



City of Seattle

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: 3009828
Applicant Name: Tom Fanning for R. D. Merrill Co.
Address of Proposal: 4301 Stone Way North

SUMMARY OF PROPOSED ACTION

Land Use Application to establish the use for the future construction of a four-story building containing 93 residential units, 5,680 square feet of commercial. Parking for 93 vehicles to be provided in a below grade garage. Demolition of three structures comprising 20,000 sq. ft. Project to include 12,000 cubic yards of grading.

The following approvals are required:

SEPA - Environmental Determination – Chapter 25.05 SMC.

Design Review – Chapter 23.41 SMC.

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

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

*Early DNS Notice published January 28, 2010.

BACKGROUND DATA

Project Description

The applicant proposes to design and construct a mixed use building consisting of approximately 93 residential units, 5,681 square feet of ground floor commercial use and a below grade parking garage. The proposed structure would front onto Stone Way North, North 43rd and North 44th

Streets. Demolition would include a two story commercial building at the southwest corner of Stone Way N. and N. 44th St. and two apartment buildings; one facing Stone Way N. and the other a “U-shaped” structure facing N. 43rd St. The applicant proposes to locate vehicular access along N. 43rd St., using the lower portion of the project site to reduce the amount of garage ramping.

The three scenarios presented to the Design Review Board at the Early Design Guidance meeting had commercial spaces (including live/work units) along the three streets with residential units behind and on three floors above the commercial space. The massing of Scheme #1 formed an “E-shape” above a parking plinth with a residential deck in between the wings of the building facing west. In this scheme, a small courtyard would front onto Stone Way N. The lower portion of the structure would extend to the west property line adjacent to a single family zone. Scheme 2 resembled a “U-shape” above a parking plinth with commercial space (no live/work units) along the three streets. The relationship to the single family homes to the west remained similar to Scheme #1. A modified “barbell” design (with similarities to the “U-shape” scheme) characterizes Scheme # 3. Two, four-story wings wrap around a common residential court facing west. In this scheme, a narrow entry court extends along Stone Way in front of live/work units and a residential lobby. This symmetrical scheme has commercial spaces anchoring the corners at street level and additional live/work units located along N. 44th St. The parking garage is pushed further below grade eliminating the plinth below the residential open space. A trash/recycling area, like the other options, would be located along N. 43rd St. closest to the west property line.

By the Recommendation meeting, Scheme #3 evolved to form a tripartite mass along Stone Way N. with the corners anchored by commercial spaces at grade and entries at chamfered corners that extend the full of the height of the proposed structure. A middle section, with its irregular mass slightly set back from the street, forms a narrow but linear plaza along Stone Way. Within this plaza, a residential entry and lobby sequence and another commercial storefront form the ground floor. Brick masonry units delineate the ground floor commercial spaces. Above the first level, the middle section of the scheme is composed of a series of projecting bays and residential balconies set in from the primary plane of the wall. The two corner masses are differentiated from the mid-section of the composition by the lack of bays and balconies creating quieter facades in contrast to the visual staccato of the middle section. Color choices for the fiber cement panels also set the corner masses apart from building’s middle realm.

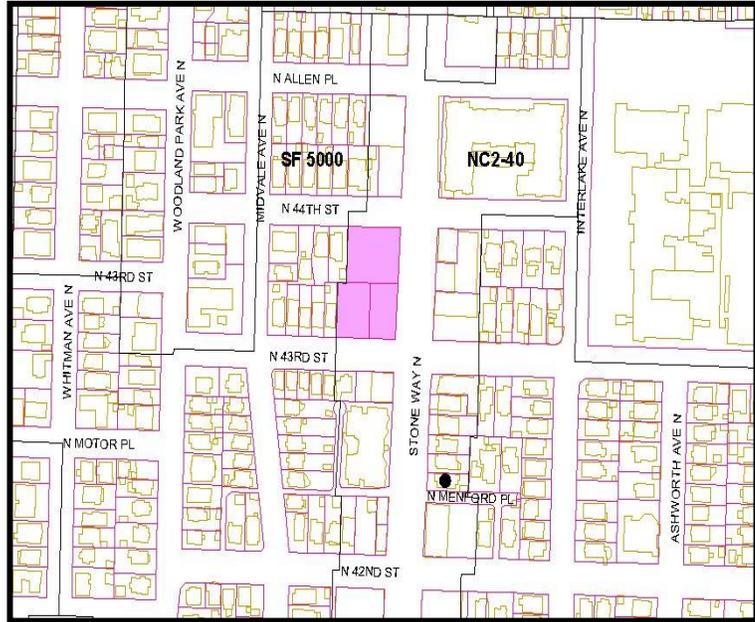
The panels wrap around the corners to the north and south elevations for two bays. Lap siding and inset balconies primarily define the residential character of the units facing N. 43rd and N. 44th Streets.

The structure’s parti, or overall design leitmotif, is a “U-shape” floor plan, which forms a courtyard facing the west. The limited amounts of fenestration, the courtyard, and the stair towers on the west façade combine to create a greater sense of privacy between the proposal and the homes to the west.

Site and Vicinity Description

The approximately 29,000 square feet, irregularly shaped site fronts on Stone Way N. to the east, North 44th Street to the north and N. 43rd St. to the south. The property slopes approximately 12

feet from its northeast corner to the southwest. The parcel is zoned Neighborhood Commercial Two (C2-40) with a 40 foot height limit. Composed of three parcels, the property extends roughly 141 linear feet along N. 43rd St. and 127 feet along N. 44th St. The zoning classification changes at the western edge of the property line to Single Family 5000 (SF 5000). The site contains a mapped Environmentally Critical Area (ECA) for steep slope located in the northern portion of the western most parcels facing N. 43rd St. The three structures that currently occupy the development site include two apartment buildings with a total of nine units and a commercial building containing a martial arts studio among other uses. The apartment buildings were constructed in the early 1940s and the commercial building in 1955.



