



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning & Development
D.M. Sugimura, Director

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

Application Number: 3006056
Applicant Name: Tiscareno Architects for Emerald Bay Equity
Address of Proposal: 2103 Queen Anne Avenue North

SUMMARY OF PROPOSED ACTION

Land Use Application to establish use for the future construction of a four-story 39 unit apartment building with 12,450 square feet of retail commercial use at ground level. Project includes demolition of one existing multi family and commercial structure and one existing commercial structure. Parking for 81 vehicles will be provided in a below-grade garage.

The following Master Use Permit components are required:

Design Review - Seattle Municipal Code (SMC) Section 23.41 with Development Standard Departures:

- 1. Setback – To decrease setback requirements (SMC 23.47.014)**
- 2. Structural Building Overhang – To increase the allowed structural building overhang (SMC 23.53.035)**

SEPA Environmental Review - Seattle Municipal Code (SMC) Section 25.05

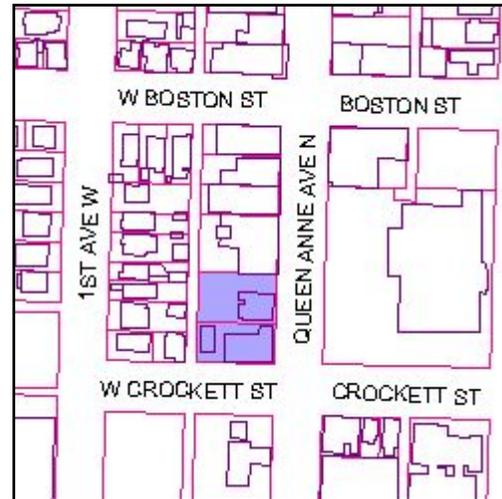
SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions*
 DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

* Notice of early DNS was published on July 19, 2007.

BACKGROUND DATA

Site & Vicinity Description

The subject site is located within a Neighborhood Commercial 2 zone with a 40-foot height limit (NC2-40) with a Pedestrian 2 Overlay. This zoning extends north and south of the site, as well as across the street to the east. The lot is approximately 16,200 square feet and is rectangular shaped. The relatively flat site is currently developed with two structures (Pasta & Company and a mixed use apartment building). The property is bound to the east by Queen Anne Avenue North, West Crockett Street to the south and an alley to the west. Across the alley, abutting the length of the site along the west side, the zoning changes to Single Family 5000, which is developed with single-family residences. Across Queen Anne Avenue to the east is a grocery store. Across Crockett Street to the south, a mixed use building, Eden Hill, is under construction.



Proposal

The proposed project is for the design and construction of a mixed use building with approximately 39 residential units located above ground level commercial use. All of the parking (81 stalls) for the proposed development is to be provided in a below grade garage that is accessed from the alley. The two existing structures are to be demolished.

Public Comments

Approximately ten members of the public attended this Early Design Review meeting held on March 7, 2007. The following comments, issues and concerns were raised:

- A primary difference between the Eden Hill project and this one is that the single family zone across the alley is developed with single family homes, unlike Eden Hill, which has a surface parking lot and swimming pool. Concerned with the bulk and mass impacts of the proposed structure of these residences.
- Concerned with the noise generated by a second level courtyard facing the single family homes.
- Prefer vehicular access from the south end of the site or located further to the south along the alley to prevent traffic needing to travel further down the alley creating disruption to the residences across the alley.
- Question whether alley would be designated as one-way.
- Clarify that the size of the commercial use. [13,500 square feet]
- Clarify that the various corner treatments shown could be applied to any of the schemes.
- Construction timing. [Start approx. Feb 2008 and last approx. 13-14 months]
- Prefer the rounded or chamfered corner configuration because creates more open feeling and allows more views down Crockett Street from Queen Anne Avenue, which is envisioned as a public gathering space due to the extra wide right-of-way. Scheme 4 is desirable in that it tapers down along Crockett towards the single family zone.

- One comment letter was received questioning whether the construction staging across the alley was appropriate and legitimate. Such staging activities are very disruptive to the residential neighbors. Finally, redevelopment of these properties across the alley will be required to be single family.

