



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: 3003830
Applicant Name: Austin Kovach, architect
for Herman Mohazzabfar
Address of Proposal: 12741 30th Ave NE

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow a six story, 81-unit apartment building above 2,400 sq. ft. of retail at ground floor. Parking for 106 vehicles will be located below grade. Review includes demolition of two residential buildings totaling eight units.

The following approvals are required:

Design Review – SMC Chapter [23.41](#), involving design departures from the following Land Use Code development standards:
SMC [23.54.030 D1e](#), driveway width
SMC 23.47.008 D, residential lot coverage
SMC 23.47.008 B, nonresidential frontage

SEPA - Environmental Determination – SMC Chapter [25.05](#).

SEPA DETERMINATION: Exempt DNS¹ MDNS EIS

 DNS with conditions

 DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

¹ Early DNS published August 24, 2006.

BACKGROUND INFORMATION

Project Description

The applicant proposes a six-story building with five stories of residential apartments above main floor retail. Parking will be located within the structure.

Vicinity and Site

The site is located in the Lake City neighborhood, near the southwest corner of 30th Ave NE and NE 130th St. 30th Ave NE is a collector arterial. The vicinity is generally quite flat, though the site is slightly below the level of the adjacent sidewalk. The property is located in the North Neighborhoods Hub Urban Village.

The site is zoned Commercial 1 with a 65-foot base height limit (C1-65, see Figure 2). Adjacent properties to the north, south, west, and across 30th Ave NE to the east are also zoned C1-65. Further to the west of the site, across 28th Ave NE, properties are zoned C1 with a 40-foot height limit. Further to the north of the site, along NE 130th St, properties are zoned residential Lowrise 2 (L2). Across NE 130th St, the zoning transitions to Single Family with a minimum lot size of 7200 sq.ft. (SF 7200).

Development in the vicinity reflects its zoning, though most does not approach full zoning potential, suggesting that the area could experience substantial future redevelopment. Immediately to the north of the site, there is a four-story mixed-use apartment building owned by Seattle Housing Authority. Residential townhouses are further to the north, and single family homes predominate to the north across NE 130th. To the northwest and west are low warehouse/office structures and a paved surface parking lot. To the southwest is a 6-story apartment building, built in 2000. Immediately to the south is a low office building. To the southeast of the site, across 30th Ave NE, there are one-story retail stores, including a QFC grocery store and a strip development that presents its back to 30th Ave NE. The local fire station is further to the south, on the corner of 30th Ave NE and NE 127th St.

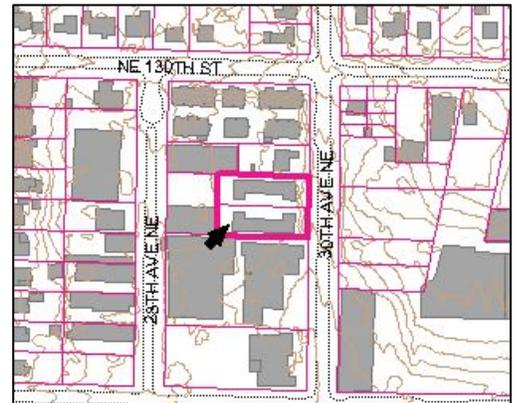


Figure 1. Local topography

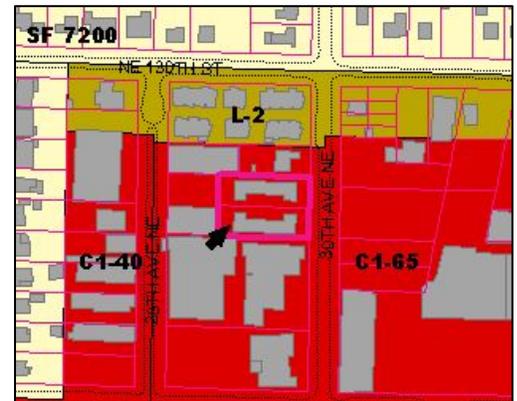


Figure 2. Vicinity Zoning



Figure 3. Aerial View

Recently proposed developments or projects currently under construction in this sector of Lake City include a six-story mixed use building with more than 200 apartments, catering to seniors (to the east across 30th Ave NE from the site, 12740 30th Ave NE, DPD project #[3003585](#)), a six-story building with about 90 residential apartments (3025 NE 130th St, DPD project #[3003225](#)), and the redevelopment of a one-story retail complex at 12513 Lake City Way NE, DPD project #[3003323](#)).

The site is regularly shaped, consisting of two adjacent parcels. The site contains about 21,613 square feet (slightly less than half an acre), with about 120' of frontage on 30th Ave NE. It is occupied by low, ground-related multifamily residences, to be demolished. The site is virtually flat (see Figure 1), and no portion is designated as Environmentally Critical Area on City maps. Existing trees on the site are do not appear to qualify for exceptional status, and are proposed to be removed. The 30th Avenue NE right of way is paved to the property line, and is to be improved with curb, gutter, and a sidewalk adjacent to the project site. The site was originally subject to a different proposal (DPD project #[2002431](#)), which involved fewer residential apartments but a similar overall building volume.

