City of Seattle
Gregory Nickels, Mayor

Department of Planning and Development
D. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3004787

Applicant Name: Slawek Porowski of Interurban Architects for Doug Lo

Address of Proposal: 2313 N 45th St

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a four-story, forty-foot high building consisting of 10,688 sq. ft. of administrative office, 4,260 of customer service office, two apartment units and one level of accessory parking for 21 vehicles within a partially below grade garage. The existing retail, restaurant and apartment building will remain and be renovated.

The following approvals are required:

Design Review – Chapter 23.41 Seattle Municipal Code. Three design departures are requested: parking size; driveway width, projections into setback.

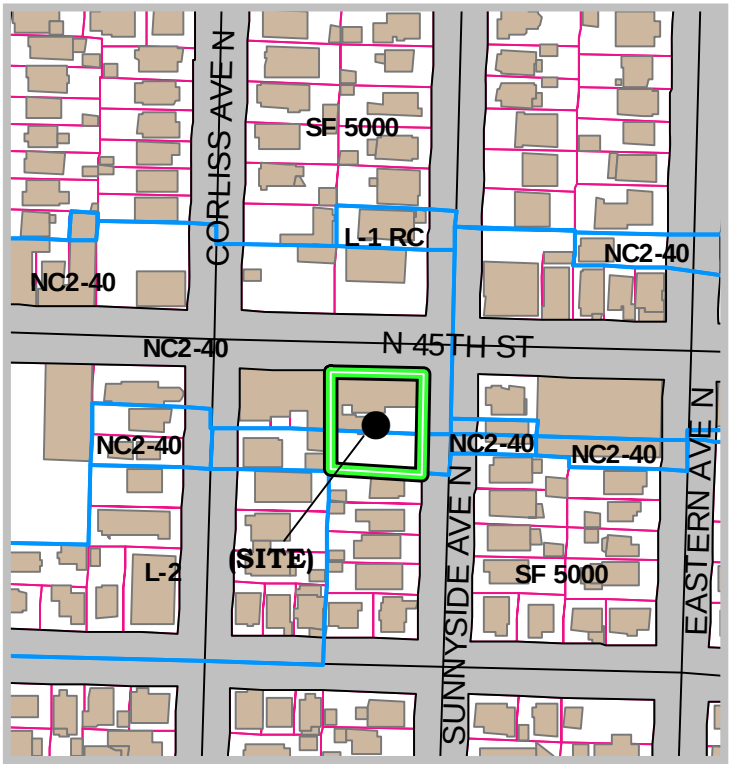
State Environmental Policy Act (SEPA) – Chapter 25.05 Seattle Municipal Code.

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

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

BACKGROUND INFORMATION – SITE AND VICINITY



The approximately 14,133 square foot site is located north of Lake Union in the Wallingford neighborhood and is found at the southwest corner of N 45th St and Sunnyside Ave N. Existing development on the site is a three story mixed use structure with five commercial tenants in the majority of the ground floor and two levels of apartments above. Orientation of the existing building is towards N 45th St with a surface parking lot accessed from Sunnyside Ave N.

Zoning of the site is Neighborhood Commercial Two (NC2-40) with a forty foot height limit and Pedestrian Two designation (P2). The site is located in the Wallingford Neighborhood Design Guideline Area. In the immediate vicinity there is a mix of zones:

- NC2-40 to the east and west along N 45th St;
- Lowrise Two (L2) to the southwest;
- Single Family 5000 (SF 5000) to the south and southeast;
- One parcel of Lowrise One - Residential Commercial (L1-RC) north across N 45th St;
- Single Family 5000 (SF 5000) north of N 45th St;

N 45th St is a major arterial street that connects Interstate 5 from the east heading west to Wallingford into the Ballard Neighborhood. Development in the immediate vicinity consists of some small scale commercial development with some mixed use buildings along N 45th St and a few multifamily structures to the southwest and single family homes to the north and south.

PROPOSAL

The applicant proposes to renovate the existing structure on the north portion of the site and construct a new mixed use structure on the southern portion of the site. The new structure is proposed with one garage level of parking, three levels of small office spaces and two apartments on the top floor. The vehicle access will remain from Sunnyside Ave N, slightly north of the existing driveway. Pedestrian access to the new structure is proposed by a central stair and walkway from Sunnyside Ave N just north of the vehicle access. The existing structure is proposed to be altered with new weather protection, windows, cornice and updated façade finish. The first floor of the existing structure along Sunnyside will be renovated and expand the ground floor retail. The design also includes a new pedestrian connection to the new building through the first floor of the existing structure from N 45th St. The Board cited the Design Guidelines listed to the right at the initial EDG meeting on 9.11.06.