The neighborhood is located in the Wallingford Residential Urban Village and within the boundaries of the Wallingford neighborhood specific design review guidelines. The site lies within a Neighborhood Commercial (NC) and Commercial (C) district corridor that extends from N. 36th St. on the south to N. 50th St. where Stone Way N. merges into Green Lake Way N. For the most part, single family zoned neighborhoods lie to the east and west of the corridor. One block to the west (across Midvale Ave. N) a Lowrise Two, multi-family district separates the single family zone bordering the site with the Aurora Ave. corridor.

Directly north of the subject site lies Tutta Bella restaurant and its parking lot. To the west are several one and two story, single family houses and a seven unit apartment building on the same block (the apartment is not correctly indicated in the EDG packet) as the proposal. To the south of N. 43rd St. commercial buildings line Stone Way N. and single family houses reflect their zoning designation. Across Stone Way N. a commercial building houses hardware and lighting stores. Significant buildings nearby include University House (a retirement complex), Pickering Place and Howard House (apartment buildings) and Lincoln High School.

A minor arterial street, Stone Way North runs north and south connecting Wallingford, North 45th Street, the Green Lake area, Fremont, and the north Lake Union waterfront. A separate bike lane travels north bound along Stone Way N. and shared vehicle/bike lane (sharrow) runs southbound. The two streets bordering on the north and south are classified as local streets. The city allows parking on the south side of N. 44th St. and on both sides of N. 43rd St. Street parking is permitted on both sides of Stone Way N. Bus stops can be found on the blocks directly north and south of the site.

ANALYSIS-DESIGN REVIEW

Public Comments

Fifteen people signed in at the Early Design Guidance meeting. The following comments were offered.

Programming

- Any roof top deck ought to be closer to Stone Way than near the single family residences.
- Neighbors would not like prospective tenants of the building peering into yards. This is a privacy issue.

Relationship to Stone Way and residential neighbors

- Stone Way is like an outdoor mall. The aim is to replace the missing teeth. At street level, the Stone Way façade should have continuous commercial uses.
- Live/work should not be allowed on Stone Way.
- The architect should create two elevators in order to break the floor plate three times. This would create usable commercial spaces close to grade.
- The linear courtyard in Scheme # 3 along the sidewalk would be mostly devoted to ADA ramps. The courtyard should be much deeper with commercial entrances off of it.
- Windows should be located all along the Stone Way N. street front.
- Special attention should be given to A-5 and A-10.
- Scenario #3 would have nearly 1/3 of Stone Way devoted to live/work units which is incompatible with guideline A-2, Streetscape Compatibility.

Massing

- It is important that the corners are interesting.
- Set the building back on the west side of the property.
- The north and south wings of the proposal should step back (terraces) from the single family zone. Otherwise, the project will have giant walls facing the small single family houses.
- The building's mass and character should transition to the residential neighborhood.
- See an example of a transition at 45th and Midvale.
- Cut or chamfer the corners of the structure closest to the adjacent homes.
- Buildings on the block to the south step back nicely away from the single family zone. The massing feels good for these buildings.
- The scale and density of the project is a concern to the neighbors.

Materials

- Don't use cheap materials.
- Use brick along the major facades. At the very least, extend brick up to the cornice of the structure at the corner.

Landscaping

- The landscape buffers are unclear.
- Preserve the street trees on N. 44th St. They look healthy. See guideline E-3.

- How will the existing berm between properties be addressed? Will the architect create a retaining wall?
- How will water drain off the property?
- Save the large cedar tree toward the back of the property.

Access and Parking

- N. 43rd St. is narrow. The garage entry may create safety problems due to visibility issues. (This was mentioned twice.)
- There have been bicycle accidents in the area.
- The driveway will eliminate parking spaces.
- Neighborhood doesn't want more traffic. Live/work units are preferred as they don't produce as much traffic.

Miscellaneous

- The building will cause a reduction in the amount of easterly and southern light on the neighbors' houses.
- Compost is piled into the corner of property. It is approximately eight feet high.
- What is the true grade of the property?
- Why build this project when there are vacant condos and vacant commercial storefronts along Stone Way N. and in the surrounding neighborhoods. The former Safeway site is a large excavated hole.
- When is the city of Seattle going to stop allowing ugly buildings like this one get built? They stay empty as well.
- Prevent spillover lighting. See Guidance D-10. Single family residents have views.

Design Guideline Priorities

After visiting the site, considering the analysis of the site and context provided by the proponents and hearing public comment, the Design Review Board Members provided the siting and design guidance described below 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*" and the *Wallingford Neighborhood Design Guidelines* (in italics) of highest priority to this project.

A: Site Planning

- A-1 Responding to Site Characteristics.** The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features. *Upper level building setbacks and setbacks along the building base are encouraged to help minimize shadow impacts on public sidewalks. Design public and private outdoor spaces to take advantage of sun exposure. Development along Stone Way North south of N. 40th St. with water, mountain and skyline views should use setbacks to complement and preserve such views from public rights-of-way.*
- A-2 Reinforce Existing Streetscape Characteristics.** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way. *Visually reinforce the existing street storefronts by placing horizontal or*

vertical elements in a line corresponding with the setbacks and façade elements of adjacent building fronts. These could include trees, columns, windows, planters, benches, overhead weather protection, cornices or other building features. Visually reinforce the existing street wall by using paving materials that differentiate the setback area from the sidewalk.

Recognizing the eclectic quality of the Stone Way N. streetscape, the Board encouraged the applicant to find shared motifs among the structures and develop a language for the proposed building that fits comfortably into both the commercial corridor and the residential neighborhood. Stone Way N. has become increasingly pedestrian oriented as more residential and mixed use structures have been constructed.

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

Primary business and residential entrances should be oriented to the commercial street (for development along Stone Way North).

See Board guidance for A-4 and D-1.

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

If not already required by code for new development, applicants are encouraged to increase the ground level setback in order to accommodate pedestrian traffic and amenity features, where existing sidewalks tend to be too narrow. Outdoor dining, indoor-outdoor commercial/retail space, balconies, public plazas and outdoor seating are particularly encouraged on lots located on Stone Way North.

A gracious entry plaza/court, a high degree of transparency for commercial spaces, and a maximum amount of space devoted to commercial uses along Stone Way N. are preferred by the Board. See guidance for A-10, C-2, and D-1. None of the entry court options provided by the architect satisfied the Board's preference for a spacious entry plaza to be shared by the commercial and residential tenants.

