



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: 3005257

Applicant Name: David Peterson, Nicholson Kovalchick Architects, for Delbyrne LLC

Address of Proposal: 323 West Roy Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow three 3-story townhouse structures (containing a total of 8 units) above a below grade garage with spaces for ten vehicles. Existing structures will be demolished.

The following approvals are required:

Administrative Design Review - Chapter 23.41, Seattle Municipal Code, with Development Standard Departures.

BACKGROUND DATA

SITE AND VICINITY

The subject site, 6720-square-foot in extent, is located at the southeast corner of the intersection of West Roy Street and 4th Avenue West. It is bounded on the north by W. Roy Street, on the west by 4th Avenue W., on the east by an existing 3-unit residential structure, and on the south by a multi-family, four-story apartment building. The development site is zoned Low-rise 3 (L-3). At the north edge of W. Roy Street one begins the steep ascent up Queen Anne Hill, and the street marks a topographical division between “Upper” and “Lower” Queen Anne. The south property line of the subject property marks the demarcation line between the L-3 zoning that lies generally north of the line and the Midrise (MR) zoning that lies to the south.

The area has been marked by relatively dense residential development. A few older single family residential structures remain in the area (as on the subject site), but the general development pattern, dating from the late 1920’s and 1930’s is 3-story, walk-up apartment structures, many with gendered names. Typical of this kind of structure are the “Marianne” and the “Charmaine,” 3-story brick apartment structures containing 18 and 15 residential units, respectively, directly across 4th Avenue West from the development site. Across W. Roy Street, in the L-3 zone, are a number of “newer” apartment buildings, generally taller in height and dating from the 1950’s, 1960’s and 1980’s. Directly across from the subject site is the “320 W. Roy Street” apartment, a large complex containing 52 units of low-income elderly housing.

The proposal site lies within the “Uptown Park Neighborhood,” a part of the Uptown Queen Anne Urban Center and so designated within the Queen Anne Neighborhood Plan. 4th Avenue W. is further designated within that plan as a “Key Landscaped Street.” This “greenway” is singled out for “extensive street-scaping and landscaping to provide a consistently high-quality urban-forest landscape.”

PROPOSAL

The applicant proposes to construct three residential, townhouse structures above a shared underground garage. The development team’s preferred option is for a row of four brick townhouses, within a single structure, set close to the street property lines along 4th Avenue W. A single structure, containing two townhouse units would front onto W. Roy Street just to the east of the four-unit structure. Generally concealed from the street would be another two-unit structure, set at the southeast quadrant of the site with a pedestrian access path from W. Roy Street continuing along the east property line. The underground parking garage, serving all the units and providing space for ten vehicles, would be accessed from W. Roy Street. The conceptual design would require several departures from development standards, including structure width and depth, lot coverage limits, setback requirements, open space requirements, modulation requirements, as well as parking access standards.

Public Comments:

Eight comments were received during the comment period which ran through September 6, 2006. One letter indicated lukewarm support for the project, provided it had no more than a single driveway access to the site. Three letters expressed the belief that four units were too many for the size of the lot. One letter was chiefly concerned with construction impacts on nearby residential buildings. One letter asked that required parking for the project be located underground. Several of the letters raised concerns regarding general traffic impacts and the proposal’s exasperating of already tight on-street parking conditions. Two of the letters objected if the structure were to be built to the sidewalk and expressed the opinion that adequate green space needed to be provided along the street fronts adjacent the public realm.

One letter was from the homeowner just to the east of the site who voiced concern lest the proposed development, especially through departures granted it, further compromise the amount of natural light reaching his property (this site, subsequently, was added to the development site and, having become part of the subject site for an expanded proposal, rendered the point moot).

ANALYSIS-DESIGN REVIEW

As originally presented by the applicant, the project proposal was to construct a four-unit apartment, with parking for four vehicles and pedestrian access coming off 4th Avenue W. The Early Design Guidance was issued with that proposal in view, but the siting and design guidelines remain, *pari passu*, applicable to the revised proposal for the additional two 2-unit townhouse structures on site.

PRIORITIES:

After studying the development objectives and schematic proposals contained in the Early Design Guidance packet, and having visited the a site, and in consideration of the public comment letters received, DPD has identified the following as highest priorities from among those siting and design guidelines found in the City of Seattle’s “*Design Review: Guidelines for Multifamily and Commercial Buildings*”:

A. Site Planning

A-1 Responding to Site Characteristics.

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

4th Avenue West is the principal street from which the building will be perceived and provides the principal context to which the proposed structure should respond. This architectural context is well defined and the design of the proposal should rise to the challenge of contributing as substantially to a desirable and comfortable streetscape as do the other, older apartment buildings on the street.

A-2 Streetscape Compatibility

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

The structures along Fourth Avenue West should be looked to not only for the quality of materials but for the sense of proportion within facades and between the structures and the street. A striking feature of the street is the greensward created by the setbacks of individual structures from the sidewalk, especially at the upper portion of the block. It is doubtful that the effect of this desirable continuity of landscaping along the street could be maintained by a setback less than six feet in depth. The presence of curb cuts and driveways will clearly undermine its effectiveness; fence lines should be considered anathema.

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the street.

Taking cues from the street, the residential entrance off 4th Avenue W. should be distinctive and would benefit from distinctive surrounds.

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 front facades and entrances to buildings on the street are visually accessible from the street and sidewalk. Landscaping should be kept relatively low to maintain a clear and direct visual connection between the street, sidewalk and structure. Fencing and hedges should be eschewed.

C. Architectural Elements and Materials

C-1 Architectural Context

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

Take clues from the older buildings along 4th Avenue West for such things as the rhythm of windows and the detailing of front and side facades. Brick, with pre-cast stone for accent, would certainly be an appropriate choice of materials for substantial portions of the structure.

C-2 Architectural Concept and Consistency

Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its façade walls.

On this street, pitched roofs are entirely absent from existing structures. So called “Seattle Townhouses” tend, more often than not, to present these features, which supposedly reference a desirable feature of small-scaled residential development, but as often as not result in structures disproportionate in width to height and out of scale with their neighbors. Such treatment is not necessary and in this case is not encouraged. Balconies open to the street are not a feature of the older structures that set the preferred architectural direction for newer development. They are present on some of the more recent structures, ones that exude less than successful façade-design strategies. If desired, closed architectural bays would seem to be more in keeping with the uncomplicated and relatively serene facades which characterize the older structures on the street.

C-4 Exterior Finish Materials

Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

The use of quality exterior materials is of highest priority for this site. The proposed use of brick is commended.

D Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances

Convenient and attractive access to the building’s entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

Maintain the existing highly desirable pedestrian environment along 4th Avenue W. Taking vehicular access off this street is highly detrimental to maintaining this desirable environment. The applicant should demonstrate, as an alternative, a design that provides parking from a single driveway along the eastern margin of the property via a single curb cut off W. Roy Street. If access off W. Roy Street proves feasible, DPD would seriously entertain departures to provide for open space for each unit through a combination of roof-top and small yard for each unit at the 4th Avenue W. entry to each townhouse.

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.

Combine all utility functions at the rear of the structure Keep utility areas off both street fronts and invisible to the streets.

E. Landscaping

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites

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

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.

The proposal site lies within the “Uptown Park Neighborhood,” a part of the Uptown Queen Anne Urban Center and so designated within the Queen Anne Neighborhood Plan. 4th Avenue W. is further designated within that plan as a “Key Landscaped Street.” This “greenway” is singled out for “extensive street-scaping and landscaping to provide a consistently high-quality urban-forest landscape.”

The landscaping for this project, both on site and in the adjacent right-of-way should be carefully designed with the neighborhood’s goals in mind and integrated with the proposed structure to enhance the overall effect of the project. It has been suggested that the Roycrest Condominium project at 701-731 3rd Avenue West could be used as a model to illustrate results that can be accomplished in this regard, both on site and in the relatively small planting strip available there.

Development Standard Departures:

Certain departures from Land Use Code requirements may be permitted as part of the design review process. Departures may be allowed if an applicant demonstrates that a requested departure would result in a development which better meets the intent of the adopted design guidelines (see SMC 23.41.012).

The Department’s position on the proposed departures receives some indirect treatment in the comments following the Guidelines enumerated above. It was indicated to the applicant that DPD did not favor the minimalist setbacks along the two street fronts that were shown in the initial preferred scheme. It was also indicated that the Department would entertain granting a greater departure than has been requested from open-space requirements if access to parking could be from a driveway along the east margin of the site. It was further indicated that DPD would also entertain proposed departures for lot coverage, structure width and/or depth, and from strict modulation requirements, provided the project conveys a successful overall design that would better meet the intent of the guidelines and guidance stated above.

As adjusted, with the doubling of the area of the proposal site and expanding the project from four units to eight units, the Master Use Permit (MUP) proposal requested the following departures from development standards:

- (SMC 23.45.010) Lot Coverage. The maximum allowable lot coverage is 50 percent; a 60 percent lot coverage is proposed
- (SMC 23.45.014 A 1) Front Setback. The Land Use Code requires, in this instance, a minimum 12'-6" front setback; a 5'-0" front setback is proposed from the property line along W. Roy Street.
- (SMC 23.45.014 C) Side Setbacks. The Code requirement is for an 6-foot average, and a minimum 5-foot side set back; a two-foot minimum side setback is proposed along the west property line; a proposed 4-foot minimum side setback is proposed along the east property line.
- (SMC 23.45.014B) Rear Setback. A fifteen foot rear setback is required; a 3-foot four inch setback is proposed.
- (SMC 23.45.016 B) Open space is required in one contiguous parcel; open space is proposed as a combination of ground-level open space and roof terraces.
- (SMC 23.45.016 B2a) No horizontal dimension for required ground-level open space can be less than ten (10) feet. The applicant has requested a departure to allow a dimension on the roof decks of Building 3 to be 9'-11", and a minimum dimension of 5 feet for ground-level open space for Building 1.
- (SMC 23.45.011A) Structure Depth. Allowable, 65% of depth of lot or 54'-7"; proposed, Building 1, 75'-8".
- (SMC 23.45.012 D2) Modulation Standards. The minimum modulation depth is four feet; depth of modulation for Building 1 proposed at 3'-4".
- (SMC 23.45.012 D3) Modulation Standards. Modulation is required to continue up to the roof; modulation is proposed to extend from first to third floor only (i.e., the first and second floors are modulated, the third floor is not).
- (SMC 23.45.009 D4) Roof Penthouses. Penthouses are allowed to cover a maximum 15% of rooftop; On Building 1 the penthouse coverage is proposed at 24 percent; on Building 3 the penthouse coverage is proposed at 20 percent.
- (SMC 23.54.030 D4) Driveway Slope. Maximum allowable driveway slope is 20 percent; the driveway proposed has a 28 percent slope at its maximum.
- (SMC 23.54.030 G) Sight Triangles. A ten-foot sight triangle is required; a 5'-8" sight triangle is proposed.
- (SMC 23.45.015 B) Landscaping. A minimum landscape strip of 3 feet is required at all property lines; a two foot strip is proposed.

DESIGN REVIEW and DEPARTURE ANALYSIS

This is a formidable list of departure requests for a modest-sized residential proposal. The proposal is for eight side-by-side residential units in what appears to the observer as a cluster of three buildings. The project allows for sub-surface parking directly beneath each unit while exploiting the desirable economy and the functionality of a single point and means of access to the below-grade garage from W. Roy Street. Eschewing the recent, more common local conventions of providing multiple curbcuts for ground-level parking beneath each unit or by means of a central auto-court, these townhouse units provide an attractive alternative which allows a newer building type to accommodate itself to fit into the architectural context established by the older apartment buildings in the area that are fine of their kind and impart to the area a special and appealing character.

The proposal has incorporated adequate (and in several instances compelling) responses to the Early Design Guidance selected as highly applicable: responding to site characteristics (A-1), streetscape compatibility (A-2), pleasant entries and transitions (A-3 and A-6), architectural context and consistency of concept (C-1 and C-3), appropriately contextual finish materials (C-4), adequacy of open space (D-1), minimizing the visibility of utility services ((D-6), and landscaping that enhances the structures while providing continuity with adjacent sites (E-1 and E-2).

With the capabilities provided by discrete departures from proscriptive development standards applicable to development in the L-3 zone, the overall design has fine-tuned agreeable adjustments in the appearance of height, bulk and scale and achieves a differentiation between units that is pleasing and effective. Adequate functional private open space for each unit has been creatively provided in the form of a combination of roof terraces ground-level spaces. In short, the design provides a proper fit to the site and to the neighborhood.

That being said, a particular congeries of three of the requested departures poses a potential for further analysis of pedestrian safety concerns. These are the requests for a reduced setback along W. Roy Street, a reduction in the available sight triangle, and the steepness of the driveway slope, as all three impact the interface of exiting vehicles and the sidewalk on the north side of the site.

The earlier determination that certain of the Design Guidelines enumerated in *Design Review: Guidelines for Multifamily & Commercial Buildings* (1993;1998) were of highest priority for the project does not preclude the importance of all the guidelines in design development (except for those simply not physically applicable to the site). In this instance, the following guidelines have risen to new significance and importance: minimizing the impact of vehicle parking on the pedestrian environment (A-8), providing adequate security and lighting for parking near sidewalks (D-4), and the enhancement of personal safety and security in the environment (D-7).

In order to mitigate any increase in the potential for reduced pedestrian safety and to meet the intentions of Guidelines D-4, *Design Review: Guidelines for Multifamily & Commercial Buildings* (1993; 1998), safety mirrors on either side of the driveway and speed bumps are to be added to the driveway. The applicant has also agreed to add the following additional design adjustments to provide for pedestrian safety:

- 1) The introduction of adequate illumination of the driveway to provide both for an adequate warning to pedestrians that there is an exiting driveway between the two buildings and to provide for an additional warning when a vehicle is actually existing. This would be provided through the installation of automated lighting fixtures on the buildings flanking the driveway. The provided luminaires will provide two levels of illumination: ambient illumination to clearly identify the area as an exiting driveway at night, twilight or other times of low lighting; a second level of illumination triggered by an exiting vehicle. The luminaires will be located low enough so as not to cause glare for the exiting vehicle driver nor glare to the residential units across the street.)
- 2) The surface of the exterior portion of the driveway will be adequately sloped to the centerline, grooved and provided with gutters so as to prevent sheeting of water on the driveway surface.

The slope and gutters are designed so as to prevent any puddling of water at the speed bumps or base of the garage door.

- 3) Automated radiant heating is to be provided beneath the surface of the exterior portion of the driveway to provide for the melting of ice and snow.
- 4) Signage shall be provided within the garage that clearly announces that all exiting vehicles are required to come to a complete stop before breaking the plane of the sidewalk.

The project is conditioned to see that these elements are incorporated into the design and operation of the proposed development. See below, under **Conditions-Design Review**.

DIRECTOR'S DECISION

SMC 23.41.016 states that the Director's decision shall be based on the extent to which the proposed project meets applicable design guidelines and in consideration of public comments on the proposed project. In light of the applicant's positive response to the Early Design Guidelines for this project, in consideration of the public comments received on the proposed project, following the analysis provided above and the applicant's positive response to make design changes for pedestrian safety, the Director **APPROVES** the overall project design and **APPROVES** all the requested **DEPARTURES**.

CONDITIONS-DESIGN REVIEW

Prior to Issuance of Master Use Permit

1. The MUP plan sets shall be updated to show the modifications that will be provided to ensure the safety of pedestrians on the sidewalk adjacent the project on W. Roy Street:
 - 1) The introduction of adequate illumination of the driveway to provide both for an adequate warning to pedestrians that there is an exiting driveway between the two buildings and to provide for an additional warning when a vehicle is actually exiting. This would be provided through the installation of automated lighting fixtures on the buildings flanking the driveway. The chosen luminaires will provide two levels of illumination: ambient illumination to clearly identify the area as an exiting driveway at night, twilight or other times of low lighting; a second, higher level of illumination triggered by an exiting vehicle. The luminaires will be located low enough so as not to cause glare for the exiting vehicle driver nor glare to the residential units across the street.)
 - 2) The surface of the exterior portion of the driveway will be adequately sloped to the centerline, grooved and provided with gutters so as to prevent sheeting of water on the driveway surface. The slope and gutters will be designed so as to prevent any gathering of water at the speed bumps or base of the garage door.
 - 3) Automated radiant heating is to be provided beneath the surface of the exterior portion of the driveway to provide for the melting of ice and snow.
 - 4) Signage shall be provided within the garage, and tenants will be provided with materials that clearly announce that all exiting vehicles are required to come to a complete stop before breaking the plane of the sidewalk.

For the life of the project

2. The proposed structure, including details, materials and finishes, shall be constructed as shown on the plans that accompany the MUP proposal. Any changes to the exterior facades of the building or to the landscaping on site which differ from those approved in the plans accompanying this application, must have the prior approval from the Land Use Planner.

Any deviation from compliance with these conditions must be approved by the Land Use Planner, Michael Dorcy (206-615-1393), or Supervisor, Jerry Suder (206-386-4069). The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.

Signature: _____ (signature on file) Date: November 22, 2007
Michael Dorcy, Senior Land Use Planner
Department of Planning and Development

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