



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane Sugimura, Director

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

Application Number: 3005596
Applicant Name: Michele Wang of Runberg Architects for the Low Income Housing Institute
Address of Proposal: 12730 33rd Av NE

SUMMARY OF PROPOSED ACTION

The following approvals are required:

Land Use Application to allow a six-story, 76-unit, low-income disabled apartment building with 7500 sq. ft. of community center (food bank) and medical service. Parking for 29 vehicles will be located within the structure. Existing structures to be demolished.

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code (SMC)

Design Review, Chapter 23.41, Seattle Municipal Code (SMC). Design Development Standard Departures.

1. Street Level Setback-SMC 23.47A.008A3
2. Residential Use at Street Level- SMC 23.47A.008D
3. Residential Amenity Space- SMC 23.47A.024A
4. Driveway and Curbcuts- SMC 23.54.030D and F

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

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

Project originally noticed as; Land Use Application to allow a six-story, 76-unit, low-income disabled apartment building with 9,039 sq. ft. of personal household sales and service at ground and 2nd floors (food bank, clinic and social services). Parking for 30 vehicles will be located within the structure. Existing structures to be demolished.

BACKGROUND DATA

Site and Vicinity Description

The 18,090 square foot site is located on 33rd Ave NE between NE 125th St and NE 130th St. Three existing structures are located on the site: two duplexes and a dental office.

The site is relatively flat with a slight rise to the north and east. The zoning is Neighborhood Commercial 3 with a 65-foot height limit (NC3-65), which continues to the north and south. Lower height and intensity Lowrise 2 (L-2) zone is located to the east, and a more-intensive Commercial 1 with a 65 foot height limit (C1-65') zone is to the west. The site falls within the Lake City Hub Urban Village, as well as the "33rd Avenue NE Sub-Area" and is across the street from the "Civic Core Sub-Area" as defined in the North District/Lake City Neighborhood Design Review Guidelines.



Surrounding uses are a mix of single family residential, multi-family residential, and commercial. 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 nearby transit stops. Bus stops are located on Lake City Way NE and NE 125th St and 130th St. Currently 33rd Avenue has only gravel shoulder on the east side of the street, lacking sidewalks, curbs, and gutter. Parking is predominantly on-street, with limited parking located in small driveways and surface parking areas. Newer construction includes structured and underground parking. The subject property includes some mature trees and shrubs.

Project Description

The proposed development includes demolition of the existing buildings and construction of a new 6-story mixed-use building with approximately 76 residential units for formerly homeless veterans, 7,500 square feet of commercial area (food bank and medical services) and structured parking for 29 vehicles. Open space is proposed to be adjacent to the parking at ground level and on a 2nd level west-facing deck. Other landscaping is proposed along the street frontage framing the garage entry. The food bank pedestrian entry would be located near the north end of the building and vehicular access on the south end of the building. The residential entry/lobby would be located close to the food bank entry on the north end of the building. Dumpsters and trash compactors will be located inside the structure adjacent to the vehicle driveway inside the parking garage. A unisex bathroom accessible from the parking lot would be available for food bank clients. The bathroom will not be visible or directly accessible from the street.

Public Comment

Public notice was provided for the Design Review meetings that were held by the Northeast Seattle Design Review Board (DRB) for Early Design Guidance (EDG) and for Design Review Board Recommendation meetings. Additional comment opportunities were provided at the time of Master Use Permit application.

DRB Early Design Guidance Meeting-April 16, 2007: The meeting was attended by 10 members of the public and the following comments were offered:

- The neighborhood has not been adequately notified about this project. The developer has held a public meeting on March 20th and will be holding another meeting on April 26; however residents and businesses do not know enough about the project. The project was described as a 5-story building at the public meeting in March.
 - The change from 5 stories to 6 stories occurred only recently in the design process (little more than a week before the EDG meeting). The design presented at the April 26th public meeting will be for the current 6-story design.
- There is very limited parking in the neighborhood and on 33rd Ave NE currently. The limited parking provided in the project is a major concern, especially since the city has identified Lake City as a Hub Urban Village and street parking grows more limited.
- How do clients of the food bank arrive?
 - Currently, most clients live in the neighborhood and walk or ride the bus to the food bank. There are no idling cars in line, etc.
- The queuing for the food bank will have an impact on the sidewalk. A plaza to accommodate this activity would make sense. It will also be important to provide cover over the sidewalk.
- The building is proposed to be 6 stories, while the other buildings in the neighborhood are only 2-3 stories. The project is too large, out of scale. Could Design Review request that the project only be 2-3 stories high?
 - Staff clarified that Design Review requires applicants to study massing options that meet their development objectives.
- Option 4 and Option 1 are good because they avoid the “canyon” effect on the street. However, it would be good to see more setbacks at the street level.
- Likes more subdued colors, does not like metal siding. Brick would be preferred.
- The restroom accessible from outdoors is important, and the development team is wise to incorporate this into the project.
- Native plants are encouraged.
- What is planned for the east edge of the property? There is a day care to the southeast.
 - The project will provide a 5 foot landscape buffer and 6’ high fence.

Notice of Application for Master Use Permit: further notice and public comment opportunity was provided as required with the Master Use Permit application. The comment period ended on July 4, 2007. Two written comments were received which raised concerns about traffic impacts and lack of parking for the project.

DRB Recommendation Meeting- September 10, 2007: Five members of the public attended the meeting. Three comments were made that generally supported the project and the design. One comment suggested that more attention towards treatment of the south and north facades needed to occur.

DRB Recommendation Meeting- October 1, 2007: Five members of the public attended the meeting. One person made comments asking the DRB to require more parking- at least one more space, that the building contain sharps containers on each floor or each room, and to provide windows on the north and south facades to mitigate blank wall.

ANALYSIS - DESIGN REVIEW

Early Design Guidance

PRIORITIES:

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance and identified by letter and number those siting and design guidelines found in the City of Seattle's Citywide *Design Review: Guidelines for Multifamily and Commercial Buildings* and *North District/Lake City Neighborhood Design Guidelines* of highest priority to this project.

A summary of the citywide design guideline is provided and followed by any neighborhood specific guidance. Some neighborhood specific guidance is not applicable due to location of this site or project type, and only applicable excerpts are provided. Please refer to the design guideline documents for the full text. To assist in this endeavor the following describes the supplemental guidelines by applicable sub-area within the North District/ Lake City Neighborhood Design Guidelines;

Citywide Design Guidelines	North District/Lake City Area	Hub Urban Village Area	Along 33rd Avenue NE between NE 120 th and NE 130th Streets
A- Site Planning	A-5, A-8	A-3, A-4, A-5, A-10	A-4
B- Height Bulk & Scale	B-1	B-1	
C-Architectural Elements & Materials	C-4	C-2, C-3, C-4	C-1
D- Pedestrian Environment	D-4	D-1	D-1
E-Landscaping	E-1, E-2, E-3		E-2

The applicant should address all priority guidelines and Board guidance below during the next stages of design review.

A. Site Planning

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

North District/Lake City Guideline (Hub Urban Village). 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 Board needs to understand how the building will meet the street at the next meeting with particular focus on the building entrances. The Board wants to see how the residential and commercial entries are delineated pursuant to the design guidelines. The Board needs to better understand how the spaces function, for instance, how will residents access the building as compared to the food bank patrons.

- A-4 Human Activity. New development should be sited and designed to encourage human activity on the street.**

North District/Lake City Guideline (Hub Urban Village). For large developments, consider pulling back from the street edge for open spaces, such as plazas or gracious fore-courts, provided continuity of the building definition of the street is not excessively interrupted along the majority of the block. Maximize the solar exposure of open spaces to the extent possible.

North District/Lake City Guideline (33rd Avenue NE). Create diversity in the block building face or wall by adding small pedestrian indentations for seating, outdoor eating. Pedestrian friendly building entrances should face 33rd Avenue NE. Consider orienting the building to define the public street and civic spaces in this area and to encourage walk-in traffic. Wider sidewalks are encouraged with planting strips and natural system approaches to drainage due to the proximity of Little Brook Creek.

The Board would particularly like to see modulation or setbacks from the property line at ground level for seating and covered areas at the sidewalk pursuant to the neighborhood specific guidance. The project is seeking an open space departure so; the Board commented that the design should include open space at the ground so that the project better meets the design guideline above.

- 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. Avoid locating exterior lights above the ground floor on the sides of structures facing residential uses.