The site is served by public transit. Metro route 65 stops on this block of 30th Ave NE, and several other lines run nearby along Lake City Way NE. The commercial core of Lake City is within walking distance of the site, providing access to banks, the post office, the library, restaurants, grocery and other retail stores.

ANALYSIS OF THE DIRECTOR – DESIGN REVIEW

The Early Design Guidance meeting took place May 1, 2006. The applicant submitted a complete Master Use Permit (MUP) application on July 26, 2006. The first recommendations meeting took place on November 6, 2006. A second and final recommendations meeting took place on March 26, 2007. All Design Review meetings took place in the University Heights Community Center. This report includes the all design review findings. For supplemental design materials, please refer to the project file. The project is vested to zoning rules in effect when DPD accepted a complete application for Early Design Guidance, per SMC [23.76.026 C2](#).

Early Design Guidance Meeting

The Early Design Guidance meeting took place on May 1, 2006, in the University Heights Community Center. The applicant submitted an early design packet, which provides a site and vicinity analysis that informs this report. The packet is available for public review at the Department of Planning and Development (DPD) Public Resource Center, located on the 20th floor of Seattle Municipal Tower, 700 5th Avenue.

5/1/2006 EDG: Applicant's Presentation

Andy Kovach presented the project and provided an overview of the site and vicinity, referring to much of the information presented above. Mr. Kovach owns a small architecture firm in Monroe. He identified the vicinity as a “transition area” and the project as a “great opportunity to open up this corridor and bring residents down to the retail core”. The site offers potential territorial views to the south and west, particularly from a rooftop terrace.

He identified as a high priority that the project should engender a sense of personal safety. To this end, he noted that the building steps down a little in relation to other sites in the vicinity. The design's entry drive is depressed and its retail is brought closer to the sidewalk. The design strives for an "upbeat feel... clean, uncluttered, lively".

The architect noted that the design is further advanced than would typically be the case at this stage in the review process. Considering that a Master Use Permit had already been issued for the site, the applicant team had assumed the updated design would not be subject to further Design Review. He briefly explained some of the key differences between the permitted and proposed designs, but recognized that the Board would review this project on its own merits.

The design's principal residential entry is proposed to be beneath the level of the sidewalk, accessed via stairs and a barrier-free ramp. Mr. Kovach described the entry as "monumental", in that it is framed by raised planters, also intended to focus attention away from the adjacent service areas. The design features an undulating metal canopy above the retail frontage, clad in a galvanized or chrome material, providing for a "rhythm and liveliness, a sense of motion".

Proposed materials include hardiplank (colored sage) and corrugated metal. A central element pops out at the center of the residential levels and cant toward the street, framing windows that are punched and recessed. The design's top floor is shaded a gray-blue sky color, intended to diminish it somewhat. Decks would be wrapped with a corrugated metal for increased privacy, "a styling that harkens back to mid-century, modeling housing built in a kinder, gentler time".

5/1/2006 EDG: Clarifying questions by the Board

What's happening in the seam between the monumental stair and the ramp? A handrail. There isn't much grade to pick up, but it's necessary to provide the rail for ADA access. We intend to provide a gracious, monumental stair to draw people, and a covered canopy that goes all the way out to the edge of the overhang.

How far below sidewalk grade is the residential entry? 3 feet.

In section, where is the first residential level appearing? It's a split level, a half elevation in comparison to the retail. *Do these [first floor] units have extra high ceilings?* Yes. It's one continuous ceiling plate from the retail to the residential.

Please clarify which design departures you're requesting. This canted feature on the front façade exceeds standards and puts the building above its lot coverage requirement – it's more for "effect" than anything else. The design also includes more large parking stalls for large vehicles than are otherwise allowed.

Is the open space located at the lower level designed to be private terraces? We're likely to provide divider walls along the lower level deck, especially on the south side.

Describe the activities you envision for the upper terrace. Barbeques are an option. It's a large open space, about 3,000 sq.ft., with a landscaped perimeter. The landscape design includes benches, movable seats and tables.

5/1/2006 EDG: Public Comment

Two members of the public signed in at the Early Design Guidance meeting on May 1, 2006. Comments from the meeting focused entirely on design considerations under the Board's purview, and included the following:

- The corrugated metal siding communicates that this is to look like a warehouse. I don't like it – it's starting to get overused. There aren't any other metal buildings in the area. I think it would detract.
- The drawing of the east elevation should clearly show the level of the sidewalk.
- I'm concerned about glare from the metal siding, especially on all the decks. The description suggests the decks will be harsh and hard-looking.
- There isn't much greenery proposed for the people to see from the street level. The terrace idea is great, but it seems to convey "hard edges" for pedestrians passing by.
- There should be more landscaping to soften the building. The [Solara](#) [12736 Lake City Way NE, built in 2001] has a beautiful courtyard, but it's inside and there's nothing for pedestrians to see. It's hard to imagine the planter boxes. The more shrubbery, the better – but not the type that people can hide behind. There's an opportunity for plantings on the south side.

