City of Seattle

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

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

**Project Number:** 3007933

**Applicant Name:** Homero Nishiwaki and Steve Johnson,
Johnson Architecture & Planning
for Richard Loo, The Endeavour Group

**Address of Proposal:** 6521 Roosevelt Way NE

## SUMMARY OF PROPOSED ACTION

Land Use Application to allow a six story, 61 unit residential building (with two live-work units) with 4,200 sq. ft. of retail at street level. Parking for 60 vehicles to be provided within the structure below grade.

The following approvals are required:

**Design Review** - pursuant to Seattle Municipal Code (SMC) Chapter 23.41, involving one departure from development standards:

- 3' height bonus, per SMC 23.41.012 B12a

**SEPA - Environmental Determination** – SMC Chapter 25.05.

**SEPA DETERMINATION:** [ ] Exempt [X] DNS[1] [ ] MDNS [ ] EIS

[X] DNS with conditions

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

[1] Early DNS for the revised application was published April 3, 2008.

## BACKGROUND DATA

Project Description

The applicant proposes a six story, 61 unit residential building (with 2 live-work units) with 4,200 sq. ft. of retail at street level. Parking for 60 vehicles to be provided within the structure below grade.

Vicinity and Site

The site is located in the Roosevelt neighborhood, at the southwest corner of NE 66th St and Roosevelt Way NE. Roosevelt Way is a principal arterial (southbound traffic only) and 66th is a nonarterial. The vicinity slopes down to the southeast. The property is located in the Roosevelt Residential Urban Village.

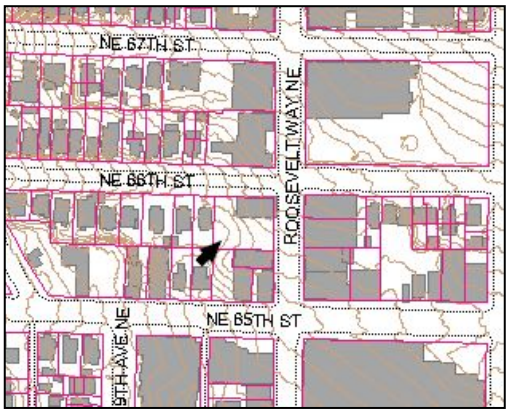


**Figure 1**. Local topography

The site is split-zoned. On the east, the majority is zoned Neighborhood Commercial 3 with a 65-foot base height limit and a Pedestrian overlay (NC3P-65, see Page 22). A 10'-wide strip along the site's west side is zoned Lowrise 2 Residential-Commercial (L2-RC). Properties to the east and south of the site are also zoned NC3P-65. Land to the north along Roosevelt Way NE and southwest along NE 65th St is zoned NC3-65 (no P overlay). To the west properties are zoned L2-RC and residential Lowrise 1 (L1) and Lowrise Duplex Triplex (LDT).

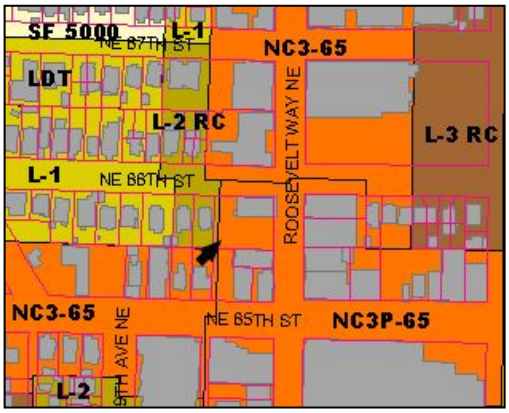


**Figure 2**. Vicinity zoning

Development in the vicinity reflects its zoning, though much does not approach full zoning potential, suggesting that the area could experience substantial future redevelopment. In this vicinity, the Roosevelt Way corridor is characterized primarily by low commercial buildings designed in a range of styles and built over several decades. They include older residences converted to sidewalk retail, a row of pedestrian-oriented shops, and a historic movie theater currently occupied by a thrift store. To the northeast across the intersection, new development is proposed where a 1955 grocery store now stands. To the southeast across NE 65th St, a recently renovated commercial building now supports a variety of retail stores and another grocery. Two blocks to the east is Roosevelt High School. Surface parking lots exist in the vicinity, mostly located on smaller sites at the edges of the commercial district.