Approximately three members of the public attended the Recommendation meeting held on August 15, 2007. The following comments, issues and concerns were raised:

- Community is very appreciative of the proposed Crockett Street amenities, especially the seat wall.
- Want to see more green along the Queen Anne Avenue façade, such as planted pots.
- Would like to see the eyebrow window further emphasized with a darker trim.
- Suggest that the roofline is too thin and not proportional with building scale and should be heavier.
- The proposed yellow color is offensive and is not cohesive with the rest of the building's classic colors and materials.
- Pleased with alley elevation – it is both well modulated and interesting.
- Does not like the recessed storefront because it creates shadows on the entries.
- Finds glass awnings to be dirty and difficult to maintain cleanliness.
- Confused about the statement that the proposed signage is providing consistency with other existing neighborhood signage.
- Clarify that an ATM is not being proposed in this building at this time.
- Clarify that storage space for the Farmers Market is being provided in the proposed garage.
- Feels the entire building should be pulled back from the east property line by three feet to make the sidewalks wider.
- This is a large building that is not a typical scale for the neighborhood. While emphasizing the vertical lines is helpful in breaking down the mass, the building should be more segmented into 60-foot wide modules.
- Does not like the grey colors proposed.
- Clarify the cable balconies will be transparent and may be problematic if tenants use the balconies for storage.

The SEPA comment period for this proposal ended on August 1, 2007. No comment letters were received during this period.

ANALYSIS - DESIGN REVIEW

Design Guidance

Four alternative design schemes were presented at the Early Design Guidance meeting. All of the options include 100% lot coverage of the ground floor level with residential units above, below grade parking (with approximately 80 stalls) and vehicular access from the alley. All of the alternatives show a residential entrance off of Crockett Street, close to the alley and a residential courtyard at the second level. The first scheme (Option 1) proposed a building in an L-shape, with a courtyard opening towards the northwest, where a residential open space would be situated at the second level. In the southeast corner, at the intersection of Crockett and Queen Anne Avenue, the massing is built up to emphasize the corner location. The second alternative

(Option 2) is a U-shaped configuration with the courtyard opening to the west and a curved corner expression at Crockett and Queen Anne Avenue. The third scheme (Option 3) is also a U-shaped building, but without a curved corner. The fourth alternative (Option 4) is a U-shaped configuration with the courtyard opening to the south.

A character board was presented that included images of masonry materials, regularly spaced, large size residential and storefront windows, and overhead weather protection. The applicant also noted the intent to divide the commercial ground floor into multiple (6-7) retail spaces.

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 *Design Review: Guidelines for Multifamily and Commercial Buildings* of highest priority to this project.

The Design Review Board reviewed the final project design on August 15, 2007, at which time site, landscaping and floor plans, as well as elevation sketches and renderings, were presented for the members' consideration. The architect presented a design which has evolved considerably since the EDG meeting held in March of 2007. The design presented to the Board included storefronts recessed from the property line, operable windows at the ground level, the residential entrance off of Crockett Street and access from the alley. The project has also included restrooms that can be accessed from the alley intended to be available to the public during the Farmer's Market. A landscaped courtyard is shown on the second floor. The design adheres to a classic brick building with contemporary finishes and a curved corner form.

The guidance by the Board appears after the bold guidelines text and the recommendations from the final meeting follow in italicized text.

Site Planning

A-1 RESPONDING TO SITE CHARACTERISTICS

The siting of buildings should respond to specific site conditions including unusual topography, views and other natural features.

A-3 VISIBLE ENTRIES

Entrances should be clearly identifiable and visible from the street.

A-4 HUMAN ACTIVITY

New development should be sited and designed to encourage pedestrian activity on 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

Residential projects should be sited to maximize opportunities for creating usable, attractive and well-integrated open space.

A-8 PARKING AND VEHICLE ACCESS

Automobile impacts on adjacent properties and the pedestrian environment should be minimized.

A-10 CORNER LOTS

Buildings on corner lots should be oriented towards the public street fronts. Parking and automobile access should be located away from corners.