Initial Recommendations Meeting

The Initial Design Recommendations meeting took place on November 6, 2006, in the University Heights Community Center. The applicant submitted an updated design packet, which provides a site and vicinity analysis that informs this report. The packet is available for public review at the Department of Planning and Development (DPD) Public Resource Center, located on the 20th floor of Seattle Municipal Tower, 700 5th Avenue.

11/6/2006 Recommendations: Applicant's Presentation

Andy Kovach presented the project and provided a brief recap of the site and vicinity. He described point by point how design updates have addressed the Board's Early Design Guidance.

Entries are now at sidewalk grade, and the main entry is centered to better integrate the structure's base with the symmetry of its upper levels. The entry to the retail spaces are now separate. Tall, single doors provide a better scale than the double doors identified previously, and which Mr. Kovach described as "too overpowering".

By raising the entry to sidewalk level, the walls of the design's parking level are somewhat higher. The wall is to be architecturally finished concrete, with a mottled stain and diagonal cant strips (8' module). The design's updated landscaping compensates for the on the south side, as it consists primarily of a bamboo that is higher and more densely planted, and which should grow well in the space provided. Where the top rail above the south wall had been long and uninterrupted, the design now features regular uprights providing further modulation.

The garbage and recycling area is located to the south of the garage entry and is now also at sidewalk grade, removing any need for ramping. Containers will be visible only on trash day.

The architect presented digital images showing the design's relationship to elements of the permitted Senior Housing Assistance Group (SHAG) project across 30th Ave NE. The bulk of the subject site faces SHAG's proposed retail, providing for two facing retail spaces. SHAG's proposed garage entry is offset somewhat to the south and does not face the subject site. To the north is a four-story mixed use building owned by Seattle Housing Authority. To the south, the existing office building is low and likely to be redeveloped with a building of a similar scale to this proposed design.

Another digital image showed the design's proposed color and materials palette, including a deep-ribbed corrugated siding material with a yellow tone, which wraps the canted wall elements, and a dark asphalt roofing material. The ground floor retail and parking level is composed primarily of cast-in-place, architecturally finished concrete, likely stained a mottled gray/blue. A muted light gray tone wraps the top level, intended to recede at times into the surrounding sky. Windows are likely to vary from level to level: white vinyl at the top, brown vinyl at the middle, and possibly a clear anodized aluminum at the lower residential level. Residential decks are to be composed of stained heavy cedar uprights, painted hardipanel rails, and corrugated, galvanized aluminum infill panels.

In raising the grade of the first floor level, Mr Kovach noted, the proposed roof feature is now technically above height. Pitched roofs are one of the design's signature elements design elements. Although the Land Use Code provides for parapet walls above the base height limit, there is no such provision for pitched roofs in commercial zones with a 65' height limit. He hoped that administrative application of a Director's Rule, perhaps paired with some Design Review Board discretion, would permit the design's pitched roof feature to remain.

Mr. Kovach presented a lighting plan. The project's only downcast light is located underneath the sidewalk canopies. Wall sconces and wall washes help to develop a shadowline on the tilt walls. At the upper level deck, wall sconces are mounted low at the planter level. Muted uplights are located in the landscaping.

The design relies on four requested departures from Land Use Code development standards, detailed on page 22.

11/6/2006 Recommendations: Clarifying questions by the Board

How tall is this building, including the pitched roofs? At EDG, we showed a 65' limit to the roof ridge. At that time we were 3'-4" lower than now. Now we're at 69'. The 12' elevator tower has a pretty low profile.

You used to have pieces of stone to break up the south-facing ground-level façade. Now it's concrete. How do you propose to break it up? The wall is relatively low. Planters might soften it up a bit. The grout-line pattern wasn't working with the rest of the design. It'll be stained with quite a lot of pigment and smooth-sacked. It'll have a mottled appearance. There will be plenty of opportunity for detail.

In the 3-4' wide planting strip along the south side, you're proposing a timber bamboo. Will there be enough planting depth, given drain lines, utility lines? I'm pretty comfortable with it. We don't have width, but we have depth. That's native soil and will remain so. We're going pretty deep with our drain lines, and we'll have to put root barriers to the south. Maybe a 3' barrier.

Do you have a typical floorplan to show? At EDG we had discussed an investigation of the corner massing. Not immediately available. The aesthetic works better by extending the corners out. We wouldn't want to give up on the undulation of the roof – if we pull back on the roofline at the corners, it would dramatically affect the look of the building. There's no alternative to show [representing diminished corners].

Did you give any consideration to alternative finish materials to the solid corrugated at the decks? We thought about privacy and didn't consider additional transparency. Alternative materials aren't out of the question. We wouldn't want to go to a thin open rail. If you went from corrugated to plexiglass, it would be a different story.

Does the base structure have the same architectural treatment on the west side as you've described on the south side? There will be architectural detailing on both the south and west sides. The setback will exist on the south side for the life of the building. On the west side, this wall might be covered by future development next door.

