



City of Seattle

Gregory J. Nickels, Mayor

**Department of Planning and Development**

D. M. Sugimura, Director

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

**Application Number:** 3008906

**Applicant Name:** Codi Lodi and Jeff Bates, Shugart Bates Architects  
for Kevin Nagai, Base Capital LLC

**Address of Proposal:** 4558 7<sup>th</sup> Ave NE

**SUMMARY OF PROPOSED ACTIONS**

Land Use Application to allow a six-story building containing 24 residential units. Parking for 24 vehicles to be provided in two levels below grade. Project includes 5,134 cubic yards of grading. Existing structures to be demolished.

The following approvals are required:

**Design Review** – SMC Chapter [23.41](#)

**SEPA DETERMINATIONS:**  Exempt  DNS  MDNS  EIS

DNS with conditions

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

### PROJECT DESCRIPTION

The applicant proposes a six-story apartment building with twenty-four (24) residential units and a 24 space, two-level underground parking garage.

### VICINITY AND SITE

The 6,420 sq. ft. site is located in the University District, at the southeast corner of 7<sup>th</sup> Ave NE and NE 47<sup>th</sup> St. 7<sup>th</sup> Ave NE is a minor arterial, and NE 47<sup>th</sup> St. is a nonarterial. There is an alley on the site's east side. The area includes curbs, sidewalks, planting strips and nearby transit stops on 7th Ave NW. Parking is predominantly on-street, with limited parking located off the alley or in small driveways from the street. The vicinity slopes gradually from north to south.

The site is zoned residential midrise (MR, see Page 15). Properties to the south of NE 47th St are also zoned MR. Land to the north of NE 47<sup>th</sup> St. is zoned residential Lowrise Duplex Triplex (LDT).

Development in the vicinity shows a gradual transition to multi-family structures from a residential neighborhood historically dominated by single family homes. To the south, residential towers built in recent decades reach or exceed the current zoning potential. Many nearby properties are relatively small and are occupied by their original homes, some of which have been converted to apartments, in varying states of repair. To the east of the site across the alley a six-story structure containing 63 residential apartment units and parking for 95 vehicles is under construction. Directly to the south is a three-story, 9-unit apartment building ("Near U", built in 1988) and a 10-story, 96-unit apartment building administered by Seattle Housing Authority (built 1971). One block to the east are the 23-story University Plaza Condominiums, containing about 135 units. University Playfield is one block to the north.

A predominant feature is Interstate 5 and its on-off ramps, located to the west of 7<sup>th</sup> Ave NE. The interstate is about 15' below the average grade of this site and is therefore not immediately visible from the sidewalk. Traffic noise is quite evident, however. Metro Transit uses the west side of 7<sup>th</sup> Ave NE for bus staging.