Designated Priority Guidelines EDG

A-1	**Responding to Site Characteristics** *(Wallingford specific guideline)*
A-2	**Streetscape Compatibility** *(Wallingford specific guideline)*
A-3	**Entrances Visible from the Street** *(Wallingford specific guideline)*
A-4	**Human Activity** *(Wallingford specific guideline)*
A-5	**Respect for Adjacent Sites**
A-7	**Residential Open Space** *(Wallingford specific guideline)*
A-8	**Parking and Vehicle Access** *(Wallingford specific guideline)*
A-10	**Corner Lots** *(Wallingford specific guideline)*
B-1	**Height, Bulk and Scale Compatibility** *(Wallingford specific guideline)*
C-2	**Architectural Context & Consistency** *(Wallingford specific guideline)*
C-3	**Human Scale** *(Wallingford specific guideline)*
C-4	**Exterior Finished Materials**
C-5	**Structured Parking Entrances**
D-1	**Pedestrian Open Spaces and Entrances** *(Wallingford specific guideline)*
D-2	**Blank Walls** *(Wallingford specific guideline)*
D-3	**Retaining Walls** *(Wallingford specific guideline)*
D-5	**Visual Impacts of Parking Structures**
D-6	**Screening of Dumpsters, Utilities and Service Areas**
D-7	**Pedestrian Safety and Security** *(Wallingford specific guideline)*
E-2	**Landscaping to Enhance the Building and/or Site** *(Wallingford specific guideline)*
E-3	**Landscape Design to Address Special Site Conditions** *(Wallingford specific guideline)*

DESIGN REVIEW EARLY DESIGN GUIDANCE & RECOMMENDATION MEETINGS

ARCHITECT'S PRESENTATION AND PROPOSAL INITIAL EDG MEETING – 9.11.06)

The architect presented the neighborhood context noting zoning, existing structures, uses on and surrounding the site. Photos were provided in various directions to and from the site within one block of the site. He noted that the project was presented and critiqued by the Land Use Committee of the Wallingford Community Council prior to the EDG meeting.

Retaining the existing structure leaves little choice for vehicle access as Sunnyside is the only option. Three massing alternatives were provided; all three schemes provide the required 10' setback for portions above 13' abutting the SF zone to the south. Study "B" shows minor stepping beyond the required setback from the SF zone. Study "C" shows more stepping away

from the SF zone. The preferred design, study "D", shows the greatest stepping with 10' for the 1st and 2nd floors, 15' for the 3rd floor and 20' for the 4th floor. Massing study "D" provides south facing decks at floors 3 and 4 across the entire south facade. The decks also wrap around to the east façade.

A separation between the buildings is proposed to allow pedestrian circulation with a patio and landscaped open space in the center courtyard. The design proposes that the 1st floor and façade of the existing building on N 45th and Sunnyside be altered to have storefront glazing, weather protection and a coffee shop, where currently a portion of an apartment exists on the ground floor along Sunnyside.

A sky bridge is included at the second floor between the two buildings over the center of the courtyard to allow access to an elevator and the parking garage which provides parking for both structures. The new structure is set back from the Sunnyside property line approximately 5', with some projections closer to the property line and landscaping is proposed in the setback.

ARCHITECT'S PRESENTATION RECOMMENDATION MEETING – 11.5.07

The proponent outlined a series of changes from the design presented at the EDG meeting. The principal change is the elimination of a portion of commercial space that originally obstructed the view into the courtyard from Sunnyside. Those changes include widening of the pedestrian courtyard entry, use of planters on either side of the courtyard entry and provision of street benches along Sunnyside. Since no commercial use is required along Sunnyside Ave N, it provided an opportunity to open the terraced walkup (ADA is from 45th) for more open space, greater comfort and convenience for the tenants.

The ground level of the new structure is customer service offices and with the recent design they can be accessed directly from the courtyard level. Pavers will be matched for the proposed building and the corner entrance of the bakery to provide a visual connection.

The proposed chamfered corner abutting the single family property to the south is proposed with two 18" pilasters that are architecturally detailed within the 15' x 15' required setback. The sky bridges continue in the design but have been designed as completely open and uncovered.