What's located in the rooftop penthouse? Stair and elevator overruns only.

11/6/2006 Recommendations: Public Comment

Three members of the public signed in at the Design Recommendations meeting on November 6, 2006. Comments from the meeting focused entirely on design considerations under the Board's purview, and included the following:

- With other new buildings, we've seen a lot of plain concrete. The treatment proposed here seems to work, so don't take it out.
- It feels like there aren't any common areas where people can sit around the building. Upper level deck area and trees on the roof are a positive thing.
- I love the canopies and how they relate to the roofline.
- Corrugated metal on the first floor feels cold to me. If it were colored, it would be better.
- The color scheme is good. I don't know about the corrugated metal. Otherwise it's a gorgeously unique building in an area that has been a slum for so long. Seeing things like this go up is refreshing.

Final Recommendations Meeting

A second and final Design Recommendations meeting took place on March 26, 2007, in the University Heights Community Center. The applicant submitted an updated design packet, which provides a site and vicinity analysis that informs this report. The packet is available for public review at the Department of Planning and Development (DPD) Public Resource Center, located on the 20th floor of Seattle Municipal Tower, 700 5th Avenue.

3/26/2007 Recommendations: Applicant's Presentation

Andy Kovach presented the project and provided a brief recap of the site and vicinity. He addressed the key concerns raised by the Design Review Board in the last meeting: the opacity and bulk presented by the design's upper level residential decks, the depressed front entry, and various landscaping issues.

The design's upper level residential decks are now transparent glass, a substantial change in the design's architectural composition.

The updated design relocates the main retail entry, so that it's more centered and has a clearer visual relationship to the floors above.

Sidewalk grade is somewhat higher than the level of the site, which continues to present a dilemma related to the location of the principal pedestrian entrance and the design's rooftop architecture. Elevating the entry – a high priority for the DRB – results in height considerations that would require diminished floor-to-floor heights and/or a modified roof design. Mr. Kovach invited DRB support for allowing a pitched roof above the base height limit for the zone.

As requested by the DRB, Mr. Kovach also presented an alternative that pulls the design back at its southwest corner. The architect questioned whether such a setback would have any perceptible effect for pedestrians or nearby residents, especially since future development on the property to the west is likely to wall up the interior space.

Mr. Kovach described requested departures, including a reduction in nonresidential frontage, a narrower driveway and residential lot coverage.

3/26/2007 Recommendations: Clarifying questions by the Board

In the alternative that steps back at the southwest corner, would there be a need for a residential lot coverage departure? Probably not.

How large is the parking garage? 114 spaces, all underground.

Does the design comply with the sight triangle rule, no matter how wide the driveway? Yes.

Do you intend to landscape the decks? Tenants will be able to landscape their decks. There's a 4' landscaped buffer on the south side. There will be hose bibs to allow for watering.

To the south of the main entry, there's still a very small space shown. ~300 sq.ft. It might be an office. Is that space included in your nonresidential frontage calculation? If we can rent it out, then we wouldn't require a departure from nonresidential frontage.

In the residential decks, did you consider horizontal railings rather than plate glass? I like the cleanness of the glass, and I didn't want the "busyness" of the rails. Horizontal rails would attract kids to climb, so vertical would be preferred.

Are you expecting to pave with a standard sidewalk? I wanted to see a specialized treatment there. I'd prefer cobble. That's to be determined. If the sidewalk is brushed concrete, then we'll continue that theme on our side of the property line. We'll also provide limestone sills on the front to brighten things up a little.

How does the design discourage graffiti? There's a clear sense of security at the front of the site (entries, windows, etc). It's not possible to access along the south side of the building. Bamboo makes it difficult to tag a broad surface. We'll also likely use surface treatments to make it easier to clean the concrete.

What are windows likely to be made of? Vinyl. Against the corrugated metal at the base, it's likely to be white. Above we're thinking a beige window.

Please describe the storefront system. Aluminum, chromed around the entry, galvanized. Anodized aluminum. No tinting on the windows.

How will residents access the garbage? There will be a main collection point at the second floor, a chute located at the edge of the building.

In your nighttime images, it looks like you intend to uplight the canopies? Those would likely be rope lights, run behind the front fascia so you won't see the source. It would be diffuse, a continuous source of light, not individual points.

3/26/2007 Recommendations: Public Comment

Three members of the public signed in at the Design Recommendations meeting on March 26, 2007. Comments from the meeting focused entirely on design considerations under the Board's purview, and included the following:

- The yellow bay that cants outward – is it corrugated or painted? (Factory finish, applied under controlled conditions for longevity). And the light green on either side is Hardiplank? (Yes, it'll be sealed and painted.)
- Will the balcony rails be metal or wood? (Probably metal, trim color and railings would match).
- Please focus on the longevity of the finish treatments.
- For the stained concrete, it's really important that it be sealed.
- I recommend locating the building's name in the center, or in some other more prominent location. Maybe a smaller sign at the transom glass.
- Channeled letters look nice, but they have a strip mall look. Plate-cut, stud-mounted would be better, face-lit. This creates a walkable, ped-friendly feel. It's important that these tenants get the attention they need. There will be lots more foot traffic in that area in the next five years.
- Bamboo is notorious for spreading. Look at the native alternatives rather than going with the bamboo.