The Board emphasized the importance of developing a respectful and consistent relationship of the overall massing and design of the development to the streetscape, pedestrian environment and general pattern of development in the neighborhood. The Board agreed that the curved corner design shown in Scheme 2 would work well at this corner, but cautioned against designing a turret-like corner. Such a configuration must be well-executed and the Board would like to closely examine the proposed details showing how the curved building would be designed. The Board is especially interested in how the curved corner would meet the ground plane at the sidewalk.

The Queen Anne façade should enhance and encourage safe and interesting pedestrian activity, while also integrating the commercial development along the length of the street. Along Queen Anne Avenue, in particular, efforts to create a sense of a wider sidewalk through recessed entryways and storefronts are strongly desired. The Board also wants the design to integrate large operable windows along both the Queen Anne Avenue and Crockett Street sidewalks.

Because Crockett Street and the alley currently function as important pedestrian connections to the school, swimming pool and community center, and will become even more used as the Crockett Street right-of-way is developed and used for the future Farmers Market, the Board would like to see the Crockett Street building materials significantly wrap around into the alley facade. The Board is very excited that the applicant is coordinating efforts with the planned Farmers Market to provide access to bathrooms and storage located on the subject site.

The west façade along the alley should be respectful of the existing adjacent residential development with regard to both the visual appearance of this side, as well as to the privacy, noise and access impacts that are created along this side of the site. For this reason, the Board agreed that situating the residential entry on Crockett and closer to the residential zone made sense. The Board suggested that the residential entrance should be designed as a gracious entryway.

The Board feels that the commercial space should be divided into smaller spaces to encourage smaller businesses with a variety of storefronts, creating an interesting sidewalk atmosphere. Towards that end, large storefront windows with multiple entries for the commercial uses should be provided.

The applicant proposes to setback the entire building by two feet along the alley to help facilitate circulation along the alley (bringing the alley width to 18 feet). The applicant is also hoping to underground the above ground electric utilities that currently run along the alley to reduce the visual clutter and facilitate easier alley circulation. The Board was very encouraging of both the setback and burying the utilities.

The Board strongly supports locating all of the parking underground with access from the alley.

At the Recommendation meeting, the Board was pleased with the vertical articulation of the building forms and breaking of the building mass into three primary modules along the Queen Anne Avenue façade. The Board strongly supported the proposed recessed storefront areas which will help make the sidewalk along Queen Anne Avenue feel wider and offer opportunities for seating, potted plants, etc. The Board was also pleased that operable windows have been included along a portion of the ground level commercial uses. The Board agreed that the provisions of storage and public restrooms for use during the Farmer's Market are exceptional community amenities.

The Board continued to be supportive of the alley setback, burying the utilities and taking access from the alley. The Board was also pleased with the location of the residential entrance at the southwest corner and the differentiation of this entrance with the color change. The Board agreed that the treatment of the alley façade is extremely well-designed by wrapping the materials and forms from the street elevations around to the alley facade.

The Board expressed mixed sentiment on the proposed curved corner and discussed how the curved corner wall should best meet the ground. The Board suggested that the two brick pilasters on either side of the corner entrance were too skinny and did not look substantial enough to balance the metal and glass statement of the curved wall above. The Board recommended that the architect continue to explore how the curved facade meets the ground and also appears substantial from top to bottom, either with brick, glass or metal.

Height, Bulk, and Scale

B-1 HEIGHT, BULK AND SCALE

Provide sensitive transition to nearby, less intensive zones.

The Board debated at length about the proposed massing configurations. All agreed that situating the courtyard towards the alley is preferred because it reduces the impacts of the building bulk against the single family zone across the alley and holds a strong street edge against both Queen Anne Avenue and Crockett Street. The Board debated the merits of the L-shape versus the U-shape and which would be the least imposing to the neighbors. Ultimately, the Board would like the top floor set back to at least the full setback requirement, creating decks at these upper units. Additionally, if the U-shaped configuration is selected, then the entire northwestern portion of the U-shape should be set back the full distance of the requirement.

At the Recommendation meeting, the Board discussed how the east façade has been designed as three separate modules through the fenestration, modulation and materials.

