



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: 3003127
Applicant Name: Matt Driscoll for JRJ Development Properties LLC
Address of Proposal: 619 and 621 13th Avenue East

SUMMARY OF PROPOSED ACTION

Land Use Permit for two (2) townhouse structures containing four (4) units each. (a total of eight (8) residential units) Parking for eight (8) vehicles is proposed to be provided within the structures. The existing structures would be demolished.

The following approvals are required:

Administrative Design Review - Chapter 23.41, (SMC) including departures from development standards:

- Lot coverage
- Structure depth
- Portion of a structure in the site triangle
- Front and rear setbacks from property lines

BACKGROUND INFORMATION:

The site, consisting of two platted lots, is located on the west side of 13th Avenue East between East Roy Street and East Mercer Street. The site is zoned Lowrise 3 (L3). There is no alley in this block. The proposal is for eight (8) townhouses with code required parking. Parking is proposed to be via a shared driveway. On August 2, 2005 the applicant applied for Administrative Design Review in order to receive departures from the development standards described in the land use code.



AREA DEVELOPMENT

The area is zoned Lowrise 3 zoning (L3), multifamily development. The site to the south (611 13th Ave East) has an approved townhouse project, MUP number 3006061, which has been issued. The access is proposed to be shared by this proposal and the project at 611 13th Avenue east. The proposal at 611 13th Avenue East is a similar massing design of townhouses facing 13th Avenue, an interior parking court, and townhouses at the rear of the property. There are other multifamily developments across 13th Avenue one of which is a multifamily designated landmark building.

ANALYSIS – ADMINISTRATIVE DESIGN REVIEW

This project is subject to the City of Seattle administrative design review process. The designers received early design guidance September 15, 2005. The priority guidelines and early design public comments follow.

PUBLIC COMMENTS:

25 public comments were received during the official comment period. Many comments asked that no zoning modifications be allowed for required setbacks or for open space stating that these sorts of departures erode the urban amenities of light and air, massing and neighborliness in this neighborhood. Other letters pointed out that it is important to preserve the open feel of the neighborhood and to preserve the trees in the right of way planting strip. Some comment letters requested that the code required parking amount be fulfilled to avoid more parked cars on the streets. Several letters asked that quality materials be used on the new structures. Construction noise is a concern to some since other nearby projects are just finishing construction. Open space in the neighborhood is stated as an important quality to retain at grade and to require good landscaping of that open space.

EARLY DESIGN GUIDANCE PRIORITIES:

PRIORITIES:

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the DPD planner provides the siting and design guidance described below and identifies 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. The corresponding Capitol Hill Neighborhood Design Guidelines have been consulted for guidance on this for this project. All guidelines apply, the following are of the highest priority.

A Site Planning

A-2 Streetscape Compatibility

The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way. Capitol Hill supplemental guidance applies.

The project should reinforce the residential spatial conditions characterized on both sides of the existing street and set a standard for lowrise development by providing residential spatial characteristics such as the following: The design should create a two story character on 13th Avenue. A front yard should be created with gardens and open space. The open space should progress from the street and sidewalk public space to semi public space, semi private yard or garden and finally private open space near steps and front door or small porches or decks. The transition described above should be designed without opaque fences or screens. There should be an opportunity for “eyes on the street” that is for windows, doors, activity in view of the sidewalk and street. This street has front yard setbacks that vary from parcel to parcel, but in general give the streetscape a generous front yard feel.

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the street.

Individual unit entrances should be visible and accessible from the street. Entrances for residences at the back of the lot should have a separate entrance from the sidewalk and not via a driveway walk to the back units. Entries should have architectural detailing to signal the entry.

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.

The project should be massed to preserve the privacy and outdoor activities of residents in adjacent buildings. This could be achieved through careful massing, restrained use of non essential bulk and adherence to setback requirements.

A-7 Residential Open Space

Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space. Capitol Hill supplemental guidance applies.

Useable, attractive and active open space should be a priority for 13th Avenue.

B Height, Bulk and Scale

B-1 Height, Bulk and Scale

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. Capitol Hill supplemental guidance applies.