- We're a block removed from the main commercial area, so it's important to blend the retail effect with the more residential area. Across the street is a swale of native plantings. Something in line with that would be welcome – similar native materials.
- Overall the look is nice. Lots of people wanted to see brick at the lower level. There's a recent condo on 31st – the [Luminaire](#) – where they have stained concrete. It looks like that's cracking – not sure if it's the concrete or the surface treatment.

Guidelines

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 siting and design guidance described below and identified by letter and number those siting and design guidelines of highest priority to this project, found in the City of Seattle's [Design Review: Guidelines for Multifamily and Commercial Buildings](#).

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.

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the street.

A-5 Respect for Adjacent Sites

Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

A-6 Transition Between Residence and Street

For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

A-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 properties and pedestrian safety.

5/1/2006 Guidance – Site Planning

Board members noted that there is no clear topographic reason for locating the principal entry below the street grade, given that the slope across the front of the site is only about 2'. Board members perceived this entry to be under cover, downhill, “in a hole”. The updated design should feature a residential entry that reinforces the pedestrian-oriented right-of-way. It should be visible from the street, at grade, and separate from the commercial entry.

The entrance to the retail space should be directly from the street, not through the lobby. Board members indicated that two commercial entrances would be appropriate, but they left this guidance open to further discussion.

For the recommendations meeting, the architect should provide an orthogonal context drawing that shows this project seated in its block and half of each of the surrounding blocks. In particular, the project should show the proposed massing and entries of the Senior Housing Assistance Group project located directly across 30th Ave NE.

11/6/2006 Recommendations – Site Planning

Board members stated that including the at-grade retail entry is a crucial improvement over the earlier design. This entry’s relationship with the sidewalk had been their “driving, central comment”. While they recognized that the updated design addresses their concern, they were concerned that the unresolved questions about the design’s height might affect the feasibility of the design as shown. They deferred their recommendation until that the height questions are resolved.

Board members asked that typical floorplans be included in the design packet at a future meeting.

3/26/2007 Recommendations – Site Planning

Citing the value of increased light and air and its effect on adjacent sites, Board members recommended that the design step back at its southwest corner as shown in the presented alternative.

B. Height, Bulk & Scale

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.

5/1/2006 Guidance – Height, Bulk & Scale

Board members agreed that the massing is “generally very well handled”, particularly on the north and south elevations.

The Board recognized that the site has no adjacencies to less intensive zones. However, one Board member noted that the building is adjacent to other apartments and its bays have the effect of making the design seem “bigger at the corners”. Board members asked to see an accurate 3D representation of this building with respect to its neighbors. The Board wants the applicant to show an alternative in which the southwest corner is pulled back somewhat to allow adjacent buildings to “look past one another.”

11/6/2006 Recommendations – Height, Bulk & Scale

Board members felt that the design packet failed to address Board guidance in this regard. The applicant presented no alternative that eroded the southwest corner as requested. A view of the north façade might allay any concerns about blank façades there, but the drawing isn’t readily available. Board members felt they lacked the materials to inform a recommendation in this regard. They reiterated the above guidance.

Opaque infill panels on the residential decks appear to communicate heaviness. Board members recommended that these should feel “less wall-like and more material-like”. The design team should provide an alternative that integrates some element of translucence or transparency for the decks.

3/26/2007 Recommendations – Height, Bulk & Scale

The Board recognized the more-transparent deck design to be a substantial improvement over the original opaque panels, though they were not opposed to semi-transparent or “lacy” alternatives to the plate glass.

C. Architectural Elements and Materials

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.

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.

5/1/2006 Guidance – Architectural Elements and Materials

The east (front) elevation is enhanced by the central canted element, offering a clearly symmetrical “A-B” rhythm of major and minor bays. The entrance, however, is shifted from the central axis to an awkward location related to the strong symmetry above. Board members feel that the residential entry should have its own particular hierarchy, possibly achieved through the loss of some at-grade commercial space.

The roof form appears to be well composed, and the elevations appear to benefit from the penthouse, which is “well tied together”.

The Board recognized the public’s critique of the proposed corrugated metal siding, but they supported its careful incorporation into façades’ composition. At the recommendations meeting, the applicant should provide a color and materials board.

11/6/2006 Recommendations – Architectural Elements and Materials

The Board generally supported the overall architectural composition. They complimented the architect on the further simplification of the exteriors. The east elevation exhibits many different materials, colors, and textures, and could benefit from further refinement, possibly by making the top and the base expressions more cohesive. The band of vertically corrugated silver metal seems to form a gasket between the base and the upper levels, impeding effective integration. The Board recommended that the designers consider strategies to further integrate the base with its top. They deferred their recommendation pending resolution of questions related to structure height, and they asked that all four elevations be presented at a future meeting.