Since there are many elements and features included on this elevation, such as the curved corner, the eyebrow window and the raised cornice, some Board members felt that too many moves were included, however, the majority of the Board felt the design was appropriate as presented. All agreed that the height, bulk and scale issues was adequately addressed in terms of providing a sensitive transition to the residential zone across the alley where the building is well modulated, the massing has been shifted away from the alley with the configuration of the courtyard and the street elevation materials wrap onto the alley façade.

Architectural Elements

- C- 2 ARCHITECTURAL CONSISTENCY**
Building design elements, details and massing should create a well-proportioned and unified building form and architectural concept.
- C- 3 HUMAN SCALE**
The design of new buildings should incorporate architectural features, elements and details to meet the human scale.
- 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.
- 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.

The Board agreed that the proposed material palette of brick and masonry with metal accents is very desirable. The Board looks forward to reviewing a design that integrates high quality materials and architectural detailing that includes a variety of features along the length of the building and that integrates the ground level with the upper floors. The Board also noted that they liked how the top floor of Eden Hill changes materials/colors to create a strong building top.

The Board expressed a preference for more vertical expressions along the street fronts. The design should strive to break into human-scaled modules through greater vertical articulation. The structure, materials and architectural details should adhere to a pedestrian-scaled rhythm. The Board agreed that the proposed stairwell and elevator shafts should be located away from the street frontages and edges of structure.

The Board agrees that the design should use high quality, functional and attractive windows, as well as other high quality materials throughout the building. The Board would like to see a color and materials board presented at the Final Design Review meeting which illustrates both the materials and colors proposed.

The architectural design presented at the Recommendation meeting shows a dominant curved corner with a canopy that mimics the curve and flares upwards. A central expression along the Queen Anne Avenue elevation included a two story commercial entrance with a feature canopy and eyebrow window above the doors. Above this central expression, the cornice line has been slightly elevated from the rest of the building's cornice line to further accentuate this central module. Generally, the Board agreed that the proposed building was handsome and attractive.

The Board discussed whether the corner cornice line should also be elevated to correspond to this raised cornice feature. The Board majority recommended that the corner cornice be raised because it would help further break up the building mass and further define the corner as a strong important element. The Board was not convinced that the cornice brackets are necessary and encouraged the architect to reconsider these elements. The Board also recommended simplifying the corner canopy feature to be flat so that it does not flare upwards since the curved wall is a strong enough statement of the corner. The Board also discussed the color of the sills and lintels along the street facing facades. The rendering shows a slight variation from the colors and materials board. The Board was concerned that the black colored lintels would add yet another color to the palette and was unnecessary. The Board agreed that the lintels should be the same color as the brick field of the façade wall, while the sills should be the same color as the soldier coursing, grey to match the metal color.

Board Recommended Condition #1: Raise the cornice line at the corner to match the raised cornice shown along Queen Anne Avenue.

Board Recommended Condition #2: Eliminate the upwards flare of the corner canopy.

Board Recommended Condition #3: The lintels should be the same color as the brick field of the façade wall and the sills should be the same color as the soldier coursing (grey to match the metal panels).

At the Recommendation meeting, a color and materials board was presented. The main building body is proposed to be a red brick blend with black metal balconies and storefront windows with glass and metal canopies. The vinyl residential windows are shown as a pewter grey color. The curved corner elements would be a charcoal grey metal color and the commercial kick plate below the storefront windows would be a tile mosaic. The vertical area above the residential entrance and the courtyard elevations are metal and shown as a mustard yellow color hardipanel with black metal Juliet balconies. There was some discussion about the proposed yellow color of the hardipanel. The Board generally agreed that the color was too bright and encouraged the architect to explore a more toned down shade.

The Board was extremely pleased with the larger, transparent storefront windows that are operable and have transom windows above. The Board also liked the proposed glass and metal canopies, along with the proposed blade signage and exterior light sconces.

Pedestrian Environment

D-1 PEDESTRIAN OPEN SPACES AND ENTRANCES

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

D-2 BLANK WALLS

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

D-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 such elements cannot be located away from the street front, they should be situated and screened from view.