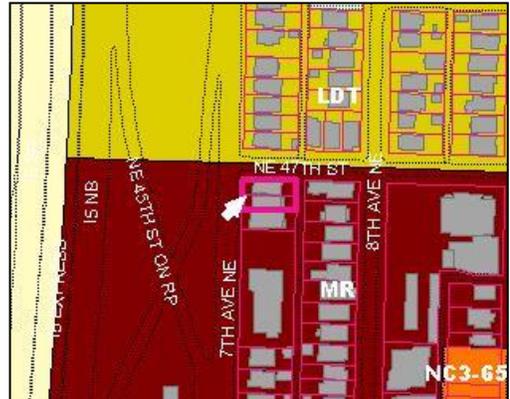


Figure 1. Vicinity Zoning

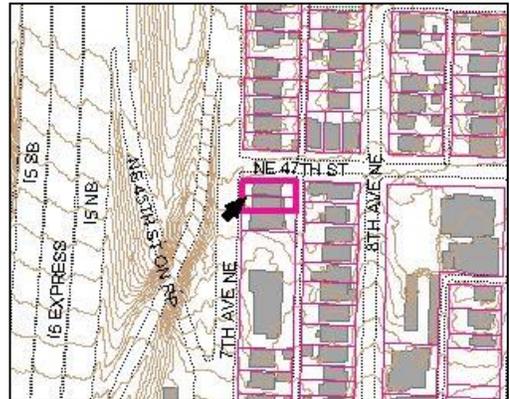


Figure 2. Local topography

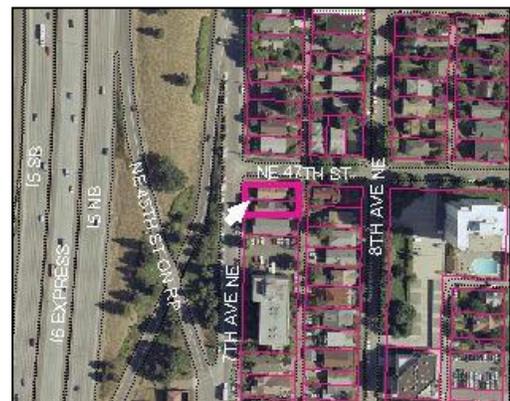


Figure 3. Aerial View

The site measures 107' by 60'. The site is generally level, and no portion of the site is designated as an Environmentally Critical Area on City maps. The site is currently occupied by two single family homes, located a few feet above sidewalk level. The remainder of the site is mostly landscaped, with mature cedar trees at the front and back of the southern house.

### **DESIGN REVIEW PROCESS**

The project's Early Design Guidance meeting took place on June 2, 2008, in the University Heights Community Center. Five Board members attended, with no absentees. The Design Recommendations meeting took place on December 15, 2008, in the same location, with four board members in attendance and one absentee. Design proposal packets are located in the project file, available for public review at DPD's Public Resource Center, floor 20 of Seattle Municipal Tower. The packet is also available online: <http://tinyurl.com/3008906>.

### **6/2/2008 EDG: Architect's Presentation**

Jeff Bates, project architect, described the site and vicinity, referring to much of the information presented above. He explained that on this tight site he wanted to create a responsive urban design that would be oriented to the views to the north and northeast and away from the freeway noise and solar gain to the west. The building massing and façade treatments would respond to these different environments.

The architect showed three alternative designs for the site.

- Option 3 is the maximum building volume prescribed by the development standards of the Midrise zone.
- Option 2 shows a more creative approach to modulation with a series of three sawtooth angles along the north façade.
- Option 1, the applicant's preferred design, takes a different approach to modulation by breaking the building into a smaller rectangular western mass and a larger eastern mass that angles away from the northeast corner of the site, creating a planting area. With the street trees that would be required along 47<sup>th</sup> this would result in a double row of trees along about half of the façade. At the entry the building would be notched along the north and south facades to differentiate the rectangular section and provide a view through the building.

Options 1 and 2 show an 11.5' rear setback from the adjacent apartment building while Option 3 has the code minimum 10' setback. All options would have four units per floor and show the principal pedestrian entry on the north side, facing NE 47<sup>th</sup> St. All concepts also show vehicle access from the alley, and all have a subgrade parking structure that would occupy the entire site, lot line to lot line. Options 1 and 2 would require a departure from the modulation standards in the zoning code.

The applicant's preferred architectural expression would be modern with a loft aesthetic. At least the north facing facades are proposed to be predominantly glass. The western façade and portions of the southern façade are proposed to be more solid.

**6/2/2008 EDG: CLARIFYING QUESTIONS BY THE BOARD**

*How would the pedestrian garage egress be treated at the alley/47<sup>th</sup> Street corner? A planter wall, berm and then security gate would screen the stairs.*

*Would the dumpsters be located at ground level behind the double doors? Yes, the units would also use the rear service corridor with a trash chute, compactor and dumpsters.*

*Are all of the units oriented to the north? Was there any exploration of a south orientation? Flipping the plan to have the stair and elevator core to the north would create a hard, blank edge on 47th. However 2 of the 4 units on each floor would have southern exposure though the first few floors would face the adjacent apartment building.*

*Is the client the same as the Duncan building to the east? Yes, and they would like some continuity though they intend to use different materials.*