One Board member noted her concern that a concrete wall stained all one color presents its challenges, particularly if it’s ever tagged.

3/26/2007 Recommendations – Architectural Elements and Materials

The Board recommended that the building sign should not be located on the second story. It should be closer to pedestrian level and should be “more subtle” than shown.

The design’s color palette should also aim for subtlety, and materials should have a matte finish (no glare). The green should not be intensified further than currently shown.

D. Pedestrian Environment

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.

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.

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.

5/1/2006 Guidance – Pedestrian Environment

The Board raised concerns about the proposed location of the waste and recycling space at the southeast corner. They noted that the landscaping bed near this space is minimal. At the recommendations meeting, the applicant should show an effective treatment of the dumpster area and explain the plan for moving dumpsters in and out of this space.

11/6/2006 Recommendations – Pedestrian Environment

A Board member commented that the complex brackets and the curved awning are a signature motif and should be retained. He noted, however, that the “base feels dark” and might be lightened with precast sills or kickplates.

The Board wants the design team to show examples of proposed signage.

3/26/2007 Recommendations – Pedestrian Environment

The Board supported the request to narrow the driveway and recommended that the design provide multiple doorways accessed from the sidewalk, preferably level with sidewalk grade.

E. Landscaping

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.

5/1/2006 Guidance – Landscaping

Board member agreed with public input about clearly visible landscape features. Greenery and plantings should be oriented to the street and at-grade plantings should be raised up to be level with the sidewalk.

The updated landscape design should show landscaping along the south-facing terrace, particularly where it is visible to the public from the sidewalk.

11/6/2006 Recommendations – Landscaping

A Board member stated that the presented landscape design is generalized and fails to provide the information that defines the landscape (“there’s nothing to hang our hats on”). The design team should update the landscape plan(s) to more clearly identify the elements of the landscape design.

The Board generally supported the proposal to plant bamboo along the south side, and they recommended that such plantings be spaced more densely than the proposed 10' o.c.

3/26/2007 Recommendations – Landscaping

At the front and along the streetscape, the landscaping should emphasize vibrant and seasonal color. The Board recommended that the south-side bamboo be interplanted with something shorter that will fill in faster than the bamboo. At the sidewalk, trees should be located in the ground instead of in pots, where possible.

Summary of departures

This decision summarizes the applicants’ requested departures from Land Use Code development standards and the Design Review Board’s recommendations. Approved departures are listed on page 22.

DECISION – DESIGN REVIEW

The Director concurs with the recommendations of the Northeast Seattle Design Review Board, delivered March 26, 2007. DPD conditions the project to update plans in accordance with Board recommendations:

- All applicable drawings shall reflect the eroded southwest corner as depicted in the alternative scheme shown at the March 26 Board meeting.
- The architect shall relocate the building’s sign closer to pedestrian level, so that it is “more subtle”.
- Within the color palette shown, any adjustments should also tend toward “more subtle”, and materials should have a matte finish (no glare).
- The design shall provide multiple doorways accessed from the sidewalk, preferably level with sidewalk grade.
- The bamboo proposed along the site’s south side shall be interplanted with something shorter that will fill in faster than the bamboo. At the sidewalk, trees should be located in the ground instead of in pots, where possible.

DPD **CONDITIONALLY APPROVES** the project’s Design Review component and the requested departures for nonresidential street frontage subject to the conditions listed at the end of this report.

ANALYSIS – SEPA

The applicant provided the initial disclosure of this development’s potential impacts in an environmental checklist signed and dated on January 13, 2006. The applicant also provided a traffic impact analysis prepared by Parametrix and dated January 30, and a Phase I Environmental Site Assessment dated November 23, 2005. The file contains no letters from the public related to the SEPA review. The checklist and the experience of the lead agency in similar situations form the basis for this analysis and decision. This report anticipates short and long-term adverse impacts from the proposal.

The SEPA Overview Policy (SMC [25.05.665 D](#)) states “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 limitations. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Drainage, and Erosion Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of potential adverse impacts. More detailed discussion of some short and long term impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction and demolition; potential soil erosion during grading, excavation and general site work; increased runoff; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular 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 Section [25.05.794](#)). Although not significant, these impacts are adverse.

Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

Construction Noise. Due to the close proximity of residential uses, the limitations of the Noise Ordinance are likely to be inadequate to mitigate potential noise impacts. Pursuant to SEPA policies in SMC Section [25.05.675 B](#), the hours of all work not conducted entirely within an enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) shall be limited to between 7:00 a.m. and 6:00 p.m. on non-holiday weekdays to mitigate noise impacts. Limited work on weekdays between 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner (or his successor). Such after-hours work is limited to emergency construction necessitated by safety concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be strictly conditioned upon whether the owner(s) and/or responsible party(ies) provide three (3) days’ prior notice to allow DPD to evaluate the request. See Table 1 and Condition #6, below.