The vinyl siding on the existing structure is proposed to be removed by the applicant. There's healthy old cedar siding vertical grain, underneath the vinyl. What isn't salvageable is proposed to be replaced with like material. One cohesive canopy is proposed from the Thai restaurant past the bakery, creating a unifying element to tie it all together. Street level windows will be replaced on the existing structure. Also the plan is to beef up the canopy with powerful 6" x 6" corbels. Crown-mouldings are proposed so there will be a kind of cornice. The existing principal pedestrian door entrance for the existing structure along 45th St is proposed to be modified, 42" width, sidelights, lit well, to create a 24/7 inviting corridor. The building address number will locate near the front door. The door will be recessed 42" to address the door swing. Signage is proposed close to the buildings instead of out at the edge of the canopy.
Colors and materials for the new building are proposed: Darker brown is hardiplank and hardipanel (body of the structure), red is metal (fascia, roof), light color of 2nd and 3rd floor is

Centria metal siding and the concrete base is proposed to be stained in a dark "leathery" brown. The architect stated that light gray and beige colors are being avoided on the design. The lattice work is proposed as a softening agent to the proposed stair tower and cast in place stained concrete at the street level. Horizontal battens are proposed to be off-set from the vertical battens; this should help with warping and water intrusion in to the building. Sensor lighting is proposed at one location, underneath the pedestrian entrance canopy from Sunnyside Ave N.

BOARD DISCUSSION

Discussion revolved around adding some emphasis to the pedestrian entrance from Sunnyside Ave N, some solutions entertained by the Board included at grade plantings, possible street furniture and recessed gates. The Board requested further clarification of finish material composition, color and windows. The Board wanted to see more gesture to the entrance from Sunnyside applying changes to the connecting canopy between the structures. The Board commented that the proposed battens on the stair tower may not stand the test of time. The proponent stated that if applied correctly, floating the horizontal bands over the vertical application, the battens can show depth and provide good break up of the stair tower element, while providing better water flow off the building and giving more life to the battens.

The Board recognized the design as complicated and quirky, but well thought out and working functionally. The open sky bridge walkways are done well as they aren't enclosed and provide minimized bulk between the buildings. Also a suggestion was to raise the cornice near the roof decks to minimize visibility of single family zoned neighbors. The battens on the stair tower were of concern but avoiding a blank wall or more horizontal siding the Board approved of the batten application. Landscaping selection of the courtyard needs to be better defined and developed; programming of the open space is un-resolved. The stair tower was discussed as possibly being constructed in metal panels which would be finished with panels to gain the same scale as the hardi panel with the battens.

PUBLIC COMMENT

EDG MEETING – 9.11.06

There were approximately ten public attendees at the early design guidance meeting and six provided comments:

- Possibly not enclose the sky bridge between the two buildings. Use the bridge to define the connection between the two buildings.
- Do not use hardi siding, possibly metal.
- Questions about the pedestrian access from Sunnyside Ave N.
- Distance to SF structure to the south is.
- Impacts to businesses in the existing building and if businesses will remain.
- Unifying both structures with matching canopy weather protection is positive.
- The stepping of the south façade is beneficial to the neighborhood.
- Updated facades along Sunnyside and N 45th will benefit the neighborhood.
- A defining element should be used to signify the new N 45th pedestrian access.
- A good reuse of an existing building and good example for Wallingford.

RECOMMENDATION MEETING – 11.5.07

There were 2 public attendees and gave comments at the recommendation meeting. Comments were related to the following:

- The security in the design is very important (gates) considering the nightlife impacts on the weekends and the open space courtyard is appreciated due to the presence of pets in the building.

- Some further questions revolved around the access between the two structures and maneuvering from the new structure to the existing structure.

MUP APPLICATION AND REVIEW

The applicant applied for a MUP on 10.20.06. The Design Review Board was reconvened for the recommendation meeting on 11.5.07 to evaluate the design response to the priority guidelines set during the EDG phase of the project.

MUP PUBLIC COMMENT

No written public comments were received during the comment period for the Master Use Permit.

DPD ANALYSIS: DESIGN REVIEW

Below is a summary of the EDG priority guidelines and guidance statements from the EDG meeting determined to be of highest priority for this project identified by letter and number (*Wallingford Neighborhood Design Guidelines and Citywide Design Review Guidelines for Commercial and Multifamily Buildings* and *Design Review Guidelines for Multifamily and Commercial Development*). Listed below the EDG guidelines and statements are the Northeast Board's recommendations based on the applicant's design response. The EDG and the recommendation reports were transmitted to the applicant and parties of record appropriately throughout the MUP process. The absence of Board recommendations below indicates the four Board members present at the recommendation meeting determined the design achieved the priority guidelines set during the EDG stage of the project.

A. Site Planning

A-1 Responding to Site Characteristics (Wallingford specific guideline)
The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

A-2 Reinforce Existing Streetscape Characteristics (Wallingford specific guideline)
The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

A-3 Make Entry Clearly Identifiable from the Street (Wallingford specific guideline)

Entries should be clearly identifiable and visible from the street.