*The bamboo proposed as a hedge along 7<sup>th</sup> and wrapping the corner to 47<sup>th</sup> may be too dense and prevent "eyes on the street".*

*How does this building compare in size to the Duncan Lofts? The Duncan site is 156'9" by 107' and has 63 units.*

**6/2/2008 EDG: PUBLIC COMMENT**

Three members of the public signed in at the Early Design Guidance meeting on June 2, 2008. The first speaker, Phillip Thiel, representing the University District neighborhood group had the following main comments:

- The developer has met twice with the neighborhood groups and listened to their concerns and suggestions.
- The alley is heavily used by pedestrians, both nearby residents and those passing through the area. Security and privacy for the residents along the alley is very important, and the low wall and landscaping shown will not be sufficient.
- 7<sup>th</sup> Avenue is very busy due to the freeway access and use by Metro for bus layovers. Outdoor space on that frontage is unlikely to be used.
- The site is exposed to the west across the valley of the freeway to noise, wind and solar gain.
- While views to the south are attractive the strong southern sun leads people to block their windows. Views to the north are green and attractive and it makes sense to orient units to this view.
- Parking and service access off of the alley makes sense and is well handled.
- There was concern about the narrow area between the project and the apartments to the south.
- The group would support the modulation departure in order to allow the more creative approaches shown in Options 1 and 2.
- The transition in height and bulk between the LDT and MR zones along 47<sup>th</sup> is a real concern for the neighborhood. Given the size and architecture of the building setbacks on

the upper floors would be almost impossible. They feel that the architects should concentrate on scale and form of the building.

- There are concerns that the small windows and unusual façade patterns shown on the design precedents page don't fit into the neighborhood context. Having significantly different façade treatments on different sides of the small building would look schizophrenic.

The manager of the Near U building clarified that it had 3 not 4 floors and was worried about the dark, narrow area between the two buildings. The architect stated that there would be approximately 16' feet between the buildings whereas the existing houses are almost on the property line.

A resident of the SHA building to the south expressed concern about the traffic generated by the proposed building being dangerous for the slow, elderly pedestrians that live there, especially when they travel along the alley. Staff said that that concern would be addressed in the SEPA review as part of the MUP process. The Chair clarified that traffic flow onto the site and the location of the garage entrance was an issue that the Board could address.

DPD also received two letters from the community, one expressing concern that one parking space per unit was inadequate and one in support of the project, architect and developer.

### **12/15/2008 Recommendations: Architect's Presentation**

Jeff Bates presented the design updates, referring to the [updated design packet](#). He characterized this as something of a gateway site, considering its relationship with I-5, which presents a strong edge condition. From the north and from the west, this site will be quite visible.

Mr. Bates reviewed the original massing concepts presented at EDG. The preferred concept locates the driveway at the site's southeast corner, and from there the below-grade garage entry is recessed as far to the west as possible. Taking a cue from Duncan Place to the east across the alley, this design presents a "hard edge" along its north side. Within this façade, the lobby entry is pushed back somewhat and erodes the overall mass at its center, but the wall still maintains its strong axial relationship.

Mr. Bates identified a south setback of 11'5"<sup>1</sup>, adjacent to the "Near U". On the north side, he noted that the design's decks act as a foil against the floorplan. On all elevations, the top level sets back slightly and exhibits a material shift to a lighter wood rainscreen system. The non-parapet roof further addresses neighbor concerns about building height.

The western portion of the building, facing 7<sup>th</sup> Ave NE and I-5, is finished in charcoal-black, with a wide horizontal hardie-board lap. The entire building incorporates vinyl windows. Decks are galvanized steel. Portions of the design include warmer terra cotta accents and wood or a wood resin product. The design team envisions wood infills in some of the concrete at street level. Concrete would be cast in place and stained. Stone-filled cages adjacent to the sidewalk would frame some of the landscaping, and some planter walls at the sidewalk would have a board-formed texture.

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<sup>1</sup> Architects later discovered a dimensioning error in their design drawings, which results in an average rear setback of 10'11". DPD discusses this discrepancy in its departure analysis on page 14, below.

