



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: 3004734
Applicant Name: Larry Flack of Runberg Architecture Group
for Hanson Lake City LLC
Address of Proposal: 12311 32nd Ave NE

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 7-story building containing 9 live-work units with 144 residential units above. Parking for 153.5 vehicles and 36 bicycles to be provided at and below grade. Existing structures to be demolished. Project includes 14,000 cu.yds. of grading.

The following approvals are required:

Design Review pursuant to Chapter 23.41 Seattle Municipal Code, with Departures:

Development Standard Departure to allow non-residential uses at street level to be less than 30' deep (average) and 15' (minimum) depth, with a floor to floor height of less than 13' (SMC 23.47A.008 B3).

Development Standard Departure to allow street level residential within 10' of the sidewalk and within 4' of grade (23.47A.008.D.2).

Development Standard Departure to allow more than 20% residential uses at street level (SMC 23.47A.005 D2c).

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

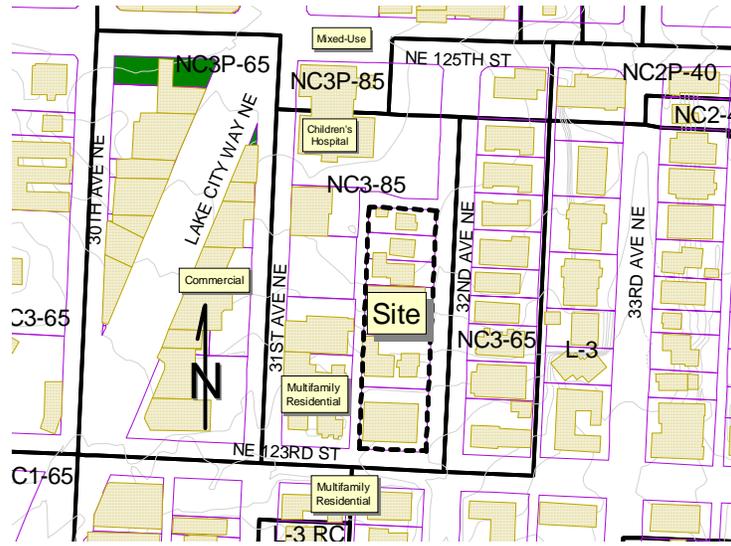
DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

SITE & VICINITY

The 31,722 square foot site is located on 32nd Ave NE between NE 123rd St and NE 125th St. Ten existing structures are located on the site, seven of which are single-family or multi-family residences. The residences were built in 1930, 1950, 1919, 1940, and 1938.

The site slopes slightly to the south and is zoned Neighborhood Commercial with an 85 foot height limit (NC3-85), which continues to the north and west.

Lower height and intensity NC3-65 is located to the east. Multi-family Lowrise Residential (L-3 and L-3 RC) zoning is located to the south.



Surrounding uses are a mix of single family residential, multi-family residential, commercial, and institutional (Children's Hospital building). Single family residential is primarily older 1-2 story wood frame construction. Multi-family residential ranges from early 20th century one to two-story buildings to very recently constructed 6-story buildings. Commercial is a mix of ages and architectural styles.

The area includes sidewalks and nearby transit stops. Bus stops are located on Lake City Way NE and NE 125th St. Parking is predominantly on-street, with limited parking located in small driveways and surface parking areas. Newer construction includes structured and underground parking. Some nearby commercial development includes larger surface parking lots. The subject property includes some mature trees and shrubs. NE 123rd St adjacent to the subject property is paved, but has gravel shoulders instead of curb, sidewalk and gutter. The gravel shoulders serve both as parking areas and informal pedestrian pathways. An alley is located on the west and north borders of the subject property.

PROJECT DESCRIPTION

The proposed development includes demolition of the existing buildings and construction of a new six story mixed-use building with approximately 143 residential units, 9 live work units at grade, and structured and underground parking for 154 vehicles. The proposed parking area would be accessed from the alley.