This project should create housing that transitions in bulk and scale from property line to property line, by using architectural features that create a sense of less bulk. For instance hipped roofs, window detail, small balconies or bay windows, peaked roofs, porches, trellises and landscape elements should all be explored. The design should provide a strong street edge with front yards

and front facades and setbacks to continue the pattern of a strong pedestrian-friendly urban streetscape. Required side yards should be retained.

C Architectural Elements and Materials

C-1 Architectural Context

New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

This project should be a well-designed, small scale residential development. The context of this and nearby residential areas and the density of the lowrise zones should marry to create a highly-textured and multi-faceted development. The design should consider the “historic context” of its location. The site is surrounded by large single family homes and masonry buildings, some of them historic. Any design for new construction in the area should either complement the design qualities and context of the neighborhood, or alternatively, present a gracious counterpoint to the historic qualities of the neighborhood recalling architectural elements such as massing, scale, materials, proportions, fenestration, and evidence of the interior uses.

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. Capitol Hill supplemental guidance applies.

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.

A variety of residential forms should be explored. The development should be unified as it is viewed from 13th Avenue. The concept should be carried out from building form to small details, trim, roof treatment, fenestration etc. Color and modulation should be used to help define the units. Lighting and landscaping should be designed to enhance the overall concept.

E Landscaping

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.

A landscaping plan following the above guidelines should be incorporated into the initial plans. There are two trees in the planting strip. The design of this project should follow the direction of SDoT for tree preservation and removal where deemed necessary.

MASTER USE PERMIT

The applicant had a complete Master Use Permit application into the City of Seattle on January 13, 2006.

RECOMMENDATION

The project design is in response to the current block-long zoning of Lowrise 3 and is proposed to have eight (8) new residential units with eight (8) parking spaces for the units. Current landuse code requires residential parking to be located on the site. The new townhouses will provide front door access to four units, windows, small gardens and small porches along 13th Street. These features will help connect the buildings to the street in a visual and physical way. Short transparent fences will be used to create a “see-through” screen between the semi private and the public sidewalk of the front yards. Vehicle access will be shared with a lot to the south to reduce the impact of curbs on the pedestrian environment. The DPD planner had several conversations to encourage the applicant to reduce the amount of setback departures needed. DPD Guidance B-1 stated that side yards should be retained. The applicant removed entrances that were located in the north and south setbacks and stairs from the rear setback.

After considering the proposed design and the project context, hearing additional public comment, and reconsidering the previously stated design priorities, the guidance has been mostly addressed by the applicant. The Departure requests were supported in a former recommendation document of June 7, 2007. After additional review, discussion with interested neighbors, and discussions with the applicant guidelines A-5 and B-1 appear to not have been met. The departure request for relief of the rear setback is conditionally granted.

ANALYSIS AND DECISION - DESIGN REVIEW

Departure matrix

#	Requested Departure	Required	Proposed	Departure Amount	action
1	Lot coverage SMC 23.45.010	4,557 sf (50%)	5,395 sf (59%)	838 square feet	approved
2	Building depth SMC 23.45.011	65 feet	75'-10" overall (37'-10" & 38')	Approximately 11 feet	approved
3	Front setback SMC 23.45.014	6'-8"	3'-9" at several locations and 7'-8" average due to a large "cut out"	Approximately 3 feet for a portion of the facade	approved
4	Rear setback SMC 23.45.014	15'	5' average	Approximately 10 feet	conditioned
5	Open Space SMC 23.45.016	No dimension less than 10'	Less than 10' in some areas	Variable	approved
6	Open Space SMC 23.45.016	Open Space at ground level	Some at ground level, some at rooftop	variable	approved
7	Site Triangle SMC 23.54.030	10 x10 triangular	Allow a corner of the building in the site triangle		approved

The Director of DPD has reviewed the design and finds that it is not consistent with the City of Seattle Design Review *Guidelines for Multifamily & Commercial Buildings* and the Capitol Hill Neighborhood Design guidelines. An analysis follows:

The project proponents have requested the above development departures. Departure from Land Use Code requirements may be permitted for new multifamily development as part of the design review process. The Director's decision shall be based on the extent to which the proposed project meets applicable design guidelines and in consideration of public comments on the proposed project. Also, departures may be allowed if an applicant demonstrates that departures from Land Use Code requirements would result in a development that better meets the intent of adopted design guidelines.