D-7 PERSONAL SAFETY

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

D-8 TREATMENT OF ALLEYS

The design of alley entrances should enhance the pedestrian street front.

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.

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.

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 the building. Blank walls should be avoided.

The Board agrees that the design should avoid decks along Queen Anne Avenue. Where they are provided, they should be recessed, inset private decks rather than protruding decks. Overall, the Board is more interested in seeing framed decks, creating a solid plane without the interruption of cantilevered balconies.

Given the location along the commercial spine of upper Queen Anne and the proposed size and program, the Board feels strongly that the design should reinforce and enhance pedestrian and sidewalk activity along Queen Anne Avenue North. The Board was supportive of the plans to improve the right-of-ways along both Crockett Street and Queen Anne Avenue with street trees, landscaping, lighting, seating, textures, paving and other elements that contribute to a vibrant and interesting streetscape.

The Board noted that the west façade, along the alley, is and will be highly visible from the west and should be designed accordingly, integrating architectural features and detailing that is interesting and avoids becoming a blank wall.

The Board recommended that all garbage, utility and service areas should be located within the proposed structure with access from the alley.

Additionally, the Board would like to review a conceptual signage and lighting plan for the proposed building.

At the Recommendation meeting, the Board was pleased with the recessed commercial storefronts and entries because the sidewalks will seem wider to have room to better accommodate outdoor seating and potted plants. The Board also liked the glass and steel overhead canopies.

Landscaping

E-1 LANDSCAPING TO REINFORCE DESIGN CONTINUITY WITH ADJACENT SITES

Where possible, special consideration should be given to abutting streetscape and neighboring properties.

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 Board is very enthusiastic about the conceptual plans to improve the Crockett Street right-of-way, which is much wider than usual, and coordinate design elements planned across Crockett at the Eden Hill site. These improvements include landscaping, raised planters with seat walls, art work and street lighting. As with Eden Hill, the Board strongly encourages the applicant to work with SDOT and consult the Queen Anne Streetscape Study to plan and design these improvements in the right-of-way.

The Board is supportive of retaining the large existing street tree on Crockett Street identified by the SDOT Forester. The Board also looks forward to reviewing well designed second floor courtyard and rooftop spaces.

At the Recommendation meeting, green walls have been proposed along a portion of the north façade and along the alley. The north façade has been broken into six modules with the three westernmost having a steel cable trellis screens affixed to the wall for vertical landscaping. The easternmost module would include a mural. The ground face CMU wraps around from the alley to the north façade. The Board expressed concern that the vegetation shown on the north façade will not realistically grow without solar exposure or irrigation. The Board recommended a condition to confirm that the proposed plantings shown on this elevation are feasible and will be irrigated.

Recommended Board Condition #4: Confirmation of the feasibility of the plants shown along the north elevation green wall should be provided to DPD by a licensed landscape architect.

Recommended Board Condition #5: Irrigation should be provided to the proposed green wall plantings.

Recommended Board Condition #6: Details and concept for the proposed mural should be provided.

Along Crockett Street, several right-of-way amenities have been proposed including an art piece near the corner, extra wide sidewalks, a serpentine seat wall, pervious concrete, landscaping with seasonal variety and interest.

Design Review Departure Analysis

Two departures were requested at the Recommendation meeting.

- 1. SETBACK:** The Code (SMC 23.47.014.B4) requires that the portions of the building above 13 feet are set back 15 feet from the center line of the alley because the site is across the alley from a residential zone. The existing alley is 16 feet wide, so the set back requirement would be seven feet east of the west property line. The entire proposed building is set back by two feet. Above the 13 feet height, the building façade would extend upward without stepping back, except for the area of the second level courtyard open space.