At-grade landscaping helps to organize the private patios, which would be set 2-3' above sidewalk grade. Along the west side facing 7<sup>th</sup>, plant material would likely be a timber bamboo, offering a substantial chartreuse foreground against the backdrop of design's black façade. Stormwater would flow through a gravel base that overflows into the storm system, providing for some infiltration on site.

The following text is excerpted from the architect's design packet.

**Site Planning.** *In response to concerns of the access to the garage from the alley, the building has been recessed at the southeast corner on the ground floor in order to provide a better sightline to and from the alley. We have also pulled back the landscaping on the east façade to help with visibility from the ramp. The landscaping along with a metal decorative fence will help to provide the privacy and security to those ground floor units as well. The crest of the parking ramp has been set back further west, allowing for a flat transition to the alley.*

*As for the entry, a wider (9'-6") than required entry pathway uses landscaping and groundcover to integrate the outdoor "lobby" with the indoor lobby of the building. This provides an area for gathering and activates the sidewalk. Extensive site lighting along major pedestrian pathways will provide visibility during evening hours.*

**Height, Bulk, and Scale.** *In response to the scale of the north façade, angled decks and offset fenestration patterns are employed to visually reduce the scale of the mass at the north. A setback at the top floor and a change of materials is used to reduce the scale as well.*

**Architectural Elements and Materials.** *In response to the board's concern with context and industrial aesthetic, the materials and colors selected represent an aesthetic that responds to the environmental context and concepts of the building. Natural materials and landscaping at the ground floor respond directly to the residential neighborhood context, especially to the park to the north. The building material components consist of cast in place concrete, cementitious siding, metal panel, wood panel, and galvanized steel. Stone-filled gabion baskets provide a natural delineation between the ground floor open spaces and accent the board formed concrete along the sidewalk.*

*Cementitious siding is used in a manner that both unifies the building masses, as well as defines the different environmental contexts in which the building is responding to; namely the low rise neighborhood to the north and Interstate 5. A dark, horizontal lap siding is used to respond to the scale, noise, and western exposure abutting I-5. A lighter (but similar) color vertical panel system wraps from the north façade to the south façade to unify the visual appearance and to articulate a textural response to the adjacent residential uses at the north, east and south. The staggered vertical joints of the panels on the south wall provide visual interest while the accent colors of both the elevator core and the wood at the sixth floor warm up the facade.*

**Pedestrian Environment.** *A decorative metal fence along with landscape elements are provided to insure privacy without a negative visual impact from both the public right of way as well as from the ground floor open space. The finished grade of the building will be 1'-0" higher than the sidewalk along 47th Street (and alley), providing an elevation change to improve privacy. See response to site planning for changes to the lobby/entry.*

**Landscaping.** *A comprehensive landscape plan has been developed to integrate the landscaping for the units at ground level with the street trees along NE 47th Street. We have also proposed adding a landscaped curb 'bulb' at the intersection of 7th Ave NE and NE 47th Street with 2 street trees along 7th Ave. While these were not required, they soften the transition from the larger MR zone to the residential LDT zone while screening residents of the ground floor units from the noise along I-5. The use of bamboo along the west edge of the property are employed to soften the pedestrian experience along 7th Avenue. Gaps are introduced into the bamboo to correlate with fenestration at the ground floor. This weaves the landscape with the architecture while providing a better visual connection to 7th Avenue.*

The design involves certain departures from development standards, discussed on page 13.

#### **12/15/2008 RECOMMENDATIONS: CLARIFYING QUESTIONS BY THE BOARD**

*Please describe the proposed pedestrian lighting.* We light the sidewalks in front of the building with inset lights along the wall.

*Is there a sight triangle for the driveway?* In alleys it's not required.

*Why have you chosen this color scheme?* This color palette provides for a distinct, easy-to-locate building. The black gives it a sculptural quality. Lit from inside, it'll be like a lantern. The principal color will also contrast strongly with its details (galvanized rails, vinyl windows), playing against them.