**Figure 3**. Aerial View

The site is regularly shaped, about 103' along Roosevelt and about 116' along 66th. The site is about 12,100 sq.ft. There is no alley, but a 10'-wide private access easement runs along the site's west side, apparently occupying all the L2 RC-zoned portion. The site slopes gradually down to the southeast, about 10'. No portion of the site is designated as Environmentally Critical Areas on City maps. The site was recently occupied by a one-story restaurant (the Scarlet Tree), which experienced a fire and has since been demolished. The site is unvegetated. On NE 66th there are existing curbs, gutter, and sidewalk and sufficient width to accommodate full sidewalk improvements. Along Roosevelt there are also full improvements, and a further 3' setback is required to provide for a wider sidewalk area.

The site is served by public transit.

## DESIGN REVIEW PROCESS

The project's Early Design Guidance meeting took place on February 4, 2007, in the University Heights Community Center. Four Board members attended, with one absentee. The design Recommendations meeting took place on July 7, 2008, in the same location, with four Board members in attendance and one absentee. Design illustrations are located in the project file, available for public review at DPD's Public Resource Center, floor 20 of Seattle Muncipal Tower.

2/4/2008 EDG: Architect's Presentation

Steve Johnson of Johnson Architecture and Planning presented the project's program and described the site and vicinity, referring to much of the information presented above. Mr. Johnson described the site as a gateway for people traveling south. "We're reading the site as ground-floor retail – a very important aspect," though he also identified challenges related to the slope of the existing sidewalk. With Roosevelt's high traffic volumes, he noted that the best location for a curb cut would be from 66th, at the existing driveway along the site's west side.

The design packet shows three massing concepts. All three take access from the site's northwest corner. Mr. Johnson characterized them as "subtly different". They all feature five levels of residential apartments located above ground-level commercial space. Concepts 1 and 3 steps back a portion of the top level from the principal façades. Concept 2 appears to forego any such stepping. Concept 3 provides a larger top level, but would require a rezone of the L2-RC-zoned portion of the site.

Mr. Johnson referenced the three massing concepts, but focused largely on the preferred concept. He described retail frontage along the full length of the Roosevelt façade. The design features a recessed residential entrance located midway along the 66th St façade, and two at-grade entries for live-work units toward the site's northwest corner. The design steps back 3' from the site's eastern property line, to provide for a wider sidewalk.

The design intent is to create "a strong ground-floor retail experience". The fall along the Roosevelt sidewalk allows for two points of entry. "We can demise into one, two, three or four

individual spaces. Small spaces can thrive here, and we want to design to accommodate them. Retail and restaurant are both possible on the site. We can't recreate the Scarlett Tree, but we can design to include restaurant ventilation and allow for other retail spaces."

On the west side, a schematic site plan shows the line of the structure above, which would not extend into the vehicle easement. There would be a ramp down to structured parking below. The massing would be held back from the property line, providing "appropriate and meaningful setbacks to reduce the general sense of scale and break up the building's massing a bit. It's an NC3-65 zone next to an L2, so there's the adjacency question. You can see the scale issue between the small house next door and the project. This is a transition, and we're not building to the property line. We're setting back the building and the upper floor."

The design concept allows for terraces at the upper levels. There's essentially full lot coverage at the ground level, then at the second floor we set back to provide for green-factor landscaping, with a combination of decks. Above, the design meets the green factor without any request for departure. The design packet also includes sketches and preliminary elevations to give a sense of the design intent and the overall proposed massing.

The proposal requests additional height as allowed by the Roosevelt neighborhood guidelines, and also provides the suggested setback at that level.

Mr. Johnson identified the northeast corner as a design challenge, related to the site's topography. At the high corner, "we don't have entrances there and maintain good commercial ceiling heights."

Referring to other projects of comparable height and scale, Mr. Johnson noted that he's been disappointed, because they often don't enhance the pedestrian space at the retail level. "In order to fit within the 65' height limit, the commercial level gets squeezed. So we'll pull the appearance of the base up a story and strengthen it to give it more visual weight and commercial appearance."

2/4/2008 EDG: Clarifying questions by the Board

*You talked about two terraces, and I thought I heard a reference to green roofs. Except I also heard about habitable spaces – would it be a combination of the two?* At the top terrace, it would be about 50% accessible decks, and 50% inaccessible garden areas.

*Would there be individual decks for the apartments?* We're not showing them right now – it's something we're discussing as part of the design. Right now there's accessible open space in common decks.

*At this lower terrace level, is this a private space just for the four units?* Yes.