Air quality. The Puget Sound Clean Air Agency ([PSCAA](#)) requires control of fugitive dust to protect air quality and will require permits for removal of asbestos (if any) during demolition. A condition will be included pursuant to SEPA authority under SMC [25.05.675 A](#) which requires that a copy of the PSCAA “notice of intent to demolish” be submitted to DPD before issuance of the demolition permit. This will assure proper handling and disposal of asbestos, if it is encountered on the proposal site. 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.

Grading. An excavation to construct the lower level of the structure areas will be necessary. The excavation will consist of approximately 9,000 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. 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 minimizes the amount of spilled material and dust from the truck bed enroute to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Parking. Short-term parking impacts involve additional parking demand generated by construction personnel and equipment. The applicant has provided limited information related to short-term construction related parking impacts on the vicinity. During early stages of construction, workers are likely to park on nearby residential streets. However, DPD staff conducted various drive-by site visits, which indicate that weekday parking utilization in the area is not at capacity, and construction-related parking is not likely to exceed capacity. DPD also anticipates that workers will park on the site once the parking levels are completed. DPD therefore determines that construction-related parking does not constitute an impact warranting mitigation.

Traffic. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. This activity will require approximately 900 round trips with 10-yard hauling trucks or 450 round trips with 20-yard hauling trucks. Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. The proposal site is near several major arterials and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC [11.62](#).

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased bulk and scale on the site; increased traffic and parking demand due to residents and visitors; minor increase in airborne emissions resulting from additional traffic; minor increase in ambient noise due to increased human activity; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption.

The expected long-term impacts are typical of medium-density residential development and are expected to be mitigated by the City's adopted codes and/or ordinances (together with fulfillment of Seattle Department of Transportation requirements). Specifically these are: the Stormwater, Drainage, and Erosion Control Code (storm water runoff and site dewatering); the Land Use Code (aesthetic impacts, light and glare, height, setbacks, parking); and the Seattle Energy Code (long-term energy consumption).

Parking. The Seattle SEPA policy for parking impacts (SMC [25.05.675 M](#)) provides authority to mitigate parking impacts of multifamily development when 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 as so defined.

The proposed project incorporates 106 parking spaces, substantially more parking than would otherwise be required by the Land Use Code. Future tenants are seniors, and demand for parking is not likely to exceed supply, considering the age and socioeconomic demographic targeted by this developer. No further mitigation is warranted.

Chapter [23.54](#) of the Land Use Code addresses parking requirements. In addition, subsection [25.05.675 M](#) of the City's SEPA ordinance addresses parking impacts, as follows:

Parking regulations to mitigate most parking impacts and to accommodate most of the cumulative effects of future projects on parking are implemented through the City's Land Use Code. However, in some neighborhoods, due to inadequate off-street parking, streets are unable to absorb parking spillover. Parking impact mitigation for multifamily development may be required only where on-street parking is at capacity, as defined by Seattle transportation [SDoT] or where the development itself would cause on-street parking to reach capacity as so defined.

It is likely only a handful of on-street parking will be needed in worst-case scenarios. Furthermore, International Transportation Engineers surveys show that comparable mixed-use projects such as these have less demand than the City requirements. Since this proposal meets the minimum parking requirements of the Land Use Code, and anticipated spillover parking is minimal, no further SEPA mitigation of parking impacts is warranted.

Traffic. The Institute of Transportation Engineers (ITE) Trip Generation Manual estimates that comparable multifamily projects generate approximately .44 vehicle trips per p.m. peak period per unit. Based on these estimates, the 79 residential units would result in 35 trips during the peak period. During the p.m. peak period, the ground level commercial space will contribute additional traffic. As a small space (2,400 sq. ft.), such additional traffic is likely to be relatively marginal. The trips added by this project to the p.m. peak traffic will not seriously affect operations at either 30th Ave NE and NE 130th St or 30th Ave NE and NE 127th St. No SEPA mitigation of traffic impacts to these intersections is warranted.

Historic Preservation. Site is occupied by two single-story residential buildings, built ca. 1954. DON staff determined that landmark status would be highly unlikely in this case.

Other Impacts. The other impacts not noted here as mitigated by codes, ordinances, or conditions (increased ambient noise; increased pedestrian traffic, increased demand on public services and utilities) are not sufficiently adverse to warrant further mitigation by conditions. 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.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a 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 [43.21C](#)), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. DPD has determined that this proposal does 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. An EIS is required under RCW [43.21C.030 \(2\)\(C\)](#).

DESIGN REVIEW CONDITIONS

The following Design Review conditions 1, 3, and 4 are not subject to appeal.