A-4 Human Activity (Wallingford specific guideline)
New development should be sited and designed to encourage human activity on 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-7 Residential Open Space (Wallingford specific guideline)
Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

A-8 Parking and Vehicle Access (Wallingford specific guideline)
Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

A-10 Corner Lots (Wallingford specific guideline)
Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

Initial Early Design Guidance Statements

The Board wants to see the design for the street level area at the corner to be very open and walk able. The NE corner of the existing structure at Sunnyside and N 45th should provide a design response that appropriately reflects the corner location. The existing chamfer corner provides a positive element to build on. The Board wants to see the proposed setback shown in the EDG packet for the new structure along Sunnyside carried through to the updated design. Providing the setback responds to the neighborhood specific guidelines and is a good transition to the Single Family zone to the south. (A-1)

Weather protection should be designed to minimize impacts to the existing street trees along N 45th St. The applicant should study the location of the existing and proposed street trees and design the weather protection appropriately for both streets. The street trees must be shown in the relevant updated elevations to provide the Board with a realistic picture of what the street façades and streetscape will look like. (A-2)

The proposed pedestrian entry along N 45th St should use an element such as curved or raised weather protection to accentuate the entry along with a prominent door or gate and other design elements of the applicants choosing. Also, signage for all entries such as blade signs should be included and shown in the updated elevations. (A-3)

The Board wants a well designed significant pedestrian entry on Sunnyside Ave N. A wide, well lit entry with defining materials is of importance to the Board. (A-3)

The Board wants to see a design that shows an outdoor patio along Sunnyside. The Board thinks the new retail extension of the existing building should flip flop locations with the courtyard. The Board felt this would provide a more open view into the courtyard and a grander connection and pedestrian entry along Sunnyside. This element must be shown as a viable option in the Recommendation packet. (A-4)
The applicant needs to provide site sections along with a survey to provide the Board with a better picture of the relationship of the proposed south retaining wall and the structure to the south of the site. This must be shown in the Recommendation packet. (A-5)

In response to the departure request from the 15' x 15' setback abutting the SF zone to the south, the Board stated the design would need to have a great resolution proposal in order to entertain the requested departure. (A-5)

The internal courtyard open space should be well landscaped and designed to encourage social interaction and to serve the apartment units in the two structures. The design should recognize that some apartment owners have pets and the design of the open space should reflect that. This can be reflected on the updated color landscape plan. (A-7)

The Board wants a well designed auto entry and ground floor façade along Sunnyside. The Board suggested a reduction in the 22' driveway and curbcut width in line with this guideline. The design should provide elements that recognize the pedestrian environment on Sunnyside and the SF zoning to the south. The Board supported the color schemes shown with the red door to the waste enclosure, stained concrete and lattice work. (A-8)

The Board wants reduced plantings at the NE corner of the site to allow maximum circulation and maximum coverage for weather protection. Minimize plantings under weather protection as plants will not function well. Also, see A-1 above. (A-10)

Final Board Recommendations and Director's Analysis

The Board feels (4 of 4) the updated design meets the Site Planning guidelines and no recommendations were issued. The Board did not misapply the application or review of the guidelines. The proponent provided analysis to address all the above EDG concerns, with a few exceptions. The weather protection along N 45th was not raised or curved as a direct result of the existing bay windows on the structure, The Board understood the conflict and felt the improvements to the entry door and windows would be sufficient. Placement of an outdoor patio was removed from the design as the programming for the expansion of the Erotic Bakery was altered and the architect felt it would create a dead space, the Board concurred. Redesign of the pedestrian entry from Sunnyside Ave N was revised to include a wider stair and grander planters on either side, The Board supported this proposed change. The Board did provide further comment on the Sunnyside pedestrian entry; those recommendations are found below in the Architectural Elements and Materials section. Therefore the Director concurs with the Board and the design is compliant with the applicable Site Planning guidelines.

B. Height, Bulk and 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.

Early Design Guidance Statements

The preferred scheme with the most stepping and reduction of the upper mass creates a good transition to the SF zone and is the minimum that must be carried through to the updated design.

This guideline also applies to the retaining proposed along the south property line abutting the single family zone. This retaining wall should be as low as possible and be designed at residential scale to create a good relationship with the SF zone to the south. (B-1)

Final Board Recommendations and Director's Analysis

The Board feels (4 of 4) the updated design meets the Height Bulk and Scale guidelines and no recommendations were issued. The Board did not misapply the application or review of the guidelines. The updated design shown at the recommendation meeting carried the stepping of the proposed structure down to the Single Family zone to the south as requested by the Board during EDG. The proponent also removed a second floor deck from the south facade in the updated design. Therefore the Director concurs with the Board and the design is compliant with the applicable Height Bulk and Scale guidelines.