*Where would your garbage and recycling be located? In the parking level?* It would be accessed from the back of the building and pulled to the sidewalk with dollies. It's located well within the building.

*What's the proposed floor-to-floor height for the live-works? 13'? Can you really get a mezzanine in there?* We've done something like that before, a flexible loft space with 4½ - 5 feet used for storage and other flexible functions. It wouldn't be a story, not a true mezzanine.

*You said the design is challenged by the height. What do you think the commercial height will be?* It's 13', so our interior space meets the requirement. It's around 12' inside. The floor will be about 2.5' below sidewalk grade at the corner.

*By not having any entrances on that corner, you're carrying store windows around, and you imagine there will be signage and commercial activity. What will it be like?* We physically can't put the entrance there without losing a lot of floor area. We don't want to step down on the outside.

*On the west property line, you've stepped the building back to allow the access easement. I haven't seen an elevation of that side.* We haven't provided it – this is EDG, and our design is preliminary. *Would there be any screening or other treatment of this façade?* Yes. We can't do anything on the property line, because the people who own and use the easement for their business are parking there. Where we do control, we'll insert some elements and allow for some screening.

*Why is the preferred concept the one you chose?* In terms of the mix of residential dwellings, it's a pretty wide mix and a fair number of quite small apartment units. This massing gave us a small building that allowed for 400-500 sq.ft. units. They're compact, and the compact alignment allows us to access the terrace from a few places. These would be very nice places to live. This massing also allows us, with the setback, to request the additional height allowed in the Roosevelt guidelines. The massing also works for us, it allows for the best solar orientation and the right relationship to the properties to the west.

*Why not modulate more on the west side?* It's possible. The core is the most inflexible issue, related to the size of the site and the location of the easement, coupled with the required 3' sidewalk setback.

<u>2/4/2008 EDG: Public Comment</u>

Twelve members of the public signed in at the Early Design Guidance meeting on February 4, 2008. Comments from the meeting focused specifically on design guidelines and addressed issues of height, bulk and scale, finish materials, sidewalk enlivenment, human scale, solar access and architectural context. Comments also addressed quantity of parking and the project's proposed name. Comments related to design review included the following:

- I'm a Roosevelt business- and property owner. I'd like to specifically call attention to guidelines A1, A4, C1, C3 and E2.
- This could be across from a future transit station.
- We like the idea of widening the sidewalk.

- We're very concerned about the urban character. It should be pedestrian oriented and follow the neighborhood guidelines.
- The Scarlet Tree was an important, historic, and distinctive part of the neighborhood.
- Look at materials closely. For example, the addition to Roosevelt HS – it didn't try to replicate, but it does a good job of complementing.
- I'm concerned about the height of the structure adjacent to the lower zoned area. All my plants will die, because east light is what we get. It'll be a 20' house next to a 65' height.
- Setting the building back is great for sidewalks.
- You should integrate sustainable practices and design.
- Can you incorporate bricks? Some element of the Scarlet Tree.
- This is a gateway to our core. I'd like to see the use of something that would complement the terra cotta of the 6100 block, similar to what we see on the Roosevelt HS building.
- Be complementary to the nearby building that's already been through Design Review [a 6-story building on the QFC site].
- The 6-story scale will cast a shadow. That street gets icy.
- Respect the eccentricity and authenticity of the neighborhood. It's walkable and has a socioeconomic mix of people living there. Add some eccentricity to the design.
- Break up the roofline to allow more sunlight through.
- I live on 66th a few blocks down. This is the first time we'll see this scale surrounded by lower density.
- Use high quality design materials, something that weathers well and doesn't need to be maintained. Terra cotta, brick, and CMB – nicer materials like at the high school, especially at the base. It's a big building – we'll have to have quality.
- Why no entrance at the corner? Maybe you should curve it, with attention to activating it. Urban campers like to sit and eat there.
- Landscaping should be irrigated.

DPD also received two letters from community members, expressing concerns related to height limits, massing, landscaping, and access to the site from Dexter.

<u>7/7/2008 Recommendations: Architect's Presentation</u>

Steve Walker of Heartland gave a brief introduction of the project and the design team. Architect Steve Johnson presented the project.

A fire had damaged the prior structure, resulting in a clear need for demolition. The demolition crew managed to salvage a few bricks, which the owner donated to the Roosevelt Neighborhood Association for its fundraiser.