The Board was satisfied that the departure resulted in a better project because the entire building footprint is set back two feet from the alley property line, the entire northwestern arm is set back the full distance of the requirement and the courtyard that faces the alley far exceeds the setback requirements. Furthermore, the developer purchased the single family house across the alley, which would otherwise take the brunt of the building mass against the alley. These gestures, in combination with the provision of storage and access to bathrooms for the Farmers Market, extensive street improvements along Crockett Street that are consistent with the vision of linking Queen

Anne Avenue to the community node created by the confluence of the community center, school and swimming pool and playfield; and burying utilities along the alley all result in an improved project that is well integrated into the community and enhances the existing pedestrian environment. The Board unanimously approved the requested departure. (A-5, B-1)

2. STRUCTURAL BUILDING OVERHANGS: The Code (SMC 23.53.035) requires that structural building overhangs have a 45-degree angle. The proposed bay window projections are at a squared 90-degree angle. The Board majority (3-2) agreed that the proposed design is more appropriate to the neighborhood context for this traditional style of building. The Board was extremely please with the extensive right-of-way improvements described under guidelines E-1 and E2 and felt that the design of this public space will be an excellent addition to the neighborhood, particularly at this important pedestrian intersection. The Board made three recommendations as part of this departure justification. 1) The Board recommended that the applicant explore the proportions of the windows to the bays. 2) The Board also recommended that the bays be narrower to better correspond to the rest of the street facing fenestration. 3) Finally, the Board also recommended that the design consider how the bays will meet the cornice. (C-2)

Summary of Board's Recommendations

The recommendations summarized below are based on the plans submitted at the Final Design Review meeting. Design, siting or architectural details specifically identified or altered in these recommendations are expected to remain as presented in the presentation made at the August 15, 2007 public meeting and the subsequent updated plans submitted to DPD. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members recommended **CONDITIONAL APPROVAL** of the proposed design including the requested departures subject to the following design elements in the final design including:

1. The following architectural features and details presented at the Final Design Review meeting and described under Guidelines A-1, A-3, A-4, A-10, C-2, C-4 and D-2:
 - a) Signage and lighting;
 - b) slate tiles along the base;
 - c) building materials;
 - d) extensive ground level landscaping
 - e) recessed storefront entries; and
 - f) large, transparent storefront windows below the horizontal transom windows.

The recommendations of the Board reflected concern on how the proposed project would be integrated into both the existing streetscape and the community. Since the project would have a strong presence along Queen Anne Avenue and Crockett Street, the Board was particularly interested in the establishment of a vital design that would enhance the existing streetscape and encourage pedestrian activity.

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. Reflects inconsistent application of the design review guidelines; or*
- b. Exceeds the authority of the Design Review Board; or*
- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- d. Conflicts with the requirements of state or federal law.*

Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

Five of the six Board members of the Queen Anne/Magnolia Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with the well-considered street level details, building materials, and architectural design that support a high-quality, functional design responsive to the neighborhood's unique conditions. Most of the recommendations made by the Design Review Board have already been reflected in the plans. The Director accepts the conditions recommended by the Board that further augment Guidelines A-5, B-1 and C-2 and support the case in favor of granting departure from the setback and structural building overhang standards.

Board Recommended Condition #1: Raise the cornice line at the corner to match the raised cornice shown along Queen Anne Avenue.

Board Recommended Condition #2: Eliminate the upwards flare of the corner canopy.

Board Recommended Condition #3: The lintels should be the same color as the brick field of the façade wall and the sills should be the same color as the soldier coursing (grey to match the metal panels).

Recommended Board Condition #4: Confirmation of the feasibility of the plants shown along the north elevation green wall should be provided to DPD by a licensed landscape architect.

Recommended Board Condition #5: Irrigation should be provided to the proposed green wall plantings.

Recommended Board Condition #6: Details and concept for the proposed mural should be provided.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include all of the recommendations of the Design Review Board. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

Director's Decision

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departures with the conditions summarized above and enumerated at the end of this Decision.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated May 15, 2007. The information in the checklist, 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 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction materials hauling, 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 applicant estimates approximately 16,000 cubic yards of excavation for construction. Excess material to be disposed of must be deposited in an approved site.
- 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.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency 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.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of demolition and building activity to be undertaken in association with the proposed project, additional analysis of air quality, noise, grading and traffic impacts is warranted and summarized below:

Environmental Element	Discussion of Impact
1. Drainage/Earth	<ul style="list-style-type: none">• 16,000 cubic yards of excavated materials.• Contaminated soils
2. Traffic	<ul style="list-style-type: none">• Increased vehicular traffic adjacent to the site due to construction vehicles.
3. Construction Noise	<ul style="list-style-type: none">• Increased noise from construction activities.

Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

Earth - Grading

The subject site is currently occupied with two structures, one commercial and one both commercial and multi family.

All construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building

permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 16,000 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Construction: Traffic

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities.

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The construction activities will require the removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

It is expected that most of the demolished materials will be removed from the site prior to construction. During demolition, existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This immediate area is subject to traffic congestion during the p.m. peak hour, and large construction trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

1. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.

This condition will assure that construction truck trips do not interfere with daily p.m. peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of existing City Code (SMC 11.62).

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site.

A 27-inch Western Red Cedar tree, that is in very good condition as determined by the City Forester, is located on Crockett Street. This tree shall be retained and protected during construction. There are also two Red Maples (10.5” and 9” in diameter) along Queen Anne Avenue which are also in good condition and shall be retained and protected during construction.

2. Prior to issuance of the Building Permit, please submit a Tree Protection Plan prepared by a licensed arborist for the three street trees, for review and approval by the City.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Noise

There will be excavation required to prepare the building site and foundation for the new building. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding residential and community center uses. Due to the proximity of these uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

3. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:00 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

Long-term Impacts

Long-term or use-related impacts associated with approval of this proposal include stormwater and erosion potential on site. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically, the Stormwater, Grading and Drainage Control Code which requires on-site detention of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; and the City Energy Code which will require insulation for outside walls and energy efficient windows.

Compliance with all other applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

Due to the type, size and location of the proposed project, additional analysis of parking and traffic impacts is warranted and summarized below:

Environmental Element	Point of Discussion
1. Historic Preservation	<ul style="list-style-type: none">• Demolition of structure more than 50 years old.
2. Parking	<ul style="list-style-type: none">• Increase in parking demand from proposed development.

3. Traffic	<ul style="list-style-type: none"> Increase in traffic from proposed development.
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Historic Preservation

An existing multi family and commercial structure is located on the subject site that will be demolished as part of the proposed development of the site. This structure was constructed approximately 100 years ago and was heavily modified during the 1970's. A historic nomination referral was reviewed by the Department of Neighborhoods. The review determined that due to the loss of the original building integrity, it was unlikely to meet the standards for designation as a historic landmark. A copy of the nomination and determination are in the project file.

Parking

The existing site contains two structures: a multi family and commercial building and a single story commercial structure. There are approximately 13 existing parking spaces. The proposed development includes 80 parking spaces to be provided on-site. The proposed parking spaces are distributed between two levels of below grade parking. All of the parking will be accessed from the alley. Using the Third Edition of the Institute of Traffic Engineers *Parking Generation Manual* and a study prepared by Transpo, parking generation rates associated with Mid Rise Apartment and Retail were used. The results of the parking generation are shown below:

Parking Demand Calculations: Proposed Use

Use	Use Per ITE Land Use	Use Per SMC	Independent Variable	ITE	Total Spaces per ITE	SMC Required	Proposed
Proposed	Mid Rise Apartment (ITE 221)	Multifamily Residential	39 units	1.0 spaces/unit = 39 spaces	80	75	81
Proposed	Retail (ITE 814)	General Retail Sales and Service	12,169 SF	3.35 spaces/1,000 SF = 41 spaces			

According to the ITE report, the 12,169 square feet of commercial uses associated with the proposed project would require approximately 41 parking spaces during the peak hour likely to occur during the p.m. peak hours. The 39 proposed residential units would require approximately 39 spaces during the peak hours likely between late evening and early morning. The proposed development will provide 81 parking spaces for the commercial and residential tenants. The amount of parking allotted for these uses exceeds the anticipated demand during peak hours. Therefore, the estimated parking demand generated by the proposed project is not considered adverse and the parking impacts require no further mitigation.