North District/Lake City Guidelines (Hub Urban Village). 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 Board will be particularly interested in the development of the east elevation facing the Lowrise zone. The materials and color selection should be a sensitive and thoughtful. The Board wants the design to incorporate vegetation to buffer and provide screening on the east elevation.

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

The design must meet this guideline to facilitate a positive recommendation for an open space departure. The Board stressed that code compliant open space areas need to be contiguous with the open space areas where departures are being sought from the dimensional requirements.

A-9 Location of Parking on Commercial Street Fronts. Parking on a commercial street front should be minimized and where possible should be located behind a building. See D-5

A-10 Corner Lots. Building on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

Although the property is not literally a corner lot, the Board recognized that the property is a “de facto” corner lot since the property to the north is unlikely to be developed. The lot is leased by Fred Meyer, located across N 130th Street. The developer has been unable to elicit a response from the land owner regarding the possibility of obtaining easements or purchasing that land. Fred Meyer was also unresponsive. The design team would like to keep open the possibility of obtaining an access easement for the garage in the future. The public face of the building will be the NW corner. The Board felt that locating the vertical circulation core at this corner might limit the design expression and wants the design team to develop and show alternatives that create opportunities for windows at the corner.

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 anticipated development potential of the adjacent zones.

North District/Lake City Guidelines Sensitive edge transitions:

Careful siting, building design and massing at upper levels should be used to achieve a positive transition at sensitive edges. Consider the following when a sensitive edge condition calls for design methods to provide a positive transition:

- varying color, texture, and materials to break up the potential monolithic character of a large structure.

- **Articulating the building facades vertically or horizontally in intervals that respond to the existing structures or platting patten in the vicinity.**
- **using exterior siding materials that are compatible with residential structures.**
- **locating features such as open space on the zone edge to create further separation and buffering.**
- **Avoiding placing decks, patios and windows in direct view of neighboring residences to preserve privacy.**
- **Planting dense, evergreen trees (such as Western Red Cedar or Douglas Fir) and other vegetation to create a continuous green buffer between the structured and adjacent less intensive residential zoned properties.**
- **Providing upper-level setbacks to limit visibility of floors above the height of existing smaller-scaled development, adjusting accordingly for a specific site.**
- **setting back the structure from the property line of less intensely zoned areas.**

North District/Lake City Guidelines (Hub Urban Village). Along commercial streets employ simple, yet varied masses, and emphasize deep enough window openings to create shadow lines and provide added visual interest. 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. Where there are zone edges between commercial and residential parcels, a vegetated buffer is encouraged between the differing zones. This, along with street trees and wider sidewalks, will be critical to creating the transition desired by the community that will make increased heights and densities compatible with surrounding areas.

The Board would like to see more development of a vertical expression, articulation of the facades, roofline expression (cornice, etc.) The Board reiterated that the preferred massing option seems to be the best option because it is sensitive to the less intense zone to the east and to the mass at the street, but it needs to be better defined at the next meeting. The Board is concerned about how the lower portion of the building gets screened from the less intense zone on the east facade. They suggested a refinement to the corner as discussed in A-10.

C. Architectural Elements and Materials

C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.

North District/Lake City Guidelines (Hub Urban Village). 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 did not identify a desirable context in the immediate neighborhood that should be used to inform this design. Instead, the Board recognized that this project would be setting the context for this neighborhood. The Board noted that the design needs to denote a strong design concept.

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 (Hub Urban Village). 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 weather protection.

The Board feels strongly that the commercial façade should be developed to achieve a good human scale, especially given the function of the space. The Board will be interested in how the delineation of uses at the street level is expressed in the architecture. Street level perspectives and sections need to be provided at the next meeting to demonstrate compliance with this guideline.

- 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 (Hub Urban Village). Consider each building as a high-quality, long-term addition to the Lake City neighborhood; exterior design and building materials should exhibit permanence and quality appropriate to an urban setting. A well-built structure contributes to a more pleasant and humane built environment. Employ especially durable and high-quality materials at the street level, minimize maintenance concerns, and extend the life of the building. Examples of appropriate building materials for use at the street level include: brick, stone, terra-cotta or tile, and transparent glass. These materials should be applied at a scale appropriate for pedestrian use. Use materials, colors and details to unify a building's appearance; buildings and structures should be built of compatible materials on all sides. Consider limiting the number of materials and colors used on the exterior of an individual building so that there is visual simplicity and harmony. If intense color is used it should only be used as an accent in a carefully executed and balanced color scheme. Buildings sided primarily in metal are discouraged. Design architectural features that are an integral part of the building. Avoid ornamentation and features that appear "tacked-on" or artificially thin.