*What weather coverage do you propose at the main entry?* We'll blur the line between outside and inside.

#### **12/15/2008 RECOMMENDATIONS: PUBLIC COMMENT**

One member of the public signed in at the Early Design Guidance meeting on December 15, 2008. Sue Alden spoke on behalf of neighbors who had met previously with the design team. She offered the following comments.

- One of our original concerns was for an appropriate transition in height, bulk and scale toward the north. I think it works from across the street.
- It seems like this design presents an effective street wall, similar to Duncan Place to the east.
- If possible, please put pressurization equipment for fans and stairs inboard of the elevator overrun.
- The dark red accents relate to Duncan.

- Smaller windows on the west side should be a good noise buffer.
- Please warm it up a little. It's a lot of black on a big building.
- Will there be a security gate on the garage?
- Norway maples on the street are a big concern. The roots are notorious for uplifting sidewalks. Please find some other tree – talk to the SDoT arborist.

Another citizen attended and voiced an interest in appropriate deconstruction of the existing homes.

Over the course of review, DPD received written comments from seven members of the public. Design-related input included the following:

- I support the project as submitted. It will be an asset to our neighborhood.
- The two requested “departures” seem reasonable and to meet the goal/intent of the regulations.
- There was concern about the black color of the west block/tower. It is hard to visualize that from the drawings presented, which could not indicate the panel offsets, joints, trim and window frame materials, etc. All of these will be in the final building, providing subtle texture/details, which will not detract from the design concept.
- This is an esthetic decision. Adding more “useless” texture will detract from the concept and clutter up the design. The north, 47<sup>th</sup> St elevation of the eastern block (separated by the entry see-through shaft) is very complex, so the west tower should stay as simple as planned.
- This building is a modern design so should not be downgraded with the popular “Disneyland” complexity of “today’s” design. Trust these architect’s sensibilities. We should trust simplicity when it is offered.

Other letters addressed issues outside the scope of Design Review, including loss of trees and rise in carbon dioxide levels, construction impacts on the elderly, neighborhood change, increased crime, and increased demand for parking. The project is subject to zoning review, but is exempt from environmental (SEPA) review, per SMC [25.05.800](#).

## **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 and recommendations 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](#). In addition, Board members considered the project in relation to the [University Community Design Guidelines](#) (identified where appropriate).

### **A. Site Planning**

#### **A-1 Responding to Site Characteristics** (see also neighborhood guideline)

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

**A-4 Human Activity** (see also neighborhood guideline)

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

**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.*

**6/2/2008 Guidance – Site Planning**

Given the constraints of the small site the Board did not request any changes to the preferred site plan (Option 1). They appreciated the slightly increased setback to the property to the south as allowing for better light and privacy between the residences. They agreed that alley access to the garage was the best location, however they wanted more information about grades, walls and sight triangles at the recommendation meeting.

Board members thought that the pedestrian entry and lobby would be an opportunity to activate the façade and put eyes on the street to provide for personal security of future tenants. They want the pedestrian entry to engage the sidewalk.

The Board was sensitive to the concerns expressed by the neighborhood group representative about the need for a privacy and security barrier to the alley. At the recommendation meeting they would like additional information about how the architect proposes to provide this in an attractive and durable manner.

**12/8/2008 Recommendations – Site Planning**

Board members complimented the design team for an effective presentation and design packet. They noted that the design continues to be responsive.

**B. Height, Bulk & Scale**

**B-1 Height, Bulk and Scale Compatibility** (see also neighborhood guideline)

*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.*

### **6/2/2008 Guidance – Height Bulk & Scale**

The Board recognized the issue of height transition from the residential lowrise zone to the residential midrise zone across NE 47<sup>th</sup> St. They also identified the challenges of designing an appropriately scaled building on a site that is relatively narrow in relation to the allowed 60' height. Board members indicated that the design's overall composition would likely play an important role in addressing concerns about height, bulk, and scale.