Traffic

A transportation impact analysis was submitted to DPD by The Transpo Group dated June, 2007 evaluating the impacts of the proposed development to the surrounding street system. The vehicular traffic generated by the project will be both residential and business-related and will likely peak during the weekday PM hours. As depicted in the traffic study, trip generation information was calculated using average PM peak hour trip generation rates obtained from the Seventh Edition of the ITE *Trip Generation Manual*. For the existing and proposed developments, trip generation rates associated with Mid Rise Apartment, and Specialty Retail were used. The results of the trip generation are shown below:

Trip Generation Calculations: Existing & Proposed Use

Use	Use Per ITE Land Use	Use Per SMC	Size *	PM Peak Trips Generated	Total PM Peak Trips Generated
Proposed	Mid Rise Apartment (ITE 223)	Multifamily Residential	(Unit Count) 39	24	44
Proposed	Specialty Retail (ITE 814)	Commercial Retail	12,169 gsf	20	
Previous	Specialty Retail (ITE 814)	Commercial Retail	3,800 sf	6	-6
Net New Trips					38

It should be noted that the traffic report did not account for the existing residential units, which would lower the amount of new net trips.

Using the ITE data and peak hour count, there will be approximately 38 additional trips in the PM peak hours associated with the proposed combination of uses. These additional trips do not reflect any reduction in trips due to use of the retail by project residents. Again, these ITE figures tend to be higher than what is expected in an urban environment where transit readily services this neighborhood and provides direct connections to downtown Seattle. This relatively low number of additional trips will not adversely impact the existing levels of service of surrounding intersections.

The estimated increase in trips during the PM peak hours and the activity projected to occur at the alley are not considered significant impacts and no mitigation measures or further conditioning pursuant to the SMC Chapter 25.05, the SEPA Ordinance is warranted.

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 – SEPA

The owner applicant/responsible party shall:

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

1. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.
2. Prior to issuance of the Building Permit, please submit a Tree Protection Plan prepared by a licensed arborist for the three street trees, for review and approval by the City.
3. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:00 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance (non-appealable)

4. Update the submitted MUP plans to reflect all of the recommendations made by the Design Review Board and reiterated by the Director's Analysis.

Prior to Building Permit Issuance

The plans shall be revised as follows:

5. Raise the cornice line at the corner to match the raised cornice shown along Queen Anne Avenue.

6. Eliminate the upwards flare of the corner canopy.
7. The lintels should be the same color as the brick field of the façade wall and the sills should be the same color as the soldier coursing (grey to match the metal panels).
8. Confirmation of the feasibility of the plants shown along the north elevation green wall should be provided to DPD by a licensed landscape architect.
9. Irrigation should be provided to the proposed green wall plantings.
10. Details and concept for the proposed mural should be provided.
11. The plans shall reflect those architectural features, details and materials described under Guidelines A-1, A-3, A-4, A-10, C-2, C-4 and D-2.

NON-APPEALABLE CONDITIONS – DESIGN REVIEW

12. Prior to Issuance of the Certificate of Occupancy, compliance with conditions #4-15 must be verified and approved by the Land Use Planner prior to the final building inspection. The applicant/responsible party is responsible for arranging an appointment with the Land Use Planner at least three (3) working days prior to the required inspection.
13. 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 (Lisa Rutzick, 386-9049), or by the Design Review Manager (Vince Lyons, 233-3823). 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.
14. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD Land Use Planner assigned to this project or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) 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.
15. Embed all of the conditions listed at the end of this decision in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.
16. Embed the 11 x 17 colored elevation drawings from the DR Recommendation meeting and as updated, into the MUP plans prior to issuance, and also embed these colored elevation drawings into the Building Permit Plan set in order to facilitate subsequent review of compliance with Design Review.

17. Include the departure details in the Zoning Summary section of the MUP Plans and on all subsequent Building Permit Plans. Add call-out notes on appropriate plan and elevation drawings in the updated MUP plans and on all subsequent Building Permit plans.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Lisa Rutzick, (206-386-9049) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved. **Prior to any alteration of the approved plan set on file at DPD, the specific revisions shall be subject to review and approval by the Land Use Planner.**

Signature: _____ (signature on file) Date: December 10, 2007
Lisa Rutzick, Land Use Planner
Department of Planning and Development

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