Mr. Johnson gave a recap of the NC3-P-65 zoning, noting that the surrounding sites are zoned to similar heights, with the exception of land to the west and northwest of the site. He described the vicinity as pedestrian oriented, fine-grained, established, occupied by businesses with glassy streetfronts like the Bengal Tiger and Cloud 9.

Mr Johnson outlined what he thought the Board had communicated in its Early Design Guidance: attention to site planning, height, bulk, and scale, consideration of architectural context, appropriate landscape treatments, and support of the pedestrian environment.

The design locates retail space along Roosevelt, with high ceilings. It locates a residential entry off NE 66th St, alongside two north-facing live-work units. Vehicular access is located as far from the intersection as possible, using the site's existing driveway easement. In the easement the ability to screen is limited, though the design does incorporate screening at the easement's eastern margin.

The site's low point is at the southwest, and Roosevelt ascends to the north. The design intent is to provide pedestrian access to retail space along Roosevelt, which could result in a depressed floorplate below sidewalk grade at the northeast corner. The design allocates Code-allowed additional height to raise the first residential level and the ceiling height of the retail level, to achieve a reasonable retail height at the corner, which could be accessed via roll-up doors or some other pedestrian opening.

Along Roosevelt, the width of the sidewalk is important, and the design steps back 3' to provide for 14', and the floor level steps up to provide for two primary access points. Ideally entries would be spread further apart, but universal access is an overarching concern. Referring to a rendered drawing, Mr. Johnson noted that the ground level is treated with the same architectural expression and scale of buildings located across Roosevelt. Materials include masonry, a "very tactile, durable surface" integrated in the first and second levels.

On the north side, it's important that the at-grade live-work entries provide for a sense of privacy and protection, so they're not directly on the street. Level, universal access is also required.

Mr. Johnson reviewed landscape plans for plantings at grade, on upper-level terraces, and at the roof level. The design incorporates private and common spaces with plantings intended to soften the decks as they step down to toward the residential Lowrise zone.

The Roosevelt neighborhood guidelines provide for additional height in consideration of an upper level that sets back. Mr Johnson pointed out that the design's upper levels step back substantially from the adjacent zone to the north and southwest, and there's also a more minor setback on the north and east. Significantly, the design applies the additional allowance to provide the necessary ceiling height at the site's northeast corner.

Proposed materials include brick, cementitious panels, metal siding, and prodema accents. As the project is dubbed "Indigo", the design team is working to integrate some hint of the color. Mr. Johnson showed the Design Review Board a color and materials palette that emphasized "warmth", and "dense color". Windows are to be white vinyl above and an anodized metal storefront system at ground level.

7/7/2008 Recommendations: Clarifying questions by the Board

*When a driver comes to the site, what's their experience?* The driveway ramps down, and parking spirals around here. We've incorporated the electrical vault at the southeast corner. 66th

is fairly congested, so this is the right place to put the entrance so that drivers can queue. It's also right in terms of the site's topography – we don't want to put an exit onto Roosevelt.

*How do you envision commercial loading here?* We can load through the back, or we can load along the sidewalk with hand trucks. It's possible to pull box trucks onto the ramp. There are two ways out. Based on 60 parking spaces, we expect a car every 2-3 minutes at peak hours.

*Garbage would be accessed from the back?* Yes. Trash will be handled within the building.

*Where you've raised the corner, what's the level of stepping?* At the first entry [along Roosevelt], that's elevation 213. At the second, the slab is at 215'. A tenant could put a platform here, at 217.

*Have you applied for any green certifications?* We're not applying, but our mindset is to design it to be as green and sustainable as possible. We're following their rules, but we're not trying to sell it that way. If we scored the building, we'd probably achieve LEED silver.

*Please clarify what lighting is proposed.* Lights would be attached to the underside of the canopies. There would be a modest level of safety lighting, nothing dramatic. There would be lights for the retail experience on the street and some low-level lighting of the landscaping. But we want to limit the horizontal throw. There shouldn't be any light that shines on the neighborhood.

*Please clarify what signage is proposed.* There would be no large "identity sign" for the entire building. Signage will be located at the marquee level, and at the residential entry there will be a smaller identity sign. We prefer that lights shine on the signs instead of internally lit signs.

*For the elevator penthouse, is there any opportunity to have a machine room with no overrun?* Stretcher requirements. We did try to put ventilation into the same stack. It's set in the middle.

