City of Seattle

Department of Planning & Development
D.M. Sugimura, Director

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

Application Number: 3010207

Applicant Name: Greg MacDonald, DDG Architects for Joe Geivet, Emerald Bay Equity

Address of Proposal: 1919 Queen Anne Avenue North

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a four-story structure containing 57 apartments over 11,665 sq. ft. of ground level retail space. Parking for 68 vehicles to be provided below grade. Existing structures to be demolished under separate permit.

The following Master Use Permit components are required:

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

1. **Alley Setback. (SMC 23.47A.014.B3 and B4)**
2. **Solid Waste Enclosure Access. (SMC 23.47A.029.D2c)**
3. **Parking Aisle Width. (SMC 23.54.030.E)**
4. **Loading Berth Near Residential Zones. (SMC 23.47A.011.E)**

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

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[X] DNS with conditions*

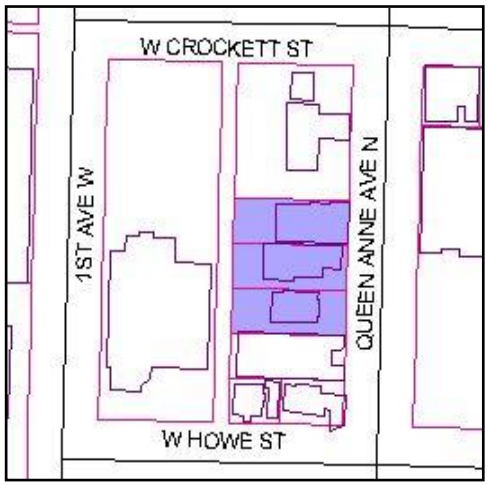
[ ] DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

* Notice of early DNS was published on August 16, 2010.

BACKGROUND DATA

Site & Vicinity Description

The subject site is located within a Neighborhood Commercial 2 zone with a 40-foot height limit (NC2-40) with a Pedestrian 2 Overlay. This zoning extends north and south of the site, as well as across the street to the east. The site has increased since the Early Design Guidance meeting and is approximately 16,200 square feet and a rectangular shape. The relatively flat site is currently developed with one, one-story commercial structure. The property is bound to the east by Queen Anne Avenue North and an alley to the west. Across the alley, abutting the length of the site along the west side, the zoning changes to Single Family 5000, which is developed with the Queen Anne Community Pool. Across Queen Anne Avenue to the east is a grocery store. Abutting the site to the north is a newly constructed mixed use building, Eden Hill.



Proposal

The proposal is for a 4-story structure containing 57 apartments over 11,665 sq. ft. of ground level retail space. Parking for 68 vehicles to be provided below grade. Existing structures to be demolished under previous permit. (This is a revised project, formerly under MUP #3006531).

Public Comments

One member of the public attended this Early Design Review meeting held on May 19, 2010. The following comments, issues and concerns were raised:

- Stated that the existing trees on the site should be preserved.

Approximately two members of the public attended the Final Recommendation meeting held January 19, 2011 and had the following comments:

- Encourage use of sustainable building materials.
- Encourage minimizing the size of the rooftop mechanical equipment and designing these penthouse projections to be integrated into the overall building design.

The SEPA comment period for this proposal ended on August 29, 2010. The following comments were received:

- The Parks Department notes that the proposed development is across the alley from a Parks facility (Queen Anne Pool) and that the Parks Department will not allow their property to be used for construction purposes. The full width of the alley should remain safe and available.
- Request to be a Party of Record
- Concerned with freight activity at the alley and street, the lack of loading zones and the noises associated with these activities. Too much pressure on the alley forces trucks into the street.

ANALYSIS - DESIGN REVIEW

Design Guidance

Three alternative design schemes were presented at the Early Design Guidance meeting. All of the schemes show vehicular access from the alley and a residential entrance on the north end of the east façade (facing Queen Anne Avenue). The first two schemes satisfy the Code minimum and would not require departures. The third and applicant's preferred scheme would require a departure from the alley setback.

The first scheme (Option A) showed a code compliant design that does not take advantage of the three-foot height incentive provided by the Queen Anne Neighborhood Guidelines. The tripartite east façade has a central section indented without any balconies to create three building modules to break down the scale of the building mass in response to the smaller scale development along the Avenue.

The second scheme (Option B) showed the central section projecting forward of the two ends, making the central section more dominant. This alternative included bay windows and balconies.

The third and applicant preferred scheme (Option C) used the approved design from the previously approved MUP as a starting point with the central section recessed to create public space at ground level. The first three floors were capped with a parapet railing and the uppermost level setback.

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

The Design Review Board reviewed the final project design on January 19, 2011, at which time site, landscaping and floor plans, as well as elevation sketches and renderings, were presented for the members' consideration. The architect presented a design which has evolved considerably since the previous meetings. The design has evolved since the EDG and responded to much of the guidance of the Board including the modulation and proportioning of the building mass and form, the design of the entry plaza area, the location and emphasis on the residential entrance, equal architectural treatment of the alley façade and further developed landscape plans at the rooftop.

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

Site Planning

A-2 STREETSCAPE COMPATIBILITY
The siting of buildings should acknowledge and reinforce the existing spatial characteristics of the right-of-way.