C. Architectural Elements and Materials

C-2 Architectural Context & Consistency (Wallingford specific guideline)

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 roof line or top of the structure should be clearly distinguished from its façade walls.

C-3 Human Scale (Wallingford specific guideline)

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

C-4 Exterior Finished 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.

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.

Early Design Guidance Statements

Colored elevations and the perspective drawing must be developed to show the adjacent structures mass and location in relation to the site along N 45th St and Sunnyside to provide the Board with better context. The Board liked the unifying features of the cornice, weather protection, windows and bay windows shown during the meeting. The proponent should continue these unifying features on the updated design to ensure the buildings will complement each other. The cornices should be unified for both structures. (C-2)

The Board felt strongly that the stair tower on the eastern façade of the new structure, proposed in hardi panel, needs to be aligned between 1st and 2nd floors. As proposed, the Board felt the tower lacked vertical alignment from top to bottom. Massing study "A" of the EDG packet provides the massing alignment the Board is requesting. (C-2)

The guideline relates to the proposed new storefront windows with transoms along N 45th, new 1st floor glazed storefront wrapping from N 45th to Sunnyside, weather protection, cornices, stained concrete with lattice work and pedestrian entries for both structures. The Board felt these elements are important and should be included in the updated design to provide a human scale for the project. (C-3)

Permanent materials should be incorporated into the structure. The Board was supportive of the proposed color scheme, lattice work, stained concrete, framed hardi panel and intermixed metal siding. The architect also stated that the existing building may have cedar siding materials underneath its current panel skin. The proponent stated this would be explored further at the next meeting and that if the cedar panels could be retained, it may inform some choices on the new structure. (C-4)

The applicant should develop the colors further and provide the true color samples and materials to be used for the project. They must be provided at the recommendation meeting. The materials board should be shown along side one prominent color elevation with callouts. (C-4)

The applicant should provide all four (4) elevations in color and provide one (1) color perspective drawing from a pedestrian's vantage point from N 45th St on the NE corner of Sunnyside Ave N and N 45th St. These color drawings must include neighboring structures for context, future & existing street trees and the drawings must call out all materials shown. All of these drawings must be part of the Master Use Permit Plans and the Recommendation packet and are in addition to standard elevations required for the Master Use Permit. (C-4)

Final Board Recommendations

The weather canopy and supports between the two structures when viewed from Sunnyside Ave N need to create a more interesting interaction and provide a better gateway to the interest of the courtyard. The Board suggests that the canopy design should be beefed up and/or include more substantial supporting columns at the building intersection. (C-2)

Director's Analysis

The Department concurs with The Board's recommendation (4 of 4) regarding the weather protection canopy and pedestrian entry recommended changes. As a result, conditioning is appropriate to ensure the proponent revises the plans to comport with the recommendation above.

Therefore the Director approves the project with a condition to comport with the Architectural Elements and Materials guidelines.

D. Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances (Wallingford specific guideline)

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-2 Blank Walls (Wallingford specific guideline)

Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

D-3 Retaining Walls (Wallingford specific guideline)

Minimize the height of retaining walls.

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 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.

D-7 Personal Safety and Security (Wallingford specific guideline)

Project design should consider opportunities for enhancing personal safety and security in the environment under review.

Early Design Guidance Statements

The continuous weather protection proposed along N 45th St is appropriate, but along Sunnyside Ave N, the weather protection shouldn't extend to the new structure to the south. The designer should break the weather protection along Sunnyside at the terminus of the existing structure's façade end. This will provide a better transition to the Single Family zone to the south. Following the terminus of the weather protection, the applicant should provide architectural features on the new structure such as trellis structures that mimic and provide a link to the weather protection. The features should still allow plantings between the structure and the sidewalk to be open to the sky at this location to maximize natural exposure. Further, providing an entry canopy directly over the Sunnyside pedestrian entry is also important. (D-1)

The Board felt the applicant did address this issue with certain design elements shown during the EDG meeting and packet but wanted to see them brought to fruition on the refined design. (D-2)

This guideline is related to the south retaining wall abutting the SF zoned property to the south. (D-3)

This guideline is related to the south retaining wall abutting the SF zoned property to the south. (D-5)

The Board supports the design of the waste area; especially the red medal access door and these design elements should be retained and developed further in the refined design. (D-6)

This relates to lighting on the street and for the internal courtyard open space. Both pedestrian entries need to be well lit and designed to provide a safe feeling and should avoid a dark tunnel feel. (D-7)

Director's Analysis

The Board feels the updated design meets the Pedestrian Environment guidelines and no recommendations were issued. The Board did not misapply the application or review of the guidelines. Continuation of the weather protection on the proposed structure provides a break up of the stair tower along Sunnyside Ave N and cohesion with the proposed weather protection on the existing structure. Therefore the Director concurs with the Board and the design is compliant with the applicable Pedestrian Environment guidelines.