DESIGN GUIDELINE PRIORITIES:

EARLY DESIGN GUIDANCE MEETING (March 5th, 2007)

At the Early Design Guidance meeting held on March 5th, 2007 and after visiting the site, considering the analysis of the site and context provided by the proponents, 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-2 Streetscape Compatibility
- A-3 Entrances Visible from the Street
- A-5 Respect for Adjacent Sites
- A-6 Transition Between Residence and Street
- A-7 Residential Open Space
- B-1 Height, Bulk, and Scale Compatibility
- C-2 Architectural Concept and Consistency
- C-3 Human Scale
- C-4 Exterior Finish Materials
- D-1 Pedestrian Open Spaces and Entrances
- D-2 Blank Walls
- D-5 Visual Impacts of Parking Structures
- D-6 Screening of Dumpsters, Utilities, and Service Areas
- D-7 Personal Safety and Security
- D-8 Treatment of Alleys
- D-9 Commercial Signage
- D-10 Commercial Lighting
- D-11 Commercial Transparency
- D-12 Residential Entries and Transitions
- E-2 Landscaping to Enhance the Building and/or Site

The primary guidance from EDG included:

- Scale:
 - Massing should be in ¼ block sections to respond to existing nearby recent development
 - Use scale reduction techniques (smaller building bays, clear glazing on corner balconies, etc)
 - Place massing so that the open space faces existing residential units across the alley
- Pedestrian Environment:
 - Enhance the pedestrian environment along 32nd Ave NE, including open space at grade, overhead pedestrian weather protection, landscaping, lighting, signage, transparency, etc.
 - Carefully treat the residential stoops and live-work unit entries to positively influence the pedestrian environment
 - Use as much landscaping as possible at grade to meet Green Factor requirements
- Live-work units should appear commercial in nature and not residential
- Materials:
 - Use permanent durable materials
 - Minimize blank walls
- Provide information regarding lighting, signage, and transparency at the MUP stage

On June 25th, 2007, the applicant submitted for a Master Use Permit. On January 7th, 2008, the Northeast Design Review Board convened for a Final Recommendation meeting. Additional packet materials and display boards presented for the Board members' consideration included landscape plans, materials and colors, and light fixture information.

DESIGN PRESENTATION

Larry Flack of Runberg Architecture Group and Thomas Rengstorf, Landscape Architect, gave the applicant presentation. Larry Flack explained that the design had evolved after a series of communications with the neighborhood groups and DPD. In response to the priority guidelines from EDG, the project has been modified since the last meeting. Refinement of the design included the following:

- The building massing has been placed to present open space to the existing residential units at the alley and provide an entry plaza at 32nd Ave NE
- The residential townhouses and live-work units present a high degree of transparency facing the street level with 16 points of entry along the façade
- The live work units:
 - Separated from the sidewalk by planters and steps
 - Blade signs to be attached to the underside of the canopies
 - Canopies provide mostly unbroken weather protection adjacent to the building
 - Human scaled light fixtures by the live work units
 - Human scale in the façade treatments, which include brick with an architectural concrete base and large storefront windows
- The proposed structure is approximately 70' tall, well under the 85' height limit, which will provide a transition from the lower height zoning to the east, over to the higher buildings to the west
- All proposed vehicular access is from the alley; trash and utilities are inside the garage
- Green screens would be placed at the alley elevation by the residential open space on that façade, to provide visual interest and some privacy
- Light fixture types respond to the three primary building bays facing 32nd Ave NE
- Landscaping includes
 - Drought tolerant, textural plantings at the street front, including street trees
 - ECO Pavers will be used at the live-work entries and to accentuate the courtyard connection to the sidewalk
 - The entry courtyard includes a water feature, seating areas, low grasses, bamboo, and plants that accentuate the modern aesthetic
 - Residential open space at the alley includes Trex decking, paver patios, and low landscaping; provides a visual experience from both at the open space level and as viewed from above
 - Roof gardens will be planted in galvanized 'horse troughs' that include grasses and sedums, with Trex decking walkways and gathering areas
- Requested departures include:
 - Exceed 20% maximum residential use at the street level (34% proposed)
 - Reduce required live-work floor to floor height below 13' (9' height to removable loft; 18' high for 25'10" building depth if loft is removed)

- Reduce the required setback or elevation change between residential units and sidewalk area (10' setback or 4' elevation change required; proposing 8.4' setback and 1 foot to 3.5' off sidewalk grade)