<u>7/7/2008 Recommendations: Public Comment</u>

Ten members of the public attended the recommendations meeting on July 7, 2008. Comments from the meeting focused on traffic, which is beyond the Board's purview. Design-related comments included the following:

- I have the tiny little house to the west. It's fully of psychotherapists and acupuncturists. This is better looking than I thought it would be.
- This is responsive development.
- We appreciate the wider sidewalks.
- Detailing is important.
- Limit any maintenance issues.
- Make sure that roofwater and exhaust are directed away from the sidewalk.
- We're grateful for the brick.
- The modulation is important.

- This building will be directly across from our future light rail station, so people should know they're in Roosevelt. It could be a small thing: signage, detailing.
- Consider a different name – something that hearkens back to the Roosevelt neighborhood. There are ties in the sidewalk where people could tie a horse. Maybe a little history of the Scarlet Tree. We're working on a neighborhood identity project, and we'd like you to be a part of that.
- You should reorient the horizontal slats at the back to keep kids from climbing them.
- Choose windows that are relatively non-reflective.
- We're concerned that people will drive though the easement to the south. Can you design the project so that people only come in and out from the north – maybe in the way you shape the entrance ramp?

## GUIDELINES

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 siting and design guidance described below and identified by letter and number those siting and design guidelines of highest priority to this project, found in the City of Seattle's *Design Review: Guidelines for Multifamily and Commercial Buildings* (supplemented 1/20/2007), and further supplemented by the Roosevelt neighborhood guidelines. They gave the following design guidance to the applicant.

### A. Site Planning

**A-2 Streetscape Compatibility**

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

**A-3 Entrances Visible from the Street**

*Entries should be clearly identifiable and visible from the street.*

**A-4 Human Activity**

*New development should be sited and designed to encourage human activity on the street.*

**A-5 Respect for Adjacent Sites**

*Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.*

**A-6 Transition Between Residence and Street**

*For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.*

**A-7 Residential Open Space**

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

### A-10 Corner Lots

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

**2/4/2008 Guidance – Site Planning**

Board members generally agreed with the basic siting choices, including site access and the initial massing decisions.

The Board raised concerns about the northeast corner, recognizing that it's compromised if the commercial floor is built below sidewalk level. "It could be a strange situation with pedestrians looking down into the space." They invited the design team to present alternatives for how to address this corner "with more strength", suggesting that it should perhaps step back.

The Board supported the creation of flexible, small retail spaces. One Board member raised concerns about the live work spaces – to be successful, these must meet Code, have transparent fronts, appropriate signage, uncluttered ADA entries, appropriate visibility, and must relate well to the sidewalk.

**7/7/2008 Recommendations – Site Planning**

Board members recommended that the blue-colored base should turn the northwest corner.

## B. Height, Bulk & Scale

***Roosevelt Guidelines:***

- ***Retain a pedestrian scale of development, as experienced from public streets and sidewalks, in commercial areas.***
- ***Minimize the impact of commercial development on adjacent residential areas.***

### B-1 Height, Bulk and Scale Compatibility

*Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.*

**2/4/2008 Guidance – Height Bulk & Scale**

This guideline is important – the Board identified it unanimously. Board members voiced concerns about shadow impacts on nearby structures, and noted that this design will be visible from a greater surrounding area. They identified as a high priority the appropriate modulation of the west façade.

**7/7/2008 Recommendations – Height Bulk & Scale**

The Board had no further comment in this regard.

## C. Architectural Elements and Materials

***Roosevelt Guidelines:***

- ***Encourage new development that is compatible with the scale and architectural character of existing commercial development.***
- ***Encourage streetscape improvements that aesthetically enhance and provide a sense of unity to the neighborhood's commercial areas without stifling the interest and character derived from variety.***

**C-2 Architectural Context**

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

**C-2 Architectural Concept and Consistency**

*Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.*

*Buildings should exhibit form and features identifying the functions within the building.*

*In general, the roofline or top of the structure should be clearly distinguished from its façade walls.*

**C-3 Human Scale**

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

**2/4/2008 Guidance – Architectural Elements and Materials**

Board members identified a "strong cohesiveness" in the Roosevelt neighborhood. They encouraged creative gestures that reference the nature of the neighborhood, lending to its character. This could involve adaptive reuse of materials, or other contextual references.

The design updates should clearly detail the west wall, both from the perspective of nearby neighbors and from further away. Board members encouraged modulation along this façade, in a way that doesn't detract from the unity of the overall design.

One Board member suggested that an alternative paving could be introduced along the access easement, so that it doesn't read as a public alley.

