

1. Outdoor lighting to highlight the primary entrance including recessed ground lights.
2. Signage to highlight the interior uses.
3. The materials and color palette provided on the materials board at the May 21, 2007 meeting.
4. A flagpole to highlight the prominent corner of the site as a gateway to the neighborhood.

Prior to the Pre-construction Meeting

5. Invite the Land Use/Design Review Planner to the pre-construction meeting with the applicant and contractor.

During Construction

The owner(s) and/or responsible party(s) shall:

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 DCLU. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

6. In order to further mitigate the noise impacts during construction, the owner(s) and/or responsible party(s) shall limit the hours of construction to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. and on Saturdays from 9:00 a.m. to 6:00 p.m. This

condition may be modified by the Department to permit work of an emergency nature of to allow low noise exterior work after approval from the Land Use Planner. Interior work may proceed at any time in compliance with the Noise Ordinance.

7. Construction workers shall park onsite in the parking garage as soon as the building is enclosed.

Compliance with the approved Master Use Permit plans must be verified and approved by the Land Use Planner assigned to this project (Malli Anderson, tel. 233-3823) or by the Supervising Senior Land Use Planner for the area where the project is located (Vince Lyons, tel. 233-3823), at the specified development stage, as required in the Director's decision. You must make an appointment with the assigned Land Use Planner at least three (3) working days in advance of any final inspection. The Land Use Planner will determine whether the condition requires submission of additional documentation or a verification to ensure that compliance has been achieved.

Signature: _____ (signature on file) Date: January 10, 2008

Malli Anderson, Land Use Planner
Department of Planning and Development

MJA:bg

E:\ANDERSON\DOC\3003014d.doc