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.

The spatial relationship of the proposed building to the residential neighbors to the west is an important consideration for the Board. The placement of balconies, trash/recycling areas, common open spaces and parking should respect their privacy and desire for a quiet neighborhood.

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

Maximize open space opportunity at grade (residential or mixed-use projects):

- *Terraces on sloping land that create level yard space, courtyards and front and/or rear yards are all encouraged residential open space techniques.*
- *Make use of the building setbacks to create public open space at grade. Open spaces at grade that are 20 x 20 feet or larger and include significant trees are encouraged in exchange for landscape departures.*

At the Recommendation meeting, the Board expects that all of the proposed open spaces, especially the west facing residential patio, will have accompanying shadow studies to determine the amount and quality of daylight to be received. The existing trees near the west property lines should be integrated into the open space design.

A-8 Parking and Vehicle Access. *Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety. Structured parking entrances should be located on side streets or alleys.*

By the Recommendation meeting, the development team should have studied access issues on N. 43rd St. and determined the safest means of ingress and egress for vehicles. The Board prefers the location of the garage entrance on N. 43rd.

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.*

- *Buildings on corner lots should be oriented to the corner. Parking and vehicle access should be located away from the corner.*
- *Provide definition at main gateways to Wallingford (Stone Way North and Bridge Way North). Redevelopment of lots at these intersections should include special features that signal and enhance the entrance to the Wallingford neighborhood including a tower, fountain, statue or other expression of local creativity that provides a physical transition for motorists and pedestrians and communicates "Welcome to Wallingford."*
- *Provide definition at other main intersections. Developers are encouraged to propose larger setbacks to provide for wider sidewalks or plazas and to enhance view corridors at gateway intersections in consideration for departures from lot coverage or landscaping requirements.*
- *Typical corner developments should provide: 1) a main building entrance located at corner; 2) an entrance set back to soften corner and enhance pedestrian environment; and 3) use of a hinge, bevel, notch, open bay or setback in the massing to reflect the special nature of the corner and draw attention to it. (Example: Julia's open bay with bevel.)*

At this location on Stone Way, the proposed building mass did not warrant the attention to the corners that the architect's presented in Option #3. The Board prefers that the two corners of the structure are pulled closer to the N. 43rd and N. 44th intersections. Chamfering or depressing the corners at the street level, similar to what is shown in Options # 2 and 3, and allowing the upper levels to approach the street makes for a potentially more subtle and elegant building.

B. Height, Bulk and Scale

B-1 Height, Bulk and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

- *Cornice and roof lines should respect the heights of surrounding structures.*
- *Traditional architectural features such as pitched roofs and gables are encouraged on residential project sites adjacent to single-family and low-rise zones.*
- *To protect single-family zones, consider providing upper level setbacks to limit the visibility of floors that are above 30 feet.*
- *Consider dividing building into small masses with variation of building setbacks and heights in order to preserve views, sun and privacy of adjacent residential structures and sun exposure of public spaces, including streets and sidewalks.*
- *For developments exceeding 180 feet in length, consider creating multiple structures with separate circulation cores.*
- *Color schemes should help reduce apparent size and bulk of buildings and provide visual interest. White, off-white and pinky-beige buff on portions of buildings over 24 feet tall is discouraged.*
- *Consider additional setbacks, modulation and screening to reduce the bulk where there are abrupt changes which increase the relative height above grade along the street or between zones.*

Be sensitive to public views on Stone Way North:

- *Consider stepping back floors five feet per floor.*
- *Notching or setbacks at corners of buildings or ground floors are encouraged.*

The Board advised the development team to reduce the proposed structure's bulk as it approaches the change in zone classification from Neighborhood Commercial to Single Family 5000. Suggestions include stepping down or terracing the upper floors along N. 44th and N. 43rd streets as the structure approaches the west property lines and cutting back or chamfering the building's corners closest to the west property lines.

C: Architectural Elements and Materials

C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

Complement positive existing character and/or respond to nearby pre-World War II structures. Traditional early 20th Century commercial structures are primarily one story high and include:

- *solid kick panels below windows*
- *large storefront windows*
- *multi-pane or double hung windows with transoms or clerestories lites*
- *high level of fine grained detailing and trim*

- *high quality materials, such as brick and terra-cotta*
- *canopies*
- *variable parapets*
- *cornices*

New buildings should strive for a contextual approach to design. A contextual design approach is not intended to dictate a historicist approach, but rather one that is sensitive to surrounding noteworthy buildings and style elements.

Base

- *Ground floors or bases immediately next to pedestrians should reflect a higher level of detail refinement and high quality materials.*
- *Encourage transparent, open facades for commercial uses at street level (as an example, windows that cover between 50-80 percent of the ground floor façade area and begin approximately 24 to 30 inches above the sidewalk rather than continuing down to street level).*

Middle

- *Mid-level building façade elements should be articulated to provide visual interest on a bay-by-bay scale. Architectural features should include: belt courses or horizontal bands to distinguish individual floors; change in materials and color and/or texture that enhance specific form elements or vertical elements of the building; a pattern of windows; and/or bay windows to give scale to the structure.*
- *Consider using detail elements such as a cast stone, tile or brick pattern that respond to architectural features on existing buildings.*
- *Consider using spacing and width of bays or pavilions to provide intervals in the façade to create scale elements similar to surrounding buildings.*

Top

- *Clearly distinguish tops of buildings from the façade walls by including detail elements consistent with the traditional neighborhood buildings such as steep gables with overhangs, parapets and cornices.*

Following the Wallingford Guidelines above should provide a clear indication of what the neighborhood and the Board expect from the proposal at the Recommendation meeting.

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.