Queen Anne Supplemental Guidance:

a. Architectural Diversity: Buildings that reflect a diversity of architectural shapes, sizes, styles and themes are considered positive attributes of the Queen Anne neighborhood.

b. Older and Historic Buildings: Existing, older buildings are valued by the community and they should be preserved or modified for reuse, when possible. New structures should respect and be designed to complement historical buildings and sites (See Historical Building and Site Survey prepared by Mimi Sheridan).

c. Wider Sidewalks: Compatibility with the desired streetscape can be enhanced by increasing the width of the sidewalk to 15' – 16', in order to relieve congestion (see related guideline in Pedestrian Environment, D-1, Pedestrian Open Spaces and Entrances).

d. Ground Level Residential: The community values existing ground level residential uses that add variety to the appearance and use of commercial corridor.

e. Streetscape Improvement: Streetscape design with new development should enhance the pedestrian environment in Upper Queen Anne according to a consistent high quality overall strategy. Priority locations for major streetscape upgrades are at Galer and Queen Anne Avenue N.E.; Boston Street one block east of Queen Anne Avenue; Queen Anne Avenue and McGraw Street; and Crocket Street and Queen Anne Avenue. In general streetscape improvements should include consistent fixtures for pedestrian-scaled street lamps; hanging planters; benches and bike bollards. A consistent compact deciduous street tree is preferred. Addition of curb bulbs at intersections of Queen Anne Avenue are encouraged. Developers may elect to take specific guidance on streetscape treatments from the Picture Perfect Queen Anne Streetscape Master Plan prepared by the community to identify specific preferences for street treatments. However, adherence to the streetscape master plan is voluntary.

At the EDG meeting, the Board was pleased with the proposed plaza area, shown in scheme C, near the main entrance to create an inviting, open space. The Board also appreciated the proposed tripartite division of the east elevation, although the Board encouraged a redesign of the sections to be less symmetrical. The Board would like to see further development of a scheme that examined the asymmetry of the east elevation and achieves three bays within the middle module.

At the Recommendation meeting, the Board was very pleased with the proposed modulation and massing of the building along Queen Anne Avenue. The Board agreed that the building proportions were well conceived both in a vertical manner for the projecting wings of the building and the horizontal manner of the setback uppermost floor.

A-4 HUMAN ACTIVITY

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

Queen Anne Supplemental Guidance:

a. Outdoor Dining: Outdoor eating and drinking opportunities are encouraged along street-level building facades.

b. Individualized Storefronts: A diversity of scale and appearance of storefronts contributes to the success and vitality of the business district. The community encourages opportunities for individual retail businesses to personalize or modify their storefronts. Such modifications could include awning or canopy design, sign design, window design and street-level building surface materials.

At the EDG meeting, the Board noted that the windows at the upper floors of the east elevation should face the plaza, including the walls that run east-west, so that there are views to and from the plaza to the units above, creating a more lively sense of active space. The Board also agreed that the storefront windows should be more visible to the street and not recessed or hidden behind columns. The Board also noted its support for placing balconies on the middle section of the building if they are part of the architectural massing and integrated into the building design.

At the Recommendation meeting, the Board was pleased with the proposed fenestration and engagement of the proposed transparency and window placement of the entry plaza area, both at ground level and above. The recessed storefront windows are no longer recessed and balconies have been eliminated from the east elevation. All of the balconies are, instead, located along the alley (west) elevation.

Height, Bulk & Scale

B-1 HEIGHT, BULK AND SCALE
Provide sensitive transition to nearby, less intensive zones.

Queen Anne Supplemental Guidance:

The primary community objective regarding the height, bulk and scale of buildings addressed by these guidelines is to minimize their impact upon the pedestrian experience and the adjacent single-family properties. Queen Anne neighborhood commercial areas are characterized by older, one- and two-story buildings, built on narrow 30- or 45-foot-wide lots. Many of these structures were further divided with storefronts as narrow as 15-foot-wide. Buildings that extend to fill the allowable zoning envelope often appear too massive. The community prefers smaller-scale structures that are less intrusive. Several development strategies meant to minimize the impact of large buildings and enhance the community's street-related experiences are preferred by the community.

a. Breaking up Building Mass: The height, bulk and scale of new buildings should reflect the architectural character and scale of the community.

1. Building mass should be broken into distinct but related sections that reflect the historic 30- and 45-foot-wide lot sizes. This can be achieved through changes in building height and setbacks, materials, coloring, and architectural detailing.

Street-front facades are discouraged to extend beyond 60' without this architectural consideration. Although monolithic street façades are discouraged on Queen Anne, simple structures that are well-fenestrated and are rich in detail at the ground level can achieve a building scale appropriate to the neighborhood. Many early, 20th-century building facades are relatively unmodulated but are successful because of their material composition and attention to architectural detail.

b. Preferred Strategies for Modulation: Several strategies for building modulation are preferred:

1. Bay windows, if consistent with the building's architectural vocabulary, are encouraged on street-facing façades. Preferably, bay windows should be no more than 14' wide.

2. The use of balconies on the street front elevation of buildings is discouraged, although Juliet balconies often provide an acceptable façade enhancement and increase light and air into the building and onto the street. Balconies are encouraged on facades that face adjacent single-family properties in order to create a façade treatment more sensitive to the single-family neighbors.

3. Using a variety of modulation methods helps avoid monotony along the street frontage.

c. Top Floor Setback: To increase natural light on the street, reduce the apparent height of new buildings and preserve the feel of smaller-scale commercial buildings, the community would consider supporting a departure for additional building height of 3 feet for projects that step back the top floor of the structure a minimum of 6 feet from the street side façade(s).

d. Setbacks where Commercial abuts Residential: When possible, building heights should be reduced and setbacks increased where commercial uses abut residential uses. However, the community strongly supports wider sidewalks and pedestrian open spaces along public streets. In order to help a development provide these features, the community would likely support development flexibility by granting departures, as appropriate.

At the EDG meeting, the Board supported designing the upper two levels to appear as light as possible, including stepping them back to minimize their presence. The Board agreed that the lower three floors should have greater emphasis and relate directly to the streetscape and scale. The raised cornice and integrated