**7/7/2008 Recommendations – Architectural Elements and Materials**

Board members recommended that the design incorporate graffiti resistant materials "where paint can't adhere".

The Board supported the use of bricks at the lower levels, noting that it offers a welcome detail at eye level. One Board member suggested that brick should be more fully expressed at the base, but another Board member considered the brick piers to be sufficient as shown: "For the massing to remain light, this is one of the better proportions of glass to solid – more brick runs the risk of weighing down the base and losing some of that lightness". The Board agreed that architectural concrete should go no higher than the splash zone and is an appropriate material at the base of each pilaster.

The Board supported the choice of wood screens on the west side, because they convey a sense of warmth and attention to detail. Board members recommended that the screens should also incorporate metal or a material that ensures both durability and some level of transparency. They identified wood elements set in a metal frame as an acceptable alternative.

## D. <u>Pedestrian Environment</u>

***<u>Roosevelt Guidelines:</u>***

- ***Improve the safety, comfort and visual quality of the pedestrian environment in neighborhood commercial areas, especially in the Core Commercial Area.***
- ***Encourage the creation of publicly accessible open spaces that function as informal gathering places and are focal points for the neighborhood.***

### 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 spaces should be considered.*

### 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-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. 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.*

**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.*

**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.*

**2/4/2008 Guidance – Pedestrian Environment**

The Board encouraged the design team to incorporate pedestrian amenities in their streetscape design. Board members instructed the design team to take cues from the existing built environment. Existing shop entries are recessed and their principal facades are modulated – look at how existing buildings do it and give the design more identity that way. One Board member suggested introducing different types of storefront windows and exterior finish materials, as if this were an accreted set of shops.

Overhead weather protection is important along Roosevelt.

Any landscaping proposed between the sidewalk and the windows should be carefully designed and clearly explained, so that it's clear that it doesn't interfere with the transparency of the storefront and pedestrian engagement.

The Board expects the design to feature no blank walls.

**7/7/2008 Recommendations – Pedestrian Environment**

The Board had no further comment in this regard.

## E. <u>Landscaping</u>

### 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.*

**2/4/2008 Guidance – Landscaping**

The Board encouraged the design team to carefully consider ways to screen the western garage entry. A flat wall at this location would be unacceptable, according to one Board member. A green wall is encouraged on this side.

At recommendations, the Board invited the design team to incorporate design input by a landscape architect.

**7/7/2008 Recommendations – Landscaping**

The Board had no further comment in this regard.

**DEPARTURE FROM DEVELOPMENT STANDARDS**

The applicant contemplates the following potential departures from Land Use Code development standards.

| ***Requirement*** | ***Proposed*** | ***Comments*** | ***Board Recommendation*** |
|---|---|---|---|
| For NC-65' zones, a departure allowing greater height with greater upper level setbacks may be considered, where appropriate. This departure shall be limited to three (3') additional feet in height. | The project utilizes the full 3' allowed through the departure. | • In order to accommodate a usable commercial space with the option to create an at-grade corner entry, the design allocates extra height to the ground floor commercial space. | The Board supported the request and recommended that DPD grant the departure, based on the understanding that most of the additional height would facilitate a higher first level and the option to integrate a corner entry. |

## ANALYSIS – DESIGN REVIEW

The Board identified several valuable elements of the design presented by the architect at the final meeting. Board discussion reflects those items which the Board felt were critical amenities that should be preserved and carried through to construction.

Outstanding Design Review Board concerns include the following:

- The applicant shall update plans to show that the blue-colored base turns the northwest corner.
- The design shall incorporate graffiti resistant materials.
- The screens located on the design's west side should also incorporate metal or a material that ensures both durability and some level of transparency.

## DECISION - DESIGN REVIEW

DPD finds that the project's design has successfully changed to address several issues raised by the Board in Early Design Guidance and through Recommendations. The Northeast Design Review Board unanimously recommended that the design be approved, subject to their feedback at recommendations. The proposed design and the design departure listed above are **CONDITIONALLY APPROVED** subject to conditions listed on page 21 at the end of this report.

## ANALYSIS – SEPA

The applicant provided the initial disclosure of this development's potential impacts in an environmental checklist dated March 19, 2008. The applicant submitted a geotechnical report by PanGEO Inc, dated March 2008. DPD received three letters from the public. Comments raised concerns of traffic generated by the proposal, the garage location, neighborhood parking (particularly the need for on-street business parking), unnecessary retail space, and excessive height. This analysis has also occurred in the context of other proposed development in the near vicinity (the QFC site, for instance). This report anticipates short- and long-term adverse impacts from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction; potential soil erosion during excavation and general site work; increased runoff; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section 25.05.794). Although not significant, these impacts are adverse.