BOARD QUESTIONS AND COMMENTS

The Board had the following questions and clarifying comments, with responses from the applicant:

- At the alley and north and south elevations, it appears there is a lot of blank wall area in the bottom section of the building. Why did the applicant not choose to add green screen to these areas?
 - Green Screens could be added to those areas
- There is a lot of architectural concrete shown in the base described in the last question. Will this concrete be finished or stained in some way?
 - The intent is natural concrete with a sealant
- The live work units appear to be quite small to accommodate both live and work space. Does the applicant/owner believe this is actually a feasible live work space?
 - The units are flexible – occupants could remove the loft area for higher ceilings, restrict their living space to the loft area and have office below, or remove the kitchen area. The units are small but feasible as live-work units in the long term. The flexible space is needed because live-work activities take longer to establish and people can use them more as residential areas at first.
- Is the lower building height due only to construction constraints?
 - Yes; at 85' height steel and concrete construction is required, instead of the proposed wood frame construction

PUBLIC COMMENT

Three members of the public attended the Recommendation meeting. The following comments were offered:

- There appears to be a lot of exposed concrete/blank wall, especially as shown in the elevations for the south façade.

DESIGN GUIDELINE PRIORITIES

After considering the proposed design and the project context, hearing public comment and reconsidering the previously stated design priorities, the four Design Review Board members came to the following conclusions on how the proposed design met the identified design objectives from City of Seattle's *Design Review: Guidelines for Multifamily and Commercial Buildings* and *North District/Lake City Design Guidelines*.

(Note: this project is within neighborhood area, Hub Urban Village, and Civic Core as described in North District/Lake City design guidelines)

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.

The Board noted that the applicant has responded positively to guidance for this item at EDG. The building massing has been broken into visually distinct portions, providing a

reference to nearby ¼ block massing. The proposed placement of open space at the alley responds well to nearby residences, and the proposed open space and details at the 32nd Ave NE streetscape will enhance the pedestrian environment. The proposal meets this design guideline.

A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.

North District/Lake City Guideline (augmenting A-3). Encourage welcoming, slightly recessed main building or shop entrances consistent with a traditional storefront design. Clearly indicate main entries to new commercial and multiple family residential buildings through design, material changes, lighting and street visibility.

The applicant has proposed to treat entrances to the townhouses, live-work units, and upper residential units in three different ways. The townhouse entries are separated from the sidewalk by stoops and planters, providing some transparency at the street level and privacy for the residents. The applicant noted that the graphics shown in the packet are inconsistent regarding the planter heights at these units. The graphics shown on page H.0 are correct. The live-work units are setback from the sidewalk with stairs leading down to the entries. Low planters with seating walls separate the sidewalk from the live-work unit, allowing increased transparency and pedestrian opportunities for gathering at the sidewalk level. The primary residential entry plaza for upper residential units is well-designed, with a recessed plaza area and a vertical entry bay to visually distinguish the entry. The plaza includes a water feature, landscaping, special paving, and design treatments that continue into the adjacent sidewalk area. The proposal meets this design guideline.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

North District/Lake City Guidelines (augmenting A-5):

Pay special attention to projects on the zone edges in the Hub Urban Village, such as between Northeast 125th and 130th Streets and on the eastern boundary of the urban village for example. Incorporate vegetation to buffer and provide significant visual screening where privacy for adjacent sites is an important concern.

The applicant has proposed to reduce the massing by dividing the building into visually distinct bays, incorporating significant areas of open space in appropriate areas, and using metal mesh panels at the balconies, and a mix of colors and materials. The proposal meets this design guideline.

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.

The proposed open space adjacent to the primary residential entry includes distinct landscaping to enhance the architecture, a water feature, special paving that extends to the sidewalk area (ECO Pavers), seating opportunities, and pedestrian scaled lighting. The individual townhouse entries facing the sidewalk include low planters for privacy, and stoops. The design treatments offer some privacy for residents, and provide opportunities for gathering and social interaction. The proposal meets this design guideline.