The Board's consensus was for the architect to stay away from eroding the building at the top because the building scale is too small for it to be effective. The angle shown on Option 1 would provide an "erosion" along the full height of the building along the most sensitive adjacency. The location of the building on a corner provides a built-in separation from the LDT zoning.

Overall the Board was most supportive of the "big move" in Option 1, but thought that some gesture to break up that angled north façade such as shown in Option 2 could be effective. They encouraged the use of articulation, recesses, protrusions, breaking the façade into vertical bays (as in Option 2) and other architectural devices to achieve an appropriate scale. There was concern about the nighttime appearance of a predominantly glass north façade and the suggestion that breaking it into segments or providing fins or vertical screens might reduce the amount that was visible from any one location. The Board was supportive of the architect's suggestion that a minor setback of the top floor on the north and east sides combined with a material change could be effective in reducing the scale.

### **12/8/2008 Recommendations – Height Bulk & Scale**

A Board member stated that the top appears to be set back about 3', which he considered appropriate. The transition in color and material at the top level also helps to offset the top level.

## **C. Architectural Elements and Materials**

### **C-2 Architectural Concept and Consistency**

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

### **C-4 Exterior Finish Materials** (see also neighborhood guideline)

*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.*

### **6/2/2008 Guidance – Architectural Elements and Materials**

Overall the Board appreciated the bold massing gestures proposed by the architects. They felt that Option 1 embodied a clear diagrammatic response to the constraints of the site. They emphasized that the other design decisions made by the architects must support that concept.

The Board thought that there was justification for different façade treatments based in an environmental response to the site conditions (noise, solar gain). However given the small scale of the building they were concerned that it could appear too eclectic and not present a unified appearance. They thought that while it will be a fine balance to strike it is important for the project to read as one building, possibly through material use and scale of the windows.

While Board members thought highly of the buildings that the architect selected as inspiration they were concerned that the context of the site did not support such an industrial aesthetic. They thought there could be an opportunity to use an environmental response as inspiration instead. Colors could be used to move away from that industrial expression.

The Board was excited about the lobby space providing a view through the building, emphasizing the break between the two parts of the structure.

### **12/8/2008 Recommendations – Architectural Elements and Materials**

Board members agreed that the design reads as an “object”, and the details appropriately highlight its overall unity. The staggered window patterning appropriately balances the unified mass.

One Board member encouraged some softening of the colors, perhaps through attention to “texture, striation, flashing, sheen, or some other specular quality”. “Don’t just lighten the colors,” cautioned another – “Be careful about how you do it.”

The Board recognized the identified materials and composition as central to their recommendation. “The concrete base and the overall proposed materiality is important. The patterning of the windows – these details are key.”

## **D. Pedestrian Environment**

### **D-1 Pedestrian Open Spaces and Entrances** (see also neighborhood guideline)

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

### **D-2 Blank Walls**

*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 elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.*

**D-7 Personal Safety and Security**

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

**D-8 Treatment of Alleys**

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

**6/2/2008 Guidance – Pedestrian Environment**

The Board wanted to see additional detail about the alley access and security at the recommendation meeting. They would like to see site sections in areas with grade changes, verification of the sight triangle at the garage entrance, and larger scale graphics.

The Board would like to see the architects develop an approach to providing ground level privacy and security without blank walls. One boardmember suggested use of attractive metal fencing with climbing plants to provide privacy without a hard edge.

The Board wanted the architects to explore using the residential lobby to activate the street front. While 24 residents wouldn't justify a large space it could be designed to create an active node in the building.

The Board expressed concern about how blank the southern wall might become if the units were all oriented to the north and east. They also wanted the more solid southern wall to appear as part of the same building as the extensively glazed northern façade.

**12/8/2008 Recommendations – Pedestrian Environment**

The Board offered no further recommendation in this regard.

**E. Landscaping**

**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.*

**6/2/2008 Guidance – Landscaping**

Board members agreed that incorporating at-grade landscaping is important to the design's successful integration into the surrounding neighborhood. They directed that the next presentation should provide more detail about the retaining walls, planting areas and plants sized to the available depth of the planting areas over the parking garage. Required street trees along NE 47<sup>th</sup> St would be appropriately complemented with plantings along the site's north side.