The departures for building depth and lot coverage are a result of efforts to create livable interior spaces, unit count on the site, and to provide code required parking. These departures are approved in tandem in exchange for quality materials, increased façade detail and character on the east façade. The development proposal has a two story character on 13th Avenue; front yard open space, porches and decks which help the project meet guidelines A-2, streetscape compatibility and sense of community and relationship with entrances visible from the street as per guideline A-3. Vehicle access to the site will be shared with the development to the South which will help reduce multiple curb cuts on 13th Avenue East.

A rear setback departure is requested by the applicant for this proposal. The code required setback is 15 feet from the rear property line. The proposed setback is 5 feet from the rear property line. This is a departure request of 10 feet. It does not appear that this departure request meets guidelines A-5 Respect for Adjacent Sites, or B-1 Height, Bulk and Scale. There is no alley in this block so the proposal would be to have the L3 zone building only 5 feet from the rear property line which is shared with a neighbor to the west, also in L3 zoning. This condition would create a situation where the building proximity could negatively impact the quality of life of the neighbor to the west. The situation is exacerbated by the height of the building and the site slope. The building will rise 34 feet and 10 ½ inches from the ground to the top of the plate. Another 3 feet 6 inches rises above that in pitched roof. This is a code allowed form, however the height, bulk and scale receives no relief at the sky plane where increased setback would carve back the building form to give a sense of reduction in bulk. Similarly, the stair towers should be reversed to move their sloped roof form to the west and the vertical wall to the east.

Therefore the project west building is conditioned to have a rear setback for the foundation, basement and Level 1 of more than half as much as the departure request amount of 10 feet (thus a setback from the property line of greater than 10 feet) and the upper floor, Level 2 and roof plan to meet the 15 foot rear setback. This will help the project better meet the code setback and carve away some of the upper building bulk in the sky plane. This increased setback will help the project better meet guideline A-5, in respecting adjacent properties by better locating the building on the site to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings to the west and north. Guideline B-1 height, bulk, and scale will also be better met with the increased setback.

Residential Open Space is useable, attractive and creates an active open space as per guideline A-7. Some is at ground level and some is above ground level. Height Bulk and Scale B-1 is addressed with this proposal with overall architectural features such as modulation, peaked roofs, bay windows, decks, a strong street edge with front yards, and a variety of materials. Decorative façade elements to break down the scale and provide pedestrian interest help meet Capitol Hill Neighborhood Design guidelines. Appropriate fenestration is included in the design as well as an at-grade pedestrian pass through to the interior of the site. Lot coverage and building depth departures stem from shaping the building to meet C-1 Architectural Context and B-1 Height, Bulk and Scale.

In all, some of the departures help the building meet the priority guidelines. Public comment included requests to provide the code required parking, which this project has done. Street trees will be both protected and replaced. Materials will be high quality. The courtyard parking helps to minimize the effect of parking on the street and pedestrian way. Landscaping E-1 is included in the proposal and tree preservation is proposed where appropriate as determined by SDOT.

DECISION – DESIGN REVIEW

The Director determines that the project has satisfactorily responded to the early design guidance. The Director **conditionally approves** the proposed project.

CONDITIONS – DESIGN REVIEW

Non-Appealable Conditions

1. 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 (Holly Godard 206-615-1254). 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.
2. 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 planner assigned to this project (Holly Godard 206-615-1254), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
3. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings and embed the colored MUP recommendation drawings in the building permit plan sets.

Prior to issuance of the MUP

4. Update all plan sets to remove stairs from side setbacks and rear setback

5. Update plan sets to show the project with a rear setback for the foundation, basement and Level 1 (as labeled on the plan sets) of more than half as much as the departure request amount of 10 feet (thus a setback from the property line of greater than 10 feet.) and the upper floor, Level 2 and roof plan to meet the 15 foot rear setback.
6. The stair towers must be reversed to move the sloped roof form to the west and the vertical wall to the east.

Signature: _____ (signature on file) Date: April 10, 2008
Holly J. Godard, Land Use Planner
Department of Planning and Development

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