E. Landscaping

E-2 Landscaping to Enhance the Building and/or Site (Wallingford specific guideline)
Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

E-3 Landscape Design to Address Special Site Conditions*(Wallingford specific guideline)*
The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards .

Initial Early Design Guidance Statements

The Board cited this guideline to reinforce the design of the facades adjacent to the SF zone to the south. The stained concrete, façade transition moving south along Sunnyside, lattice work and landscaping in the setback proposed between the sidewalk & building are important and must be continued in the updated design. A full color landscape plan, with both sites shown on one page, must be provided in the Master Use Permit and the submitted Recommendation packet. (E-2)

The landscaping should reinforce the berm condition that exists on the SE corner of the site and should recognize the SF property the south. (E-3)

Final Board Recommendation

The design should soften with planting at the base of the stair tower along Sunnyside Ave N. The Board suggested using a vine (such as trumpet creeper vine or Akebia Quinata) to crawl on the battens that cover the stair tower below the canopy. (E-2)

Director's Analysis

The Department concurs with The Board's recommendation (4 of 4) regarding plantings at the base of the stair tower along Sunnyside Ave N. Use of a crawling plant was suggested so the base (below the weather protection) to soften and provide interest to a blank area of the façade. As a result, conditioning is appropriate to ensure the proponent revises the plans to comport with the recommendation above.

Therefore the Director approves the project with a condition to comport with the Landscaping guidelines.

BOARD RECOMMENDATION AND DESIGN DEPARTURES

At the recommendation meeting the four (4) Board members present recommended Design Review **approval** of the proposed development with two recommended conditions and or changes to the design. At the recommendation meeting the initially proposed departure requests remained as proposed during the EDG phase of the project. The three (3) departure requests were presented, voted upon and approved unanimously by the Board as follows:

Summary of Departure Requested

Requested Departure Table

Development Standard Requirement	Proposed	Board Recommendation
***Parking Stall Size Requirements*:** 35% - 65% small 35% min large *SMC 23.54.030-B.2.b*	24% small 5% large (71% medium)	The Board unanimously approved (4 of 4) this departure as long as the recommendations are satisfied. **(A8)**
***Driveway and Curbcut Width Requirement*:** 22-25' *SMC 23.54.030-D.2.a.(2)* *SMC 23.54.030- F.2.b.(2)*	12' for driveway and curbcut.	The Board unanimously approved (4 of 4) these departures as long as the recommendations are satisfied. ***(A2, A3, A4, A8, C5)***
Projections into Residential Abutting Property Setback: *SMC 23.47.014-B.1*	Allow portions of the 18" pilasters on the 1st floor to extend into the 15' x 15' residential setback line at the SE corner of the structure	The Board unanimously approved (4 of 4) this departure as long as the recommendations are satisfied. ***(C2, D5, D6, E2)***

DECISION: DESIGN REVIEW

After analyzing the site in its context, the permit plans, the recommendation packet, the recommendations of the Northeast Design Review Board and the applicant's design responses, the Director **conditionally approves** the Design Review of the proposal including the three (3) departures listed above. See the end of this document for Design Review conditions.

ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated October 18th, 2006. The Department of Planning and Development has analyzed and annotated the environmental checklist as necessary submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant. A discussion of short and long term impacts is warranted.

Short - term Impacts

Construction activities for the four-story mixed use (customer service office retail, office, apartments and parking) building could result in the following adverse impacts: construction dust, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic and an increase in traffic and parking impacts due to construction and workers' vehicles. Conditioning to mitigate identified impacts pursuant to applicable SEPA policy authority is justified to ensure that construction vehicles, staging and worker vehicles park in the parking structure parking when it is completed and occupiable. This will provide adequate mitigation for construction-related parking and staging and parking impacts.

Several construction-related impacts are addressed by existing City codes and ordinances applicable to the project, such as the Noise Ordinance, the Grading and Drainage Code, the Street Use Ordinance and the Building Code. The Street Use Ordinance includes regulations that mitigate dust, mud, and truck transportation timing and routes. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle's Department of Transportation. These related codes and requirements will provide some mitigation during construction. The report found no indication that the proposal will have adverse geotechnical impacts. Further DPD geotechnical review will occur during review of the building permit (DPD# 6088639).