Prior to Issuance of the Master Use Permit

1. **Update plans and provide color drawings.** The applicant shall update the Master Use Permit plans to reflect the recommendations and conditions of this decision. The applicant shall embed conditions and colored landscape and elevation drawings into updated Master Use Permit and all building permit sets.
2. **Design updates.** As recommended by the Northeast Design Review Board, the applicant shall update the Master Use Permit plans to reflect the following updates:
 - a. All applicable drawings shall reflect the eroded southwest corner as depicted in the alternative scheme shown at the March 26 Board meeting.
 - b. The building's principal sign shall be located closer to pedestrian level than shown in drawings at the final recommendations meeting.
 - c. The design shall include multiple doorways accessed from the sidewalk, preferably level with sidewalk grade.
 - d. The bamboo proposed along the site's south side shall be interplanted with something shorter that will fill in faster than the bamboo. At the sidewalk, trees should be located in the ground instead of in pots, where possible.

Prior to and/or During Construction

3. **Design changes.** Any changes to the exterior façades of the building, signage, and landscaping shown in the building permit must involve the express approval of the DPD Planner prior to construction.

Prior to Issuance of the Certificate of Occupancy

4. **Design review inspection.** Compliance with the approved design features and elements, including exterior materials, roof pitches, façade colors, landscaping and right of way improvements, shall be verified by the DPD planner assigned to this project (Scott Ringgold, 233-3856) or by the Design Review Manager. The applicant(s) and/or responsible party(ies) must arrange an appointment with the Land Use Planner at least three working days prior to the required inspection.

CONDITIONS – SEPA

Prior to Issuance of any Permit to Construct or Demolish

5. **Air quality.** The owner(s) and/or responsible party(ies) shall submit a copy of the PSCAA “notice of intent to demolish” prior to issuance of a demolition permit.

During Construction

The following condition 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. 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 weatherproofing material and shall remain in place for the duration of construction.

6. **Noise.** The hours of all work not conducted entirely within an enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) shall be limited to between 7:00 a.m. and 6:00 p.m. on non-holiday weekdays² to mitigate noise impacts. Limited work on weekdays between 6:00 p.m. and 8:00 p.m., and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner or his successor. Such after-hours work is limited to emergency construction necessitated by safety concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be strictly conditioned upon whether the owner(s) and/or responsible party(ies) provide three (3) days’ prior notice to allow DPD to evaluate the request.

² Holidays recognized by the City of Seattle are listed on the City website, <http://www.seattle.gov/personnel/services/holidays.asp>

NON-HOLIDAY WORK HOURS							
	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
7:00 am							
8:00							
9:00							
10:00							
11:00							
12:00 pm							
1:00							
2:00							
3:00							
4:00							
5:00							
6:00							
7:00							
8:00							

Table 1, Non-holiday work hours. Unshaded work hours shown above are permitted outright. For certain work, it is possible to request DPD approval for additional hours shaded in gray.

Signature: _____
 Scott A. Ringgold, Land Use Planner
 Department of Planning and Development

Date: December 13, 2007

APPENDIX A: DEPARTURE FROM DEVELOPMENT STANDARDS

The table below describes the requested departure and reflects the Board’s discussions and recommendations. The recommendations are based upon the departure’s potential to help the project better meet the design guideline priorities and achieve a better overall design.

The applicant requested departures from the following Land Use Code development standards:

<i>Requirement</i>	<i>Proposed</i>	<i>Comments</i>	<i>Action by Board</i>
<p>SMC 23.54.030 D1e driveway width. Driveways serving more than thirty (30) parking spaces shall provide ... a minimum twenty (20) foot wide driveway for two (2) way traffic.</p>	<p>16', 4' less than otherwise required.</p>	<ul style="list-style-type: none"> Narrowing the driveway width allows for an expansion of the commercial frontage and a reduction in the driveway’s visual dominance at the sidewalk level. The design provides for adequate sight triangles, and the narrower driveway is not likely to affect vehicle maneuvering within the structure or in the right-of-way. 	<p>The Board agreed with the departure’s rationale and recommended that DPD grant the request.</p>
<p>SMC 23.47.008 B, non-residential frontage. 80% of street façade to be occupied by non-residential use.</p>	<p>68', 5.6' less than otherwise required.</p>	<ul style="list-style-type: none"> The Board requested relocating the main building entry to the center of the structure and although this improved the building aesthetics, usable retail space was diminished slightly resulting in the reduced non residential frontage. 	<p>The Board agreed with the departure’s rationale, and recommended that DPD grant the request, provided that the design’s retail spaces provide direct access from the sidewalk.</p>

<i>Requirement</i>	<i>Proposed</i>	<i>Comments</i>	<i>Action by Board</i>
<p>SMC 23.47.008 D, residential lot coverage. Above thirteen (13) feet from finished grade, the residential portion of a structure containing residential and non-residential uses shall be limited to a maximum lot coverage of sixty-four (64) percent.</p>	<p>Approx 334 sq.ft. (2.4%) more than otherwise allowed.</p>	<ul style="list-style-type: none"> • “The design features sloped wall facades as part of the design concept on each of the elevations. These sloped elements are critical to overall building aesthetic and are intended to reduce building height appearance through the use of forced perspective as well as enhancing building modulation.” 	<p>The Board recommended that DPD grant the request, given that it facilitates an evocative design element that appears to be well implemented. They recommended that the southeast corner be eroded as presented in the final recommendations meeting.</p>