A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

The proposed open space at the street front is described in the response to A-6. The proposed open space at the alley has been located to provide privacy and separation for nearby residents across the alley. This open space has been designed to provide active uses at the open space level (decking, paths, etc) and provide interesting vistas as seen from residential units above (curving path, different paving/decking materials, interesting landscaping, etc). The open space includes green screens at the alley façade to enhance the landscaping palette and provide some privacy. The proposal meets this design guideline.

**B. Height, Bulk and Scale
(see North District/Lake City design guidelines for full text)**

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 anticipated development potential of the adjacent zones.

North District/Lake City Guidelines (augmenting B-1):

Departures: Within the Hub Urban Village, when design methods are used to create a positive transition along sensitive edges, departures from development standards may be appropriate to offset a significant loss of development opportunity.

Monolithic buildings lacking articulation are discouraged.

- Consider stepping back upper stories to maintain scale compatibility, provide for light and air on streets and avoid a canyon effect for structures in 65-foot and higher zones.
- Design structures to appear less overwhelming at the street level, for example, consider giving emphasis to the horizontal dimensions of taller buildings.

While existing development in the Civic Core is varied in height, bulk and scale, the zoning generally allows new structures up to heights of 65 and 85 feet. The development potential of these zones should be utilized where possible to provide the density needed for a successful mixed-use area with retail and housing that is well served by transit. Focusing density in the Civic Core helps protect single family areas outside the Hub Urban Village. If not using the development potential on a site, developers are encouraged to provide the foundation and support for maximizing the zoning in the near future.

The applicant has noted that although this is an NC3-85' zone (85' height limit), a 70' height is proposed. The proposed height will provide a transition from the 85' zoning (west and north of development) to the Lowrise Multi-family Residential zoning to the south. The proposed structure is also setback from the south property line and includes a one-story element at the south façade, which steps down to the lower existing structure to the south. The proposal meets this design guideline.

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

C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.
North District/Lake City Guidelines (augmenting C-2). The proper articulation of a building's façade should add to the quality and variety of Lake City's Hub Urban Village architecture.

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

The Board expressed some concern about the viability of the live-work units, due to the lower ceiling heights and small floor area. After some discussion, the Board noted that the character of this particular area exhibits less commercial character than nearby commercial zones. The quality of pedestrian amenities, the character of the live-work units, and the specific site characteristics make the size and configuration of the proposed live-work units more viable than might be the case at another site.

The Board also expressed concern with the large amount of architectural concrete at the building base on the north and south facades. As conditioned below, the applicant should work with DPD to improve the scale of the building base, using materials such as integral color or textured concrete. The concrete façade at the alley should be treated with anti-graffiti coating.

The remainder of the proposal meets this guideline.

C-3 Human Scale. The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale

North District/Lake City Guidelines (augmenting C-3). Design buildings when possible to encourage multi-tenant occupancy and walk-in traffic at the street level.

- Generous street-level window and entrances will animate the street.
- Use façade treatments and changes in materials to distinguish the ground level of a building from the upper levels, especially where a building orients to the street and/or defines public space.
- Establish a rhythm of vertical and horizontal elements along the street-level façade. For instance, the regular cadence of display windows and shop entrances enhances the pedestrian experience.

- Use design elements such as exterior light fixtures, blade signs, awnings, and overhangs to add interest and give a human dimension to street-level building façades.
- Provide continuous overhead protection for pedestrians in the core commercial areas between 28th and 35th Avenues Northeast, and between Northeast 123rd and 130th Streets.
- Transparent materials, allowing light to penetrate to the street, should be considered for overhead protection.

Comments regarding live-work units reflect those found in C-2. The proposal meets this guideline, subject to the conditions below.

C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged. North District/Lake City Guidelines (augmenting C-4). Consider using brick, cast stone, brick-like materials, and/or brick combined with other accent materials as the primary material for projects in the Civic Core. Brick is the preferred material to lend a sense of strength and permanence, and promote cohesiveness with existing brick structures.

The materials include brick, metal corrugated panels in different textures and colors, stucco, fiber cement siding, architectural concrete, aluminum storefront windows, vinyl residential upper windows, and metal mesh balconies. The proposal meets this design guideline, subject to the conditions listed below.

D. Pedestrian Environment (see North District/Lake City design guidelines for full text)
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D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

North District/Lake City Guidelines (augmenting D-1). Plazas and courtyards or other setbacks should be located on sites at major entries into and within the Civic Core area.