The properties on south side of the project especially to the single family zoned and as a result the construction-related noise will have an impact on the adjacent residents. The times allowed for construction per the Noise Ordinance (SMC 25.08) are found to be inadequate to mitigate noise impacts on the residents in the neighborhood. Thus proper conditioning is warranted.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). The grading activities associated with the site work, foundation and garage area will add particulates to the air that can be mitigated by watering down the site during these grading activities. Conditioning authority is warranted to ensure the site is wet during grading activities, which should be short-term, to reduce the amount and affect of air borne debris on the surrounding community.

Long - term Impacts

The following long-term or use-related impacts: increased demand on public services and utilities; increased light and glare; and increased energy consumption are not considered adverse, as other City Departments review and have authority for these impacts. Analyses of increased traffic and parking demands are found below.

Height Bulk and Scale

Characteristics of the development that contribute to potential impacts are:

- Size and scale of the proposed structure compared to the southern single family structures;
- The allowable height of the proposal (40' proposed) compared to the abutting single family zone (30' base, 35' w/ pitch roof);
- The overall southern façade length compared to the neighboring single family properties.

The development as proposed conditioned and addresses and is compliant with specific SEPA policies related to modification of the bulk of the structure, modification of facades to break up mass, reorienting the mass of the structure, and layering of the structure away from the Single Family zone all to mitigate height bulk and scale impacts.

Seattle's SEPA Height, Bulk and Scale Policy states that *"(a) project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated."* Since the four present Design Review Board members recommend approval of the proposal with conditions and there is no evidence that height bulk and scale impacts have not been mitigated with the cited guidelines, recommendations and conditions, no additional mitigation of these impacts is warranted pursuant to the Land Use Code (SMC 23.41.014-F) and SEPA policies.

Parking Demand

Considering the context and scope of the project, analysis of the parking impacts is warranted. Twenty-one (21) parking stalls are proposed and required by the Land Use Code (SMC 23.54). Approximately 8 existing surface spaces are dedicated to tenant parking at the location where the new structure is to be located. Existing tenant parking is proposed be reallocated to the new garage in the proposed structure.

According to the Institute of Transportation Engineers (ITE) 3rd Edition (2004), for Low / Midrise Apartment land uses (Land Use Group 221), the average parking supply ratio is 1 space per dwelling unit or a 2 parking space demand for the proposed residential units in the new structure on the fourth story. Collected and cited data in this analysis from ITE reflects twelve urban setting study sites that are appropriately applied to the subject proposal considering the site's urban location.

Two levels of "administrative office" are proposed on the second and third stories (10,418 sq. ft. total). One level of "customer service office" (4,890 sq. ft.) is proposed on the first floor above the parking level.

ITE's closest comparable information for the proposal is the "Land Use: 701 – Office Building" data. Since the proposed office spaces are speculative and specific tenants unknown at this time, analysis of worst case scenario using the "Office Building" data is appropriate. It should be noted that the proponent has designed the project so that each floor could be divided into 14 different personal unrelated offices or be used as single office with one company or user. ITE urban data parking demand for an office building is 2.4 spaces per 1,000 sq. ft. of gross floor area during weekday use, the likely time parking demand will be highest for the proposal.

Use	**# of Units / Sq. Ft.**	**ITE Demand**	**Total Parking Demand**
Low / Midrise Apartment	2	1 / Unit	2
Customer Service and Administrative Office	15,308 sq. ft	2.4/ 1000 sq ft. (weekday)	38
		Total	**40 spaces**

Parking Demand Analysis

Considering the anticipated 40 parking spaces demand for the proposed project and the existing 8 spaces for the tenants of the existing structure a total demand of 48 spaces is anticipated for the whole site. The Land Use Code requires 21 spaces which is the amount proposed by the proponent for the whole site. As a result, there will likely be spill over into the surrounding street system of 27 parking spaces in some instances during high use of the site.

The Department requested study of parking utilization within 800' feet of the site. The applicant provided these studies. The applicant was required to provide two (2) parking counts for the number of spaces available and utilized on a non-Monday or Friday weekday (one count at or around 10 am, one at 3 pm) for the surrounding area. These times correspond with likely highest parking demand associated with office uses.