The development team favors simple, durable, low-maintenance materials, given the nature of the program. Fiber cement board siding and vinyl windows are planned for the upper floors, and painted concrete is planned for the first floor. The color palette is envisioned to be more tasteful and more muted than the bright yellow and blue building across the street. The Board supported continuing with development of this approach to the color palette, and expects to be presented with material boards showing the choices at the next meeting.

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.

North District/Lake City Guidelines (Hub Urban Village). Public pedestrian mid-block passage-through sites, plaza and courtyards should be considered in long blocks of commercial or mixed-use developments. Open spaces with pedestrian access that include public art, art as landscape into the design, planted areas and seating areas are also encouraged. When portions of a building are set back, consider providing small pedestrian open spaces with seating amenities to create a lively streetscape. The use of opaque or highly reflective glass is discouraged. 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. Publicly accessible open space at street level is a high priority. Plazas and courtyards can be an integral part of the social life in the commercial core. The location, size and design of an open space must be carefully considered in relation to its surroundings. If publicly accessible open space at street level meeting these guidelines is identified as a priority for an individual project, this may be a factor in evaluating design departure requests such as reductions in private open space requirements.

North District/Lake City Guidelines (Hub Urban Village). Create visual interest in the block, building faces or walls by adding small pedestrian indentations for seating and outdoor eating. Appropriate lighting, including at-grade lights, should be considered to help ensure safe pedestrian areas. New development is encouraged to support development of a new park mid-block to offset anticipated increases in low-income and affordable housing.

See D-12

- 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.

The Board was concerned about the concept shown for the Northwest corner, and the proposed location of the core being visible from the street. The Board asked for refinements to the design that located the core away from the corner.

- D-5 Visual Impacts of Parking Structures.** The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

- D-6 Screening of Dumpsters, Utilities, and Service Areas.** Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

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

The Board wants to ensure that the service area related to the food bank is screened from the street. The Board wants the toilet, loading berth, trash and recycling areas to be sited so that they are successfully screened from the street façade. The Board recognized the challenge associated with the toilet since it should be accessible from the street but not detract from the streetscape. Screening for privacy but also visibility for security will be important considerations. See D-12

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. (See neighborhood specific guideline for signs under C-4)

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.

The Board specifically requested signage and lighting concepts and alternatives to be developed and presented at the next meeting.

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 Board wants the structure to be as transparent as possible although they recognize the constraints associated with the toilet and storage needs of the food bank. They suggested design solutions that created good human scale, like appropriately located plantings and other material that provides visual interest. The Board asked the designers to get creative with use of materials and landscaping. Achieving this guidance is particularly important considering the potential departure for transparency.

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.

The Board felt that the design of the lobby entrance is a high priority and needs to serve many needs: providing a welcoming street façade with landscaping, serving disparate groups (food bank clients, health clinic clients, and residents) delineating a defensible space and provide good sightlines for visual oversight of the facade for safety and security.

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. North District/Lake City Guidelines. Use native plant materials and evergreen trees in appropriate public areas to reestablish a natural northwest tree canopy.

The Board wants the street realm to be developed in accordance with the neighborhood specific guidance especially because they expect a lot of activity in the street related to the food bank. The Board felt that the planting strip should be developed further and that there is opportunity to reinforce continuity with adjacent sites. Trees for providing screening at the east should follow this guideline.

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. 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 Board wants to see a presentation on how the project is meeting the green factor requirement and how this is integrated into the design to meet the guidelines.

Summary of Design Review Board Initial Recommendations

The applicant applied for the MUP (Master Use Permit) on May 4, 2007. After initial DPD design, zoning and SEPA review, the Design Review Board met on September 10, 2007 to review the project design and provide recommendations. The four Design Review Board members present considered the site and context, the public comments, the previously identified design guideline priorities, and reviewed the drawings presented by the applicant. The Board appreciated the project design and thought the design met many of the design review guidelines that were set during EDG. However, the Board had concerns about the color and detailing of the exterior finish materials. The Board provided initial recommendations and, in a three to one vote asked the applicant to return with an updated design that better meets their guidance with respect to the color and detailing of finish materials.

The Board focused their comments on the following:

- The detailing and color of exterior finish materials
- The open space and landscaping
- The blank wall on the south and north facades
- The building entries
- The design departures

The Board generally felt that the color choice and material was too subdued or could be considered stark. The finish materials and colors presented included; a painted concrete base (BM smokestack gray 2131-40), painted cement panel in a rectangular vertical pattern (BM smokestack gray 2131-40) on the stair and elevator elements, painted cement board lap siding in a horizontal pattern on the body of the building (Benjamin Moore (BM) nimbus gray 2131-50) with sunshades over the windows, and painted cement board on the floors over the residential lobby (Sherwin Williams (SW) 6919 Fusion LRV 40%), aluminum storefront window system at base and vinyl windows at the residential levels. The Board acknowledged that a more subdued color scheme was warranted considering the context; however, they felt the design was too subdued. The Board wants to see studies showing different color choices particularly for the concrete base and cement panel on the 2nd level. The presentation drawings depict the same gray color with no details on how the two materials meet. The Board suggested adding texture to the painted concrete base so that design quality was not solely linked to the craftsmanship of the concrete. The Board thought the design drawings did not provide enough illustration on the type of detailing and articulation proposed.

The Board wants the proposed open space to be more usable and identified two areas where this should occur. On the level 2 deck the Board wants the planters to be located in a way to make the area more usable. They also suggested that the outdoor area be enlarged by pushing the wall back decreasing the interior space on the 2nd level. The Board wants the open space abutting the parking to be re-configured so that there is direct access into the open space areas. They suggested consolidating the spaces so that the pervious pavers were abutting the green space. The applicant indicated that tenants may use the open spaces to smoke. In light of that, the Board encouraged the design team to relocate the open space area at the southeast corner to another location farther from the adjacent daycare. The Board would be inclined to support the open space departure based on a design satisfying this guidance.

The Board wants to see details on the treatment of the facades on the north and south facades. The Board suggested using a combination of color, material, texture and wider reveals to treat the blank wall. Also, if using green screens is feasible, then that should be explored.

The Board wants to see more distinction between the residential and non-residential entries. The Board suggested breaking the canopy line, using color (on interior or exterior), window fenestration or building articulation in making the distinction. The Board felt this was important in that a design departure was sought with respect to the residential entry.

The Board supported all the design departures; a summary of the discussions related to departures are provided in the departure matrix later in this document.

Summary of Design Review Board Final Recommendations

The Design Review Board met on October 1, 2007 to review the project design and provide recommendations. The four Design Review Board members present considered the site and context, the public comments, the previously identified design guideline priorities, the initial recommendations, and reviewed the drawings presented by the applicant.

The presentation and deliberations focused on the issues discussed at the initial recommendation meeting. The applicant presented a response to the initial recommendations.

To better distinguish the residential entry from the commercial space the design changed by

- Showing a rise in the height of the canopy over the segment of building containing the residential lobby.
- Showing the storefront window system at residential lobby with a white frame to relate to the white vinyl windows above.
- Showing the storefront window system at residential lobby to the floor in contrast to the commercial storefront that will have an approximate sill height of 2 feet.

The Board felt that the design refinements better identified the residential entry (A-3 Entrances Visible from the Street). The Board asked the applicant to explore the idea of extending the storefront system to include the wing wall adjacent to the entry door in contrast to a solid wall. The Board felt this would improve the security and visibility (D-7 Personal Safety and Security).

To make the outdoor open space more usable the design changed by

- showing pedestrian access between parking spaces for the open space in the southeast corner of the site.
- showing pervious paving (parking lot) and lawn next to each other to make a more usable space in the northeast corner of the site.
- showing planters at the perimeter of the 2nd level deck, and a bench integrated with the planter so the space was not split up into small unusable space.

The Board felt that the design refinements to the open space made it more usable. The Board thought the interior amenity space better served the proposed tenants and acknowledged that the interior space substantially exceeded the open space requirement (A-7 Residential Open Space).

In response to the concerns about color and detailing of the façade the design changed by

- showing color on the sunscreen frames over the windows to relate to the canopy below.
- Showing 4 inch wide aluminum plates (attached at the reveal lines between cement panels) to address blank wall on the south and north facades. The length and position of the flat plates would loosely relate to the window pattern.

The Board thought the color detailing warmed the design and added interest to the façade. The Board thought the aluminum plates would address the blank façade, but asked the applicant to continue to pursue obtaining an easement or other method to enable landscaping on the Kroger lot to the north. The Board recognized that the proportions of the aluminum plate feature may become unbalanced if it was used on the 2nd level but asked the applicant to explore that option. The Board thought that this feature would be more visible if it was lower to the ground in contrast to starting this detail 24 feet above grade (C-1 Architectural Context, C-4 Exterior Finish Materials, D-2 Blank Walls).

Four color options were presented to address concerns that the color choice presented at initial recommendation meeting was too stark. The options included:

	Concrete Base	Cementitious panel 2 nd level/Stair Tower	Cementitious Lap Siding	Residential Tower element-lap siding	Residential tower Accent-cementitious panel	Metal canopy /sunscreens
1	Puritan gray	Puritan gray	Passive(Lt gray)	Passive(Lt gray)	Fusion (green)	Ruby red
2	Louisburg green	Louisburg green	Sedate gray	Sedate gray	Offbeat green	Hearty orange
3	Stone (gray)	Stone (gray)	Smoke embers (gray)	Brown sugar	Brown sugar	Flyway (blue)
4 A	Quiver tan	Quiver tan	Relaxed khaki	Relaxed khaki	Brown sugar	Fusion (yellow/green)
4 B	Quiver tan	Quiver tan	Relaxed khaki	Brown sugar	Puritan gray	Fusion (yellow/green)

The Board generally agreed that option 1 was still too stark, but agreed that the other options presented warmer colors and provided better human scale (C-3 Human Scale C-1 Architectural Context, C-2 Architectural Concept and Consistency). The Board did not select a specific option but recommended that ultimate color choices needed to be in conformance with what was shown for options 2, 3 or 4.

The Board unanimously voted to recommend approval of the project design and design departures.

Summary of Departures from Development Standards

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

DEVELOPMENT STANDARD REQUIREMENT	REQUEST/ PROPOSAL	JUSTIFICATION	BOARD DISCUSSION & RECOMMENDATION
<p>SMC 23.47A.008A3 Setbacks: Street-level facing facades shall be located within 10 ft of street lot line unless wider sidewalks, plazas, or other approved landscaped or open space is provided.</p>	<p>The applicant is requesting that the garage entrance and driveway be permitted to be located in this area of “approved landscape or other open space.”</p>	<p>The structure is setback from the street at the south end of the property in order to provide a softer transition to the less developed site to the south and to provide some relief to the street wall. The setback area is landscaped, with the exception of the garage entrance and driveway.</p> <p>The setback also provides an opportunity for the code-required sight triangle in a manner that allows for architectural consistency of the overall building mass.</p>	<p>The Board agrees with the applicant’s justification in that the project better meets design guidelines and recommended to approve this departure. The project better meets the North District/Lake City guideline to pull the building back from the street edge and decrease “canyon effect”. (A-5 Human Activity; B-1 Height, Bulk and Scale).</p>
<p>SMC 23.47A.008D Residential Use at Street Level: When a residential use is located on a street-level street facing façade a residential use must have a visually prominent pedestrian entry and the first floor shall be above sidewalk grade by 4 feet or shall be setback at least 10 feet from the sidewalk.</p>	<p>The applicant is requesting that the residential lobby entrance be permitted to be less than 10 feet from the sidewalk and not raised.</p>	<p>Creating a stoop or raising the floor above the sidewalk creates accessibility challenges. The stoop concept works best for individual entries not for common lobbies.</p> <p>Recessing the entrance up to 10 feet would detract from the tower expression which is meant to define the residential entry.</p>	<p>The Board recommended approving this departure in that the design features distinct entries. The Board supports the applicants justification that a stoop would result in a building design that does not better meet the design guidelines (C-2 Architectural Concept and Consistency; D-1 Pedestrian Open Spaces and Entrances).</p>

<p>SMC 23.47A.024A Residential Amenity Space: 5% of gross building area in residential use is required (37,762 square feet x 5% = 1,888 square feet).</p>	<p>The applicant is requesting that 3.7% (1,388 square feet) of the building gross floor area in residential use be provided.</p>	<p>This building is providing over 5000 square feet of interior residential amenity space which serves as an important tool in building a sense of community for the residents. Interior amenity area is permitted to be included in the residential amenity area in other zones, such as downtown. With residents who are formerly homeless, amenity area that is interior, that is more usable during wet weather, and that supports the development of life skills, is more appropriate.</p>	<p>The Board supports the applicant’s justification in that interior open space better serves the proposed tenants and better meets design guidelines (A-7 Residential Open Space). The Board recommended approval of this departure.</p>
<p>SMC 23.54.030D and F Driveways and Curb Cuts: 12 – 15 ft for one-way traffic; 22 – 25 ft for two-way traffic</p>	<p>The applicant is requesting that one-way driveway be permitted for 29 stalls.</p>	<p>A one-way driveway is permitted for residential uses for vehicles of 30 stalls or less.</p> <p>The commercial uses are not expected to generate much traffic and the parking stalls are not expected to be used very much.</p> <p>Therefore, the driveway can be safely reduced in width, allowing more landscaped area at grade and prioritizing space for the pedestrian.</p>	<p>The Board agrees that the narrower driveway provides more landscape space at street level but is concerned about safety of vehicle ingress/egress. The applicant described that that the garage door would be normally closed, forcing cars to pause before entering. The only times when the garage door would be left open is during food bank distribution hours, at which time staff and parking cones will be used to minimize conflicts between cars and pedestrians. The Board recommended approval of this departure.</p>

Recommended Conditions

1. The Board asked the applicant to explore the idea of extending the storefront system to include the wing wall adjacent to the entry door in contrast to a solid wall. The Board felt this would improve the security and visibility (D-7 Personal Safety and Security).
2. The Board asked the applicant to continue to pursue obtaining an easement or other method to enable landscaping on the Kroger lot to the north.
3. The Board recognized that the proportions of the aluminum plate feature proposed on the north façade may become unbalanced if it was used on the 2nd level but asked the applicant to explore that option. The Board thought that this feature would be more visible if it was lower to the ground in contrast to starting this detail 24 feet above grade (C-1 Architectural Context, C-4 Exterior Finish Materials, D-2 Blank Walls).

Director's Analysis

The Director concurs with the Design Review Board's recommendation to approve the proposed design with the above condition. The Design Review Board's recommendation does not conflict with applicable regulatory requirements and law, is within the authority of the Board and is consistent with the design review guidelines.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY APPROVED**.

CONDITIONS

Design Review conditions are listed at the end of this report.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated May 4, 2007 and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 23.05.665) discusses the relationship between the City's code/policies and environmental review. 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 limitation*". The Overview Policy in SMC 23.05.665 D1-7, states that in limited circumstances it may be appropriate to deny or mitigate a project based on adverse environmental impacts.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the environment are subject to the Overview Policy (e.g., Traffic and Transportation, Plants and Animals and Shadows on Open Spaces). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition, grading and clearing and hydrocarbon emissions from construction vehicles and equipment; temporary soil erosion; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality and noise warrant further discussion.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos or other hazardous substances during demolition. The applicant has indicated that an inspection to identify all hazardous materials requiring abatement will be performed, and will obtain permits, if required, from PSCAA to ensure proper handling and disposal of materials containing asbestos. This will ensure proper handling and disposal of asbestos, as well as demolition of structures without asbestos; therefore, no further mitigation is necessary pursuant to SEPA 25.05.675A.

Noise

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends. The surrounding properties are developed with housing and will be impacted by construction noise. The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7am to 6pm.

Long-term Impacts

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

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 detention 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 long term impacts, although some impacts warrant further discussion.

Height, Bulk and Scale

The SEPA Height, Bulk and Scale Policy (Section 25.06.675.G., SMC) states that “*the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section B of the land use element of the Seattle Comprehensive Plan regarding Land Use Categories, ...and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.*”

In addition, the 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.*”

The site is zoned Neighborhood Commercial 3 with a 65-foot height limit (NC3-65), which continues to the north and south. Lower height and intensity Lowrise 2 (L-2) zone is located to the east, and a more-intensive Commercial 1 with a 65 foot height limit (C1-65') zone is to the west. The site abuts a less intense zone to the east; however, the design provides a reasonable transition. The proposed structure is setback from the east property line 48 feet for a majority of the structure with a minimum setback of 39 feet. Additionally, a generous amount of landscaping is proposed between the project and the property to the east.

The proposal was reviewed and approved through the Design Review process and conforms to the Citywide Design Guidelines. Additionally, design details, colors, landscaping and finish materials will contribute towards mitigating the perception of height, bulk and scale in that these elements will break down the overall scale of the building. No further mitigation of height, bulk and scale impacts is warranted pursuant to SEPA policy (SMC 25.06.675.G.).

Traffic and Parking

The vehicle trips generated from the proposed building are not expected to have adverse impact on traffic conditions or reduce the level of service at nearby intersections. The project consists of 76 dwelling units for low income people including commercial space for the food bank and medical clinic. The proposed project will provide parking for 29 vehicles and the quantity required by code is 29.

The code requirement for quantity of parking is based on data from various sources that indicate vehicle ownership is directly related to income levels, i.e. low income persons own less or use fewer vehicles as compared to higher income persons. In light of that, the city requires less quantity of parking for low income housing. In this case, the ratio of 1 space for every 4 units is expected to exceed the parking demand for the residential units. Additionally, City parking policy and code generally discourages the creation of parking in an effort to lower the cost of housing and encourage non-auto forms of transportation. However, it is recognized that with the densification of the city that on street parking could become less available.

The subject site is well served by bus transit in that there are many METRO bus routes within ¼ mile of the site. Metro bus routes 41, 72, 79 have stops on NE 130th Street just north of the site and routes 64, 65, 75, 79, 306,312, 330, 372, and 522 have stops along Lake City Way NE or 35th Avenue NE.

Using average trip rates published by the Institute of Transportation Engineers (ITE) in *Trip Generation* (7th Edition, 2003), the project is estimated to generate up to 33 trips during the PM peak hour (based on ITE 223 for mid-rise apartment). Traffic congestion is typically worst during the peak hours; however, the volume of peak hour trips estimated for this project would not adversely impact the existing street network. ITE data is typically collected in suburban locations with little or no access to transit, so it's likely that trip generation will be less in an urban location with access to transit. Additionally, the population served by this project is known to have very low or non-existent vehicle ownership; therefore the peak hour trips estimated is overstated.

The vehicle trips generated from the project are not expected to have adverse impacts on the street network, and proposed parking is expected to satisfy the parking demand for the project. Thus, no SEPA mitigation is necessary.

Plants and Animals

The SEPA, plants and animals policy (SMC 25.05.675N) states that, "*It is the City's policy to minimize or prevent the loss of wildlife habitat and other vegetation which have a substantial aesthetic, educational, ecological and/or economic value*". The policy suggests mitigation when it is found that the proposed project would damage uncommon, unique or exceptional plants that had substantial value.

The site includes 10 trees over 6 inches in diameter; Austrian black pine, black cottonwood, Katsura, red alder, flowering cherry, Bartlett pear and a grouping of 4 Douglas firs. The trees were evaluated for health and preservation value by a landscape architect. Two of the trees, a 20 inch diameter black pine and 19 inch diameter black cottonwood are to be preserved and are shown to remain on Sheet L1.0 (plans dated stamped November 1, 2007). The other trees would be impacted by the development, not suitable for preservation or in bad health. None of the trees are considered exceptional based on Director's Rule 6-2001 and do not meet the criteria for imposing mitigation under SEPA authority for plants and animals.

Other Impacts

The other impacts such as but not limited to, increased ambient noise, and increased demand on public services and utilities are mitigated by codes and are not sufficiently adverse to warrant further mitigation by condition.

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. Extend the storefront system to include the wing wall adjacent to the entry door in contrast to a solid wall to improve security and visibility.
2. Continue to attempt to obtain an easement or other method to enable landscaping on the Kroger lot to the north. Revise plans to show easement and landscaping if easement is obtained.
3. Revise plans to show the final configuration of the aluminum plate features used to mitigate height, bulk and scale on the north façade.

Prior to the Final Certificate of Occupancy

4. Install the applicable features described in condition nos. 4-6 above.

NON-APPEALABLE CONDITIONS - DESIGN REVIEW

During Construction

5. All changes to approved plans with respect to the exterior façade of the building and landscaping on site and in the right of way must be reviewed by a Land Use Planner prior to proceeding with any proposed changes.