- *The massing of large buildings should reflect the functions of the building and respond to the scale of traditional buildings by including major façade elements, which help to break the building into smaller pieces with distinctive appearances.*
- *Rooftop building systems (i.e., mechanical and electrical equipment, antennas) should be screened from all key observation points by integrating them into the building design with parapets, screens or other methods.*

- *Illuminate distinctive features of the building, including entries, signage, canopies, and areas of architectural detail and interest. Encourage pedestrian scale pole lights along streets and walks.*

The Board expressed a strong preference for locating all of the live/work units on the two side streets rather than Stone Way N. Just as the Board requested that the upper levels of the building step down as the structure approaches the single family zone, the live/work, due to their residential characteristics, provide a transition between the commercially oriented Stone Way N. and the single family neighborhood to the west.

In recent reviews of large scale projects, the Northeast Board advised the applicants to use strategies to reduce the structures' mass by suggesting that the façades have the appearance of two or more buildings. The Board stated, in this case, its comfort with the appearance of a single structure. However, the Board does prefer the use of modulation, setbacks and terraces to reduce the overall mass of the volume as it approaches the neighboring residences. By using these techniques to reduce the mass, the architect has an opportunity to provide a further sense of scale at the transitions between the volumes by using materials or ornament that emphasize these shifts or changes.

C-3 Human Scale. The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

- *Transom or clerestory windows above entrances, display windows and projected bay windows are encouraged.*
- *Multiple paned windows that divide large areas of glass into smaller parts are preferred because they add human scale.*

Use durable, attractive and well-detailed finish materials:

- *Finish materials that are susceptible to staining, fading or other discoloration are strongly discouraged.*
- *Encourage the use of brick.*
- *Discourage aluminum and vinyl siding, and siding with narrow trim.*

In order to create a pleasant pedestrian streetscape, the concentration of architectural details should occur on the façades along the three rights-of-way. The architect should include features such as overhead weather protection, operable windows, interesting paving and attractive landscaping among others. The Board prefers traditional storefronts with copious glazing, chamfered entries, transom windows and rich materials.

C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

The Board encourages the use of brick, particularly along Stone Way N., to tie visually into the commercial and residential brick buildings along the corridor. Use of different hues, banding, coursing and corbelling ensure that the masonry will meet guidance C-3.

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 width of the parking garage door and the curb cut should be minimized as much as possible.

D: Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather.

Provide convenient, attractive and protected pedestrian entry for both business and upper story residential uses.

- *Entries for residential uses on the street (rather than from the rear of the property) add to the activity on the street and allow for visual surveillance for personal safety.*
- *Continuous, well-lighted, overhead weather protection is strongly encouraged to improve pedestrian comfort and to promote a sense of security.*
- *Overhead weather protection should be designed with consideration of: a. the overall architectural concept of the building; b. uses occurring within the building (such as entries and retail spaces) or in the adjacent streetscape environment (such as bus stops and intersections); c. minimizing gaps in coverage, except to accommodate street trees; d. a drainage strategy that keeps rain water off the street-level façade and sidewalk; e. relationship to architectural features and elements on adjacent development, especially if abutting a building of historic or noteworthy character; f. the scale of the space defined by the height and depth of the weather protection; g. the illumination of light colored undersides to increase security after dark.*

The Board members disliked the proposed long, shallow open space at the front of the building, requesting instead a much deeper and gracious front court with entrances for the commercial spaces and the residential lobby directly accessing it. This same plaza should be well landscaped and possess adequate space for potential café seating. Recent MUP proposals (the former Safeway site and the Union View site) with block long facades have provided considerably more open space than the subject proposal. The proposed chamfers accentuating the corner conditions should also be changed. The Board stated that the two intersections lacked prominence and did not warrant the attention for so little open space. One possibility is to leave the storefront level chamfered and bring the upper volume to the right of way.

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.

- *Long, undifferentiated surfaces, facades or store frontages are strongly discouraged.*
- *In situations where blank walls are necessary, encourage their enhancement with decorative patterns, murals or other treatment.*
- *Locate and design ground floor windows to maximize transparency of commercial façade and attract pedestrian interest.*
- *Large windows that open to facilitate indoor-outdoor interaction with street are encouraged.*
- *Windows on walls perpendicular to the street are encouraged.*

The Board wants the architect to avoid placing blank walls at the trash and utility room. The south and west walls will be exposed to pedestrians and drivers along N. 43rd St.

D-3 Retaining Walls. Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible. Where high retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscape.

Where retaining walls are unavoidable, a textured surface, inlaid materials and or/sensitively designed reveal lines are encouraged.

See guidance E-2.

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.

The Board supported the parking garage's entrance on N. 43rd St and its separation from the neighboring residences. Scheme #3, with its absence of an above grade parking plinth, eliminates the potential for a large blank wall near the adjacent homes. Careful consideration of the location of the garage intake and exhaust opening will be needed before the Recommendation meeting.

D-6 Screening of Dumpsters, Utilities and Service Areas. Building sites should locate service elements like trash, dumpster, 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.

The Board will review how the trash and recycling area is accessed and configured at the Recommendation meeting. How will this area, with its proximity to neighbors, respect their quality of life?

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

- *In residential projects, discourage solid fences that reduce security and visual access from streets.*

Lighting:

- *Encourage pedestrian-scale lighting, such as a 12- to 15-foot-high pole or bollard fixtures.*
- *Consider installing lighting in display windows that illuminates the sidewalk.*
- *Fixtures that produce glare or that spill light to adjoining sites, such as "wallpacks," are discouraged.*
- *Installation of pedestrian light fixtures as part of a development's sidewalk improvements is strongly encouraged. The style of light fixture should be consistent with the preference identified by Wallingford through Seattle City Light's pedestrian lighting program.*

The design of the residential open space and the landscape buffers adjacent to the neighboring residences should address personal safety and security concerns. The design should provide effective fencing, planting and lighting to screen this area since this an important consideration.

Use street lighting fixtures recommended by the Wallingford neighborhood council for the Stone Way N. corridor. The Land Use Planner has information on the type of lighting.

D-9 Commercial Signage. Signs should add interest to the street from environment and should be appropriate for the scale and character desired in the area.

Signage design will be an important part of the discussion at the Recommendation meeting. The architect will need to develop a signage concept.

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 evening hours.

This guideline will be an important point of discussion at the Recommendation meeting. The architect will need to submit a conceptual lighting plan. Reduction of spillover lighting into adjacent residential properties is paramount.