- When portions of a building are set back, consider providing small pedestrian open spaces with seating amenities to create a lively streetscape.
- Define outdoor spaces using a combination of building and landscape. Scale outdoor spaces for human comfort. Outdoor spaces should be proportioned to their surroundings and envisioned use.
- Appropriate lighting, including at-grade lights, should be considered to help ensure safe pedestrian areas.
- New developments should augment Civic Core plazas and spaces by orienting their entrances to the public open spaces and by providing additional small open spaces or gathering spaces.
- Create strong aesthetic, visual and pedestrian connections between public space and neighboring development. Mid-block passages and dedicated

easements are seen as ways to provide safe, pleasant and convenient alternatives to walking along Lake City Way.

- **Incorporate civic art. Public spaces, private development projects, and infrastructure improvements are all encouraged to include a civic art component:**
 - a. **Use public art to identify areas with a unique identity or celebrate the entrance to a public place.**
 - b. **Make public art accessible to the public. Site public art to draw people through public spaces, but do not impede pedestrian flows.**
 - c. **Support the use of diverse media and art forms.**
 - d. **Encourage works of public art that celebrate local history and culture.**
- **Pedestrian-friendly building entrances should face all commercial streets in the Civic Core.**

Comments reflect those found in the responses to A-2, A-6, and A-7. The proposal meets this design guideline.

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-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-8 Treatment of Alleys. The design of alley entrances should enhance the pedestrian street front.

Comments reflect those found in the responses to C-2. The proposal meets this design guideline, subject to the conditions listed below.

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 dumpster and service areas will be located inside the garage area. The proposal meets this design guideline.

D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.

The applicant has proposed a lighting plan that both enhances the different building bays and provides sufficient lighting for pedestrians. The proposal meets this design guideline.

D-9 Commercial Signage. Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area. North District/Lake City Guidelines (augmenting C-4; applies to D-9). Signs in the North District Neighborhoods: Design signs that are appropriate for the pedestrian

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

Signage should be designed to:

- integrate with the architectural concept of the development in scale, detailing, use of color and materials, and placement;
- reflect the pedestrian scale of the neighborhood;
- add interest to the street level environment; and
- reduce visual clutter.

Specific preferences include:

- Blade signs attached to a building façade
- Creative, detailed, artistic and unique signage
- Signs with lighting attached or monument signs (e.g., drop lights over a sign)
- Signs located no more than 20 feet from the ground

These types of signs are discouraged:

- Large illuminated or animated box signs
- Post-mounted signs

The applicant has indicated that signage will be provided in blade signs mounted underneath canopies and overhead weather protection. The proposal meets this design guideline.

D-10 Commercial Lighting. Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.

Comments reflect those found in the responses to D-7. The proposal meets this design guideline.

D-11 Commercial Transparency. Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

The proposed live-work units and residential units at grade all exhibit a higher degree of transparency than required by code. The proposal meets this design guideline.

D-12 Residential Entries and Transitions. For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.

Comments reflect those found in response to A-2 and D-1. The proposal meets this design guideline.

E. Landscaping (see North District/Lake City design guidelines for full text)

E-2 Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project. North District/Lake City Guideline (augmenting E-2). Use landscaping to further define and provide scale for open space. Lush plants, warm materials and pleasing details are encouraged. Retain existing mature trees wherever possible. Use lighting to emphasize landscaping where appropriate.

The applicant has provided a thoughtful landscape plan with individual treatments for the street front, entry courtyard, residential open space near the alley, and roof top gardens. The proposal meets this design guideline.