**12/8/2008 Recommendations – Landscaping**

The Board recommended that the applicant work with the SDoT arborist to confirm that the identified street tree species would not unduly affect the sidewalk.

**DEPARTURE FROM DEVELOPMENT STANDARDS**

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

| <b><i>Requirement</i></b>   | <b><i>Proposed</i></b>  | <b><i>Comments</i></b>   | <b><i>Board Recommendation</i></b>  |
|---|---|--|---|
| SMC <a href="#">23.45.054</a> , <b>façade modulation.</b> (Front Façade) - Façades over 40' long require an 8'x10' inset. | Applicant proposes an angled façade with a 12.5' average setback.       | <ul style="list-style-type: none"> <li><i>The north (front) façade has been inset at the entry, is canted away from the street, and has staggered balconies. All of these elements combine to reduce the bulk of the building and to soften the pedestrian experience along 47th Street, meeting the intent of the Code.</i></li> </ul>  | The Board unanimously recommended approval of this departure: “We’re approving based on the success of the current design.” |
| SMC <a href="#">23.45.056 B</a> , <b>rear setback.</b> 15'.   | Average of 10'-11", (27% less than code-compliant), with a 10' minimum. | <ul style="list-style-type: none"> <li><i>The intent of this standard is to reduce the effects of a building’s proximity to adjacent properties. The adjacent property to the rear setback (Near-U Apartments) is oriented to the south with circulation and utility space to the north. The visual impact of this building will be minimal as the majority of views are directed away from the proposed building.</i></li> <li><i>To meet the intent of the code, the proposed rear façade will employ color changes, high level façade treatments, and recesses to create a visually interesting façade.</i></li> <li><i>Furthermore, while the design denotes NE 47th St as the front façade, a more traditional response would be to select 7th Ave NE as the front. This would have resulted in a side setback along the property to the south with a 10' average and an 8' minimum. The current configuration results in a greater setback than what would traditionally be applied on this side.</i></li> </ul> | The Board unanimously recommended approval of this departure: “We’re approving based on the success of the current design.” |

### **ANALYSIS – DESIGN REVIEW**

The applicants presented the project to the Northeast Seattle Design Review Board on June 6 and December 8, 2008. The Design Review Board recommended approval of the project as proposed, with minor recommendations, which DPD has adopted as conditions.

At the 12/8/2008 recommendations meeting, the design packet characterized the proposed average rear setback as 11'-6". Six weeks later, DPD and the applicant noted that the actual dimension is 7" narrower, or 10'-11", as currently described in the table on page 13. DPD staff has reviewed the update as it relates to the design, the Board's recommendations, and the Code intent, and determines that the analysis remains unchanged.

### **DECISION – DESIGN REVIEW**

The Director concurs with the recommendations of the Northwest Seattle Design Review Board, delivered December 8, 2008, and **APPROVES** the application's design review component, subject to Design Review conditions listed below.

### **DESIGN REVIEW CONDITIONS**

#### *Prior to Issuance of Master Use Permit and Construction Permit*

1. Prior to issuing the MUP plans and all subsequent building permit drawings, the applicant shall embed the conditions of this MUP decision on the cover sheets.

#### *Prior to Issuance of Any Permit to Construct*

2. The Design Review Board recommended that the applicant coordinate with DPD and Seattle Department of Transportation (SDoT) to confirm the appropriate selection of street trees along NE 47<sup>th</sup> St. A stated concern of neighbors is that this selection considers possible upthrust of adjacent sidewalks due to root growth.

#### *Prior to and/or During Construction*

3. Any changes to the exterior façades of the building 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 (such as the proposed curb bulb at NE 47<sup>th</sup> St & 7<sup>th</sup> Ave NE) shall be verified by the DPD planner assigned to this project (Scott Ringgold, 233-3856) or by the Design Review Manager (Vince Lyons, 233-3823). 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.

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

Date: March 26, 2009