The applicant conducted four parking utilization studies: November 12, 2007 @ 9 pm, November 13, 2007 @ 9 pm, December 6, 2007 @ 10:45 am and December 11, 2007 @ 3:20 pm. A total of approximately 447 legal street parking spaces are available as a whole in the 800' study area. The two counts on November 12th and 13th showed that 272 and 256 spaces were occupied respectively; this yields 61.54% and 57.92% parking utilization respectively for the study area. The two counts on December 6th and 11th showed that 243 and 234 spaces were occupied respectively; this yields 54.2% and 52.3% parking utilization respectively for the study area. As a result if there are instances of vehicle spill over of 27 spaces, it can be easily absorbed by the surrounding street system and remain well under the 85% saturation rate the Department considers to be impactful and warranting mitigation.

As a result of the above parking analysis, no mitigation is required for the development related to parking impacts.

Traffic and Transportation

The surrounding area is heavily served by transit being near N 45th St, Meridian Ave N and the site's proximity to I-5 north and south bus routes. The amount of traffic expected to be generated by this proposal is within the capacity of the streets in the immediate area and therefore, no SEPA mitigation is warranted for traffic impacts.

Summary

In conclusion, adverse effects on the environment resulting from the proposal are anticipated to be non-significant. With imposition of conditions found at the end of this document, pursuant to SEPA policies, adverse impacts will be mitigated based on applicable authority.

Existing codes and development regulations applicable to this proposed project will also provide further mitigation and no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

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 Department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] **Determination of Non-Significance**. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (C).

CONDITIONS - DESIGN REVIEW

Prior to Issuance of Mup

1. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Lucas DeHerrera, 206.615.0724). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

2. Embed all of these conditions on the cover sheet of the MUP permit sets 1 and 2 prior to issuance and on all Building Permit drawings prior to application.

3. Update all finish materials and add the most recent color drawings to the associate Building Permit as presented at the recommendation meeting to and approved by the Northeast Design Review Board. Also provide the actual color names in the elevation. These drawings will be used during Design Review inspection. Compliance with this condition must be reviewed and approved by the Land Use Planner (Lucas DeHerrera, 206.615.0724).

4. Prior to issuance of the MUP, provide the materials and colors board to the Land Use Planner.

5. Prior to issuance of the associated building permit: The weather canopy and supports between the two structures when viewed from Sunnyside Ave N need to create a more interesting interaction and provide a better gateway to the interest of the courtyard. The Board suggests that the canopy design should be beefed up and/or include more

substantial supporting columns at the building intersection. Compliance with this condition must be reviewed and approved by the Land Use Planner (Lucas DeHerrera, 206.615.0724).

6. Prior to issuance of the associated building permit: The design should soften with planting at the base of the stair tower along Sunnyside Ave N. The Board suggested using a vine (such as trumpet creeper vine or Akebia Quinata) to crawl on the battens that cover the stair tower below the canopy. Compliance with this condition must be reviewed and approved by the Land Use Planner (Lucas DeHerrera, 206.615.0724).

7. Notify the Land Use Planner (Lucas DeHerrera, 206.615.0724) of the pre-construction meeting in order to confer with the contractor regarding finish materials and Design Review conditions.

During Construction and for the Life of the Project

8. All changes to the exterior facades of the building and landscaping on site and in the R.O.W. must be submitted as a revision to the building permit and reviewed by a Land Use Planner prior to proceeding with any proposed changes.

Prior to Certificate of Occupancy

9. Compliance with all images and text on the approved drawings dated, design review meeting guidelines, design analysis, approved design features and elements (including exterior materials, landscaping and ROW improvements) and as conditioned hereto must be verified by the DPD planner assigned to this project (Lucas DeHerrera, 206.615.0724), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least three working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

CONDITIONS - SEPA

During Construction

The following conditions to be enforced during construction shall be posted at each street abutting 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 shall be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

10. In addition to the timing restrictions of the Noise Ordinance, the following construction activities shall be limited to non-holiday weekdays from 7:00 a.m. and 6:00 p.m.

    - Grading with heavy machinery.
    - Concrete pouring.
    - Stripping of forms.

- Jack hammering.
- Use of gas generators without the use of hay bales to baffle noise.

Work on Saturday and Sundays is not permitted. These restrictions may be adjusted on a case by case basis by the noise abatement team. Either of the following DPD staff must be contacted and approval given by staff in these cases:

David George (Noise Control Program): 206.684.7843
Jeff Stalter (Noise Control Program): 206.615.1760

11. After the parking structure is complete and certified to occupy, worker parking, construction staging and construction vehicles shall park in the parking structure parking when feasible to relieve parking congestion from the street.

12. During grading activities, watering of the site shall be required to reduce construction dust.

Signature: (signature on file) Date: December 31, 2007
Lucas DeHerrera, Senior Land Use Planner
Department of Planning and Development

LJD:lc

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