The SEPA Overview Policy (SMC 25.05.665 D) states, "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 limitations. 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, SMC 22.800 (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of most potential adverse impacts. Thus, mitigation pursuant to SEPA is generally not necessary for these impacts. However, more detailed discussion of some of these impacts is appropriate.

**Air**. Demolition of the existing structure (the Scarlet Tree Restaurant) occurred subject to an abatement order. Apart from site work, no further demolition is likely to occur, and no conditioning is warranted in this regard.

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

**Earth**. The proponents have submitted a soils analysis for DPD review. DPD anticipates further study and design associated with the grading and construction permits. DPD received a geotechnical report by PanGEO Inc, dated March 2008. DPD geotechnical staff will review the submitted documents during building review. Existing Codes provide authority to require appropriate mitigation for this project, and no specific conditioning is warranted in this regard.

**Construction Parking**. Offsite parking in the vicinity of the site is constrained by on-street parking time limits and metering.

- A residential parking zone (RPZ) exists on both sides of NE 66th St between the freeway and Roosevelt Way NE.
- Peak period parking is restricted along Roosevelt Way NE.
- There are 1-hour (non-paid) parking signs on NE 65th Street between the freeway and Roosevelt Way, as well as the western half of both sides of the street between Roosevelt Way NE and 12th Ave NE on NE 66th St.

For surrounding uses, on-site parking appears to be generally available, sometimes for a fee. For example, Calvary Church is located three blocks to the north, has substantial surface parking, and may be amenable to a contract for off-street worker parking.

Off-site construction parking is likely to occur during excavation and construction of the parking levels, after which it will be possible to move vehicles entirely onsite. This construction-related impact is likely to be relatively minor and of short duration. DPD therefore determines that no further mitigation is warranted in this regard.

**Construction Vehicles**. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The subject site abuts major arterials on its east side, with relatively direct access to I-5. Traffic impacts resulting from grading truck trips will be of short duration and mitigated in part by enforcement of SMC 11.62. This area is subject to traffic congestion during the PM peak hours, and large trucks turning onto arterial streets 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.

The construction activities will require the removal of material from the site and can be expected to generate truck trips to and from the site. 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.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause grading truck trips to cease during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity (see Condition #5). As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC 11.62.

City 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. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

**Construction noise**. Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential uses. However, no residences are adjacent to the site, and few are immediately proximate. DPD also received no public comment about noise impact concerns. All construction activities are subject to the limitations of the Noise Ordinance, SMC 25.08. DPD finds the limitations of the Noise Ordinance to be adequate 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), no further mitigation is warranted.

Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g. increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased bulk and scale on the site; increased traffic and parking demand due to the new residential and commercial space; minor increase in airborne emissions resulting from additional traffic; minor increase in ambient noise due to increased human activity; increased demand on public services and utilities; and increased energy consumption.

The likely long-term impacts are typical of this scale of mixed use development, and DPD expects them to be mitigated by the City's adopted codes and/or ordinances (together with fulfillment of Seattle Department of Transportation requirements). Specifically these are: the Land Use Code (aesthetic impacts, height, setbacks, parking) the Seattle Energy Code (long-term energy consumption), and the street use ordinance. However, more detailed discussion of some of these impacts is appropriate.

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

**Parking**. The project provides the minimum on-site parking required by the Land Use Code. In the course of review, neighbors raised concerns about any spillover parking resulting from the project, particularly with regard to impacts to neighborhood businesses. DPD staff reviewed site conditions and determined the following:

- A residential parking zone (RPZ) exists on both sides of NE 66th St between the freeway and Roosevelt Way NE.
- Peak period parking is restricted along Roosevelt Way NE.
- There are 1-hour (non-paid) parking signs on NE 65th Street between the freeway and Roosevelt Way, as well as the western half of both sides of the street between Roosevelt Way NE and 12th Ave NE on NE 66th St.

Daytime on-street parking is therefore largely restricted in the vicinity of the site. None of the proposed retail spaces are of a scale that they would generate a high level of parking impacts, certainly no greater than impacts experienced when a restaurant occupied the site. Utilization of on-site parking is projected to be greatest at night, when residents are more likely to be home. On-street parking demand generated by the proposed commercial uses is likely to be no greater than for the existing permitted restaurant use, when the Scarlet Tree occupied the site.

DPD conducted one weekday evening site visit, when nearby restaurants were open, a period that staff considered likely to represent the peak hour of concern for area businesses[1]. During this site visit, staff identified several available parking spaces within the immediate vicinity.

The site is located in close proximity to several transit routes, and plans include on-site storage for up to 30 bicycles. Unit sizes are relatively small. The project's target demographic is considered more likely to use alternative modes. For purposes of the SEPA analysis, DPD considers the 1:1 parking ratio to be adequate to serve the project's parking demand. No further mitigation is warranted.

**Traffic**. In the SEPA checklist, the applicant has provided a brief traffic analysis that draws from the Institute of Transportation Engineers (ITE) Trip Generation Transportation Engineering

[1] Prior to 6pm, parking restrictions are in effect. After businesses close, DPD anticipates that demand for on-street parking diminishes.

Trip Generation Manual (7th Edition), which indicates that each multifamily unit creates four daily trips, and each 1,000 sq. ft. of specialty retail generates 41 daily trips. The project's (gross) impacts would be 416 daily trips and just over 35 PM peak hour trips. DPD considers this estimate to be conservative, and notes that it does not discount trips previously generated by a restaurant use at the site.

DPD determines that traffic impacts associated with the project are not adverse enough to warrant further mitigation.

**Height Bulk & Scale**. SMC 25.05.675 G2c states, "*The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. 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. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project*."

The site is split-zoned, and is adjacent to properties zoned Lowrise Residential Commercial. The Design Review Board explicitly considered issues of height, bulk and scale in its review of this project. The proposed structure is located on a NC3P-65-zoned site, and the structure is designed to conform to its height limit. Further, the west façade steps back west property line, provides appropriate fenestration and shifts in finish materials as modulation. Residential decks are organized to provide for landscaping and further visual relief. No additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

**Light and Glare.** The environmental checklist discusses the project's likely light and glare effects on the surrounding area. As discussed in Design Review and outlined in the checklist, the project's exterior lighting is to be appropriately shielded or focused downward. Garage parking is to be located entirely underground. The location of the proposed driveway is not aligned with neighboring residential windows. Lighting from residential units is likely to be shielded by curtains or other customary visual filters.

The effects of reflected sunlight are not likely to have any appreciable effect on Roosevelt Way NE, the most heavily trafficked arterial. Traffic is southbound only, and any glare from the building will be from the south. The project is not likely to be a substantial source of glare to the surrounding environment in any case. DPD therefore determines that no further mitigation is warranted, per SMC 25.05.675 K.

## 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 requirement of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

[ ] 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(2)(C).

## CONDITIONS – DESIGN REVIEW

*Prior to issuance of the Master Use Permit*

1. The applicant shall update the Master Use Permit plans to reflect plans shown to the Design Review Board on July 7, 2008, and the recommendations and conditions in this decision. The applicant shall embed conditions and colored landscape and elevation drawings into updated Master Use Permit and all building permit sets.

*Prior to issuance of the Construction Permit*

2. The Design Review Board recommended that the design extend the base's blue-color to turn the northwest corner. It should incorporate graffiti resistant materials. Screens located on the design's west side should also incorporate metal or a material that ensures both durability and some level of transparency. The applicant shall update plans to incorporate the recommended updates.

*Prior to and/or During Construction*

3. Any changes to the exterior façades of the building, signage, and landscaping shown in the building permit must involve the express approval of the project planner prior to construction.

*Prior to Issuance of the Certificate of Occupancy*

4. Compliance with the approved design features and elements, including exterior materials, roof pitches, façade colors, landscaping and right of way improvements, shall be verified by the DPD planner assigned to this project (Scott Ringgold, 233-3856) or by the Design Review Manager. The applicant(s) and/or responsible party(ies) must arrange an appointment with the Land Use Planner at least three (3) working days prior to the required inspection.

## CONDITIONS – SEPA

*During Construction*

The following condition 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. 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 weatherproofing material and shall remain in place for the duration of construction.

5. For the duration of grading activity, the owner(s) and/or responsible party(ies) shall cause grading truck trips to and from the project site to cease during the hours between 4 PM and 6 PM on weekdays.

Signature: (signature on file) Date: October 9, 2008
Scott A. Ringgold, Land Use Planner
Department of Planning and Development

SAR:bg

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