RECOMMENDATION AND CONDITIONS

The recommendations summarized below were based on the recommendation packet date stamped December 28th, 2007 and materials presented at the January 7th, 2008 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plan set and other drawings from the public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members recommended APPROVAL of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed above). The Board recommends the following CONDITIONS for the project. (Authority referred to via letter and number in parenthesis):

1. Prior to issuance of a Master Use Permit, the applicant shall work with DPD to propose higher quality materials at the base of the building on the north and south facades. The proposed architectural concrete should include integral/stain color and/or textured patterning. The alley façade concrete should be treated with anti-graffiti coating. (C-4)
2. All other materials and colors shall be installed as shown on the materials and colors board displayed at the Design Recommendation Meeting on January 7th, 2008. The applicant shall submit a copy of these materials and colors to the Land Use Planner prior to publishing the Master Use Permit decision. (C-4)

DEVELOPMENT STANDARD DEPARTURES

STANDARD	REQUIREMENT	REQUEST	APPLICANT'S JUSTIFICATION	BOARD RECOMMENDATION
Street level uses in street facing facades SMC 23.47A.005.D	20% maximum residential use in a street level street-facing façade within the Lake City Hub Urban Village and in an 85' height zone	34% residential use in the street level at 32 nd Ave NE	The massing break at the main entry provides an opportunity for live-work to the north and residential to the south. The nature of this street is also more residential.	Recommended approval by 4 Board members, subject to the conditions listed above
Non-residential Street level development standards SMC 23.47A.008.B.3	Non- residential uses at street level must have a floor to floor height of at least 13'	A minimum 9' floor to floor height for the full depth; a loft in the upper portion may be removed for a floor to floor height of 18'	The loft allows greater flexibility of the live-work unit and provides a market for smaller more affordable live-work units. The configuration blends better with the residential character nearby.	Recommended approval by 4 Board members, subject to the conditions listed above
Residential Street-level development standards SMC 23.47A.008.D	Residential street level uses must have entries that are set back at least 10' from the property line or located at least 4' from grade	Street level residential entries are located within 0' to 4' from grade and set back 8'4"	The change in grade on 32 nd Ave NE and the lower proposed building height challenges the entry locations. The entries are closer, but well screened with landscape planters and stoops.	Recommended approval by 4 Board members, subject to the conditions listed above

The proposed design and Development Standard Departures are **CONDITIONALLY GRANTED**, subject to the conditions listed at the end of this decision.

II. SEPA

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist (June 22, 2007), and supplemental information in the project file submitted by the applicant's agent. The information in the checklist, the supplemental information, 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 D) 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 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the 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 demolition and construction; increased noise and vibration from construction operations and equipment; and increased traffic and parking demand from construction personnel. These impacts are not considered significant because they are temporary and/or minor in scope.

Compliance with existing ordinances, such as the Street Use Ordinance and the Noise Ordinance will provide sufficient mitigation for most impacts. The other impacts not noted here as mitigated by codes or conditions are not sufficiently adverse to warrant further mitigation by conditioning. These impacts are not considered significant; however some of the impacts warrant further discussion and review.

Air Quality

Demolition of structures and surface paving and transport for demolition will create dust, leading to an increase in the level of suspended particulates in the air, which could be carried by winds out of the construction area. The Street Use Ordinance (SMC 15.22) requires watering the site, as necessary, to reduce dust. In addition, the Puget Sound Clean Air Agency (PSCAA regulation 9.15) requires that reasonable precautions be taken to avoid dust emissions. Demolition could require the use of heavy trucks and smaller equipment such as generators and compressors. These engines would emit air pollutants that would contribute slightly to the degradation of local air quality. Since the demolition activity would be of short duration, the associated impact is anticipated to be minor, and does not warrant mitigation under SEPA.

Construction Impacts

Construction activities include construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials. These activities themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project and do not warrant mitigation under SEPA.

Earth/Soils

The construction plans, including shoring of excavations as needed and erosion control techniques, will receive separate review by DPD. Any additional information showing conformance with applicable ordinances and codes (ECA ordinance, The Stormwater, Grading and Drainage Control Code, DR 33-2006 and 3-2007) will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are utilized. Given the existing codes and ordinances, no additional conditioning for geotechnical review is warranted pursuant to SEPA policies.

Noise

Demolition of existing buildings and excavation will be required to prepare the building sites and foundations for the new building. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding residential uses. Due to the proximity of neighboring residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted. The hours of construction activity shall be limited, subject to the conditions listed below.

Traffic

In consultation with DPD's Transportation Planner it was determined that the anticipated number of construction vehicle trips would not significantly exacerbate traffic congestion in this area during peak hours of travel. Seattle Department of Transportation will review any sidewalk or street closures and will review construction vehicle staging and travel. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), no additional conditioning is warranted.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased bulk and scale on the site; increased traffic in the area; increased demand for parking; and increased demand for public services and utilities.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies, except as noted below.

Environmental Health

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project and do not warrant mitigation under SEPA.

Height, Bulk and Scale

There will be increased height, bulk and scale on this site due to the proposed project. The proposed structure has gone through the Design Review process as noted above and has been conditioned accordingly. The proposed development is allowed in this zone and no additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Historic Preservation

There are seven existing single family and multi-family buildings on the subject property, constructed between 1919 and 1950. The existing structures have been examined by the Department of Neighborhoods and determined to be unlikely candidates for historic landmark designation. Therefore, no further conditioning is warranted by SEPA policies.

Parking

There will be increased parking demand created by the project. 17 existing parking spaces on site will be removed. Parking for 153.5 vehicles will be provided in structured and below grade parking, accessed from the alley (including some tandem spaces). Parking for 36 bicycles will be located within the parking garage.

The applicant has provided traffic studies ("Trip Generation/Distribution Scoping Study for SeaMark at Lake City, GTC #07-264" August 20, 2007, prepared by Gibson Traffic Consultants, and "SeaMark at Lake City, City of Seattle Traffic Report – GTC #07-264" October 30, 2008, prepared by Gibson Traffic Consultants). The studies discuss the ITE Parking Manual report on peak demand, and note that the proposed mix of uses at this site would generate peak parking demand for 165 vehicles, which is reduced to a demand of 153.45 spaces with the consideration of nearby transit.

The traffic study has indicated that there would sufficient parking on-site during peak demand hours and no spillover parking would result from the proposal. No further conditioning is warranted by SEPA policies.

Traffic

The applicant has submitted traffic studies titled, "Trip Generation/Distribution Scoping Study for SeaMark at Lake City, GTC #07-264" August 20, 2007, prepared by Gibson Traffic Consultants, and "SeaMark at Lake City, City of Seattle Traffic Report – GTC #07-264" October 30, 2008, prepared by Gibson Traffic Consultants. The reports state that the proposed development would generate a total of approximately 710 vehicle trips per day and 62 peak hour trips. The existing uses on site currently generate 121 vehicle trips per day and 9 peak hour trips. The net result is an

increase of 588 total trips a day, and 53 PM Peak hour trips. The proposed development is located near Lake City Way NE and NE 125th St, which are subject to high volumes of existing traffic.

In consultation with DPD's Transportation Planner it was determined that the anticipated number of vehicle trips has been determined not to have a significant adverse impact on the existing traffic patterns in this area. Thus, the noted traffic-related impacts of the proposed completed project are not considered significant and no further mitigation is warranted under SEPA policies.

Summary

The Department of Planning and Development has reviewed the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist and this analysis, this action will result in probable adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

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 requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public 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 2C.
- [] 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 2C.

CONDITIONS – DESIGN REVIEW

Prior to Issuance of Master Use Permit

1. High quality materials are required at the base of the building on the north and south facades. The proposed architectural concrete shall include integral/stain color and/or textured patterning. The alley façade concrete shall be treated with anti-graffiti coating. This item is subject to approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
2. All outstanding zoning corrections shall be addressed. This item is subject to approval by Land Use Planner Lindsay King (206-684-9218 or lindsay.king@seattle.gov).

For the Life of the Project

3. Materials and colors shall be consistent with those presented at the design recommendation meeting and the Master Use Plan sets. Any change to materials or colors shall require prior

approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

CONDITIONS – SEPA

Prior to Issuance of a Building Permit

4. The applicant shall submit for review of a Construction Transportation Management Plan (CTMP), to be approved by both SDOT and DPD prior to issuance of a building permit. The plan shall address:
 - Hours of truck operation. Due to existing high traffic volumes on nearby streets, truck traffic to and from the site shall be prohibited between 4 pm and 6 pm on non-holiday weekdays.
 - Pedestrian access on abutting streets.

During Construction

5. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7 am to 6 pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9 am and 6 pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noise generating activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov) when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

Signature: _____ (signature on file) Date: January 26, 2009
Shelley Bolser AICP, Land Use Planner
Department of Planning and Development

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