D-11 Commercial Transparent. Commercial store-fronts 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.

Due to the site's slope, the architect should focus in particular on providing as much transparency into the commercial spaces as possible on Stone Way N. The architect will need to evidence a clear understanding of grade along the site's perimeter in order to keep the commercial uses close to the sidewalk grade level.

E. Landscaping

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

The design of the proposed residential open space landscaping within the "U" on the terrace should provide privacy for the neighbors. The Board endorsed the concept of providing a 15 foot landscape buffer along the west property line.

Analyze the health of the cedar tree near the property line; its preservation is an important consideration.

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.

- *Thick evergreen hedges, non-invasive vines on fencing or low walls, and other substantial landscaping should be used to visually and physically buffer sidewalks and adjacent buildings from parking areas; camouflage exposed concrete walls; and buffer adjacent single-family houses and residential developments.*

The design of the various plazas and open spaces at grade ranks as a high priority. The courts both on the east and west sides of the structure should function like outdoor rooms. The entry court off Stone Way N. should have greater utility---access from the commercial uses, space for outdoor seating.

The landscaping may require retaining walls along the west property line. The design of them should exhibit a consideration for quality detail. See Wallingford specific guideline D-3.

E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

An arborist should provide a report to the applicant, SDOT and DPD on the health of the street trees. Retention of them is an important consideration.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a design review component on December 9, 2009.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on October 18, 2010 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meeting, site plans, elevations, floor plans, landscaping plans, models, and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

Public Comments

Nine individuals signed-in at the Recommendation meeting. The public commented on the following:

- Questions were asked about the proposed building height, setbacks, number of commercial parking spaces and security.
- The variety of materials was praised.
- Prefers horizontal lap siding at the corners near the single family houses.
- Reduce the width of the garage opening. Create a better human scale to the opening. Ensure that there is adequate lighting and create a continuity of materials onto the apron.
- Praised the horizontal bevels on the north and south elevations.
- Use low level lighting at the plazas. Fixtures should be shielded and indirect.
- The architect did a good job of sculpting the building mass.
- The chamfers at the corners should remain for the full building height.

- Shield the roof terrace lighting so that it doesn't spillover on to the neighboring single family properties.
- Use indirect, low level lighting.
- Create smaller commercial spaces. Larger commercial uses create traffic impacts.
- Restrict restaurant exhaust and smoke from grills and fire pits on the roof.

DPD received three comment letters focused on preservation of existing trees, exterior lighting, structure height, building materials and amount of commercial parking.

Development Standard Departures

The applicant did not request departures from the Land Use Code:

Recommendations

A. Site Planning

- A-1 Responding to Site Characteristics.** The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

Wallingford-specific supplemental guidance. Upper level building setbacks and setbacks along the building base are encouraged to help minimize shadow impacts on public sidewalks. Design public and private outdoor spaces to take advantage of sun exposure. Development along Stone Way North south of N. 40th St. with water, mountain and skyline views should use setbacks to complement and preserve such views from public rights-of-way. :

See the discussion of the corners in A-10 and C-3.

- A-2 Streetscape Compatibility.** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

Wallingford specific supplemental guidance. Visually reinforce the existing street storefronts by placing horizontal or vertical elements in a line corresponding with the setbacks and façade elements of adjacent building fronts. These could include trees, columns, windows, planters, benches, overhead weather protection, cornices or other building features. Visually reinforce the existing street wall by using paving materials that differentiate the setback area from the sidewalk.

The proposal continues the transformation of Stone Way N. into a mixed-use corridor with pedestrian amenities at street level. The plaza along Stone Way introduces sitting areas and varied landscaping. The facades and the landscape treatment change to a more residential character as the building approaches the single family neighborhood to the west.

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

Wallingford specific supplemental guidance. Primary business and residential entrances should be oriented to the commercial street (for development along North 45th Street and Stone Way North).

See D-12.

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

Wallingford -specific supplemental guidance. If not already required by code for new development, applicants are encouraged to increase the ground level setback in order to accommodate pedestrian traffic and amenity features, where existing sidewalks tend to be too narrow. Outdoor dining, indoor-outdoor commercial/ retail space, balconies, public plazas and outdoor seating are particularly encouraged on lots located on Stone Way North.

The proposed plaza along Stone Way provides sitting areas with benches, landscaping, patterned paving and access to commercial storefronts to create a stepped linear plaza that would encourage pedestrian activity.

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.

The Board praised the decision to emphasize the privacy of the neighbors by forgoing balconies and large windows on the west façade. Instead of terracing the upper levels of the structure as it approaches the single family zone, the applicant set back the structure farther than code allowance and created a sizable courtyard that further ensures privacy between the proposal and the adjacent structures. The Board found this siting strategy acceptable.

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

Wallingford -specific supplemental guidance. Maximize open space opportunity at grade (residential or mixed-use projects):

- *Terraces on sloping land that create level yard space, courtyards and front and/or rear yards are all encouraged residential open space techniques.*
- *Make use of the building setbacks to create public open space at grade. Open spaces at grade that are 20 x 20 feet or larger and include significant trees are encouraged in exchange for landscape departures.*

The Board did not provide additional comments.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

The Board did not offer comments on parking and vehicle access.

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.

Wallingford -specific supplemental guidance.

- *Buildings on corner lots should be oriented to the corner. Parking and vehicle access should be located away from the corner.*
- *Provide definition at main gateways to Wallingford (Stone Way North and Bridge Way North). Redevelopment of lots at these intersections should include special features that signal and enhance the entrance to the Wallingford neighborhood including a tower, fountain, statue or other expression of local creativity that provides a physical transition for motorists and pedestrians and communicates "Welcome to Wallingford."*
- *Provide definition at other main intersections. • Developers are encouraged to propose larger setbacks to provide for wider sidewalks or plazas and to enhance view corridors at gateway intersections in consideration for departures from lot coverage or landscaping requirements.*
- *Typical corner developments should provide: 1) a main building entrance located at corner; 2) an entrance set back to soften corner and enhance pedestrian environment; and 3) use of a hinge, bevel, notch, open bay or setback in the massing to reflect the special nature of the corner and draw attention to it. (Example: Julia's open bay with bevel.)*

Although the Board members debated the merits of chamfering above street level, the Board did not choose to recommend changes to the architect's treatment of the corner. See C-4 discussion of materials.

B. Height, Bulk and Scale Compatibility

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.

Wallingford specific supplemental guidance.

- *Cornice and roof lines should respect the heights of surrounding structures.*
- *Traditional architectural features such as pitched roofs and gables are encouraged on residential project sites adjacent to single-family and low-rise zones.*
- *To protect single-family zones, consider providing upper level setbacks to limit the visibility of floors that are above 30 feet.*
- *Consider dividing building into small masses with variation of building setbacks and heights in order to preserve views, sun and privacy of adjacent residential structures and sun exposure of public spaces, including streets and sidewalks.*
- *For developments exceeding 180 feet in length, consider creating multiple structures with separate circulation cores.*
- *Color schemes should help reduce apparent size and bulk of buildings and provide visual interest. White, off-white and pinky-beige buff on portions of buildings over 24 feet tall is discouraged.*

- *Consider additional setbacks, modulation and screening to reduce the bulk where there are abrupt changes which increase the relative height above grade along the street or between zones.*

Be sensitive to public views on Stone Way North:

- *Consider stepping back floors five feet per floor.*
- *Notching or setbacks at corners of buildings or ground floors are encouraged.*

The proposed structure's relationship to the houses to the west appeared acceptable to the Board. Although the proposed building did not have terraces at the upper levels, the greater setbacks and the sculpted massing at the corners produced an agreeable transition between the different zones. Preservation of the two large trees close to the property line ensures a buffer between the properties.

C. Architectural Elements and Materials.

- C-1 Architectural Context.** New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

Wallingford specific supplemental guidance.

Complement positive existing character and/or respond to nearby pre-World War II structures. Traditional early 20th Century commercial structures are primarily one story high and include:

- *solid kick panels below windows*
- *large storefront windows*
- *multi-pane or double hung windows with transoms or clerestories lites*
- *high level of fine grained detailing and trim*
- *high quality materials, such as brick and terra-cotta*
- *canopies*
- *variable parapets*
- *cornices*

New buildings should strive for a contextual approach to design. A contextual design approach is not intended to dictate a historicist approach, but rather one that is sensitive to surrounding noteworthy buildings and style elements.

Base

- *Ground floors or bases immediately next to pedestrians should reflect a higher level of detail refinement and high quality materials.*
- *Encourage transparent, open facades for commercial uses at street level (as an example, windows that cover between 50-80 percent of the ground floor façade area and begin approximately 24 to 30 inches above the sidewalk rather than continuing down to street level).*

Middle

- *Mid-level building façade elements should be articulated to provide visual interest on a bay-by-bay scale. Architectural features should include: belt courses or horizontal bands to*

distinguish individual floors; change in materials and color and/or texture that enhance specific form elements or vertical elements of the building; a pattern of windows; and/or bay windows to give scale to the structure.

- *Consider using detail elements such as a cast stone, tile or brick pattern that respond to architectural features on existing buildings.*
- *Consider using spacing and width of bays or pavilions to provide intervals in the façade to create scale elements similar to surrounding buildings.*

Top

- *Clearly distinguish tops of buildings from the façade walls by including detail elements consistent with the traditional neighborhood buildings such as steep gables with overhangs, parapets and cornices.*

The Board debated whether or not the qualities of the proposal embody the larger urban design patterns or elements within the neighborhood. The Board encouraged the architect to express the motifs found in the area as the firm revises the drawings based on guidance from C-2, C-4 and D-12.

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.

Wallingford specific supplemental guidance.

- *The massing of large buildings should reflect the functions of the building and respond to the scale of traditional buildings by including major façade elements, which help to break the building into smaller pieces with distinctive appearances.*
- *Roof-top building systems (i.e., mechanical and electrical equipment, antennas) should be screened from all key observation points by integrating them into the building design with parapets, screens or other methods.*
- *Illuminate distinctive features of the building, including entries, signage, canopies, and areas of architectural detail and interest. Encourage pedestrian scale pole lights along streets and walks.*

The length of the Stone Way façade combined with a similarity of materials and colors produces a visually monotonous elevation. The Board recommended that the applicant further differentiate the center segment of the tripartite scheme from the corner masses. Possibilities suggested by the Board include raising the height of the brick and changing the brick's color in this section of the building. One aspect of this larger revision should concentrate on the appearance of the primary residential entry. The columns near the right-of-way and the deeper canopy were not enough to differentiate the entrance from the commercial entries or signify its importance on the overall façade.

C-3 Human Scale. The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

Wallingford specific supplemental guidance.

- *Transom or clerestory windows above entrances, display windows and projected bay windows are encouraged.*
- *Multiple paned windows that divide large areas of glass into smaller parts are preferred because they add human scale.*

Use durable, attractive and well-detailed finish materials:

- *Finish materials that are susceptible to staining, fading or other discoloration are strongly discouraged.*
- *Encourage the use of brick.*
- *Discourage aluminum and vinyl siding, and siding with narrow trim.*

The northwest corner of the proposed structure lacked a residential scale in keeping with the adjacent single family house. The architect should provide more definition particular to the lower portion or base of the corner. A band differentiating the base from the upper level or adding a finer grain of detail at the lower level among other potential techniques would provide a better transition between the sizable mixed use building and its smaller neighbor.

- C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.**

The Board found the use of the white fiber cement panel at the two corner entries prosaic. If the corners are to be celebrated by the chamfers for the structure's full height then the corners should have a better quality material in keeping with its importance.

- 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.**

Although public comment encouraged the reduction in the width of the garage and more attention to human scale, the Board did not recommend changes to the garage entrance.

D. Pedestrian Environment.

- D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.**

Wallingford specific supplemental guidance.

Provide convenient, attractive and protected pedestrian entry for both business and upper story residential uses.

- *Entries for residential uses on the street (rather than from the rear of the property) add to the activity on the street and allow for visual surveillance for personal safety.*
- *Continuous, well-lighted, overhead weather protection is strongly encouraged to improve pedestrian comfort and to promote a sense of security.*

- *Overhead weather protection should be designed with consideration of: a. the overall architectural concept of the building; b. uses occurring within the building (such as entries and retail spaces) or in the adjacent streetscape environment (such as bus stops and intersections); c. minimizing gaps in coverage, except to accommodate street trees; d. a drainage strategy that keeps rain water off the street-level façade and sidewalk; e. relationship to architectural features and elements on adjacent development, especially if abutting a building of historic or noteworthy character; f. the scale of the space defined by the height and depth of the weather protection; g. the illumination of light colored undersides to increase security after dark.*

The Board did not comment upon the open space and the commercial entries.

- 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.**

Wallingford specific supplemental guidance.

- *Long, undifferentiated surfaces, facades or store frontages are strongly discouraged.*
- *In situations where blank walls are necessary, encourage their enhancement with decorative patterns, murals or other treatment.*
- *Locate and design ground floor windows to maximize transparency of commercial façade and attract pedestrian interest.*
- *Large windows that open to facilitate indoor-outdoor interaction with street are encouraged.*
- *Windows on walls perpendicular to the street are encouraged.*

The architect has succeeded in eliminating large expanses of blank wall. The elevations closest to the single family houses have the least amount of windows to ensure privacy.

- 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.**

The below grade garage and planting along the lower south façade greatly reduces the visual impacts of the parking structure.

- D-6 Screening of Dumpsters, Utilities and Service Areas. Building sites should locate service elements like trash, dumpster, 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.**

The Board did not add to the earlier discussion.

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

Wallingford specific supplemental guidance:

- *In residential projects, discourage solid fences that reduce security and visual access from streets.*

Lighting:

- *Encourage pedestrian-scale lighting, such as a 12- to 15-foot-high pole or bollard fixtures.*
- *Consider installing lighting in display windows that illuminates the sidewalk.*
- *Fixtures that produce glare or that spill light to adjoining sites, such as “wallpacks,” are discouraged.*
- *Installation of pedestrian light fixtures as part of a development's sidewalk improvements is strongly encouraged. The style of light fixture should be consistent with the preference identified by Wallingford through Seattle City Light's pedestrian lighting program.*

Use street lighting fixtures recommended by the Wallingford neighborhood council for the Stone Way N. corridor. The Land Use Planner has information on the type of lighting.

D-9 Commercial Signage. Signs should add interest to the street from environment and should be appropriate for the scale and character desired in the area.

The Board approved the applicant's intention to use blade signs.

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 evening hours.

The Board did not add more thoughts to the earlier guidance.

D-11 Commercial Transparency. Commercial store-fronts 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.

No further discussion was conducted.

D-12 Residential Entries and Transitions. For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.

The Board found the primary residential entry on Stone Way lacking in both prominence and imagination in spite of the free standing columns and the extended canopy. The Board emphatically recommended that the architect re-conceptualize the entry's presence on the façade. It should read as a significant element of the middle section of the tripartite façade.

E Landscaping

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

Wallingford specific supplemental guidance:

- *Flower boxes on windowsills and planters at entryways are encouraged.*
- *Greening of streets lacking trees, flowers and landscaping is strongly recommended.*

The applicant has shown that the large trees close to the west property line will be preserved. These trees should be protected during construction.

The Board praised the copious amount of proposed landscaping between the new structure and the neighbors to the west.

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.

Wallingford specific supplemental guidance:

- *Thick evergreen hedges, non-invasive vines on fencing or low walls, and other substantial landscaping should be used to visually and physically buffer sidewalks and adjacent buildings from parking areas; camouflage exposed concrete walls; and buffer adjacent single-family houses and residential developments.*

Based on discussions with SDOT arborists, the applicant will preserve most of the existing street trees.

Recommendations: The recommendations summarized below were based on the plans and models submitted at the October 18, 2010 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the October 18, 2010 public meeting. 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 APPROVAL of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed below). The Board recommends the following CONDITIONS for the project. (Authority referred in the letter and number in parenthesis):

- 1) Further differentiate the center segment of the tripartite scheme along Stone Way N. from the corner masses. Possibilities suggested by the Board include raising the height of the brick and changing the brick's color in this section of the building. (C-2)
- 2) Revise the appearance of the primary residential entry to differentiate the entrance from the commercial entries and to signify its importance on the overall façade. The primary entrance should be part of a larger revision of the middle section of the Stone Way façade. The entrance should read as a significant element of the middle section of the tripartite façade. (C-2, D-12)

- 3) Provide more definition particularly to the lower portion or base of the northwest corner. A band differentiating the base from the upper level or adding a finer grain of detail at the lower level, among other potential techniques, would provide a better transition between the sizable mixed use building and its smaller neighbor. (C-3)
- 4) Use a better quality material than white fiber cement panel in keeping with the importance of the chamfered corners. (C-4)
- 5) Use street lighting fixtures recommended by the Wallingford neighborhood council for the Stone Way N. corridor. (D-7)
- 6) The two cedar trees close to the west property line should be protected during construction. (D-1)

DIRECTOR'S ANALYSIS - DESIGN REVIEW

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. The Director agrees with the conditions recommended by the four Board members and the recommendation to approve the design, as stated above.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant's agent (dated December 9, 2009) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant, 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 25.05.665D) 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 such limitations/circumstances (SMC 25.05.665D1-7) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and

ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, construction impacts, traffic and parking impacts as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to these residential 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.

Prior to issuance of demolition, grading and building permits, the applicant will submit a construction noise mitigation plan. This plan will include steps 1) to limit noise decibel levels and duration and 2) procedures for advanced notice to surrounding properties. The plan will be subject to review and approval by DPD. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:

- 1) non-holiday weekdays between 7:00 A.M and 6:00 P.M.
- 2) non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 3) Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 4) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

Air Quality

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the nearby residential buildings.

Earth

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 soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit. 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.

Grading

A significant portion of site is already excavated; however, an additional 12,000 cubic yards of material will need removal. The maximum depth of the excavation is approximately 21.5 feet. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. 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 enroute to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Impacts

Construction activities including construction 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.

Traffic and Parking

Construction of the project is proposed to last approximately 15 months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675 B and M).

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 12,000 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 1,200 round trips with 10-yard hauling trucks or 600 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is

reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along Stone Way N. Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

Plants and Animals

Two large trees near the west property line will need protection from construction. A Western red cedar on the applicant's property requires at least a 17-foot radius from the tree trunk for root protection. An Incense cedar, belonging to the property owner at 1215 N. 43rd St. requires the same protection. The applicant will need to follow the "General Tree Preservation Guidelines" outlined by Urban Forestry Services, Inc. during construction. SDOT has also delineated which trees in the right of way are worthy of preservation. The three northern most Norway maples on Stone Way Ave. N. can and should be removed. The three southern most Norway maples should be preserved according to SDOT tree preservation guidance. Three birch trees on N. 44th St. must also be preserved according to SDOT tree preservation guidance.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, green house gas emissions, height, bulk and scale, traffic, parking and noise impacts warrant further analysis.

Greenhouse Gas Emissions

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.

Height, Bulk and Scale

The Northeast Design Review Board held two meetings over the course of the project review to hear public comment, review the subject project according to design guidelines and to make recommendations to the Director. At the meetings, height, bulk and scale issues were commented upon by the public and discussed by the Design Review Board. In response to the public comments and the Board, the project design evolved to respond to these concerns. The recommendations of the Design Review Board have been included into this Decision.

Traffic and Transportation

Traffic volumes on Stone Way N. south of N. 45th historically over the past five years have declined during the PM peak period. Daily volumes have also declined but at a slightly lesser rate. The analysis by William Popp Associates, transportation engineers, assumes a 1.0% per year growth in traffic during the PM peak hour. The impact of project trips during the PM peak hours at the Stone Way N./N. 43rd St. intersection is estimated to be 34 trips; 25 from the residential element and nine from the commercial element. These volumes reflect the impact of the project. They do not reflect the net new impact which would recognize the removal of trips associated with the existing uses. If these were considered, it is theorized that the level of service (LOS) analysis would be slightly better than reported.

The LOS analysis indicates the Stone Way N. / N. 43rd St. intersection side street approaches are currently operating at LOS C and are estimated to operate at LOS C with or without the projects at the horizon year/full occupancy of the project (2012). The resultant increase in delay at this intersection with the impact of the project is estimated to be on average three seconds per vehicle. The project driveway to N. 43rd St. is estimated to operate at LOS A for the exit movement. Based on the analysis, no SEPA mitigation of traffic impacts to the intersections is warranted.

Parking

The proposed parking garage is designed for 93 stalls for 93 residential units. It is estimated that the parking garage will meet the peak demand for the residential use and no overflow to on-street parking will likely occur. The proposed commercial area equals 5,680 square feet. Based on the city of Seattle Strategic Planning Office's Comprehensive Neighborhood Parking Study (August 2000) retail use equals approximately 1.7 stalls per 1,000 square feet. P.M. peak parking demand for commercial use is estimated to be ten spaces. The parking supply fronting the site equals approximately 20 vehicles. Thus, the supply exceeds future demand.

The parking analysis for this project shows that both the number and division of spaces would be adequate to serve the needs of residents. All residential parking demand can be accommodated during these peak periods since parking will be reserved for residents. The on-street parking supply should accommodate the proposed commercial use.

Noise

Neighbors to the west of the project expressed their concerns that noises emanating from tenants using the roof garden would disrupt their quality of life. The Northeast Design Review Board studied the relationship of the roof garden and the properties to the west. Based on the location of plantings on the roof and its placement 78 feet from nearest residential structure, the Design Review Board did not find it necessary to recommend further mitigation.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

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 43.21.C), 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 a Master Use Permit

1. Further differentiate the center segment of the tripartite scheme along Stone Way N. from the corner masses. Possibilities suggested by the Board include raising the height of the brick and changing the brick's color in this section of the building.
2. Revise the appearance of the primary residential entry to differentiate the entrance from the commercial entries and to signify its importance on the overall façade. The primary entrance should be part of a larger revision of the middle section of the Stone Way façade. The entrance should read as a significant element of the middle section of the tripartite façade.
3. Provide more definition particularly to the lower portion or base of the northwest corner. A band differentiating the base from the upper level or adding a finer grain of detail at the lower level, among other potential techniques, would provide a better transition between the sizable mixed use building and its smaller neighbor.

4. Use a better quality material than white fiber cement panel in keeping with the importance of the chamfered corners.
5. Use street lighting fixtures recommended by the Wallingford neighborhood council for the Stone Way N. corridor.
6. The DPD Land Use Planner has the discretion to review and approve the applicant's responses to the MUP conditions.

During Construction

7. Arrange a pre-construction meeting with the building contractor, building inspector, and land use planner to discuss expectations and details of the Design Review component of the project.

Prior to Issuance of all Construction Permits

8. Embed the MUP conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.

Prior to Issuance of a Certificate of Occupancy

9. 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 planner assigned to this project (Bruce P. Rips, 206-615-1392) or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least three (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.

For the Life of the Project

10. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval. 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.

CONDITIONS-SEPA

Prior to Issuance of a Demolition, Grading, or Building Permit

11. Submit a construction traffic management plan to be reviewed and approved by SDOT and DPD. The plan shall, at a minimum, identify truck access to and from the site, pedestrian accommodations, sidewalk closures. Large trucks (greater than two-axle) shall be prohibited from entering or exiting the site after 3:30 p.m.
12. Use the *General Tree Preservation Guidelines* submitted by Urban Forestry Services, Inc for the preservation of the 21" Western red cedar and the 20'24" Incense cedar both near the west property line. The guidelines shall be submitted to DPD prior to the beginning of construction.

During Construction

13. 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. 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.
14. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:
 - A. Surveying and layout.
 - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
 - C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
15. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:
 - a) non-holiday weekdays between 7:00 A.M and 6:00 P.M.
 - b) non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
 - c) Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
 - d.) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

16. Construction activities outside the above-stated restrictions may be authorized upon approval of a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. The Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short -term transportation impacts that result from the project.

Signature: _____ (signature on file) Date: March 24, 2011
Bruce P. Rips, AICP
Department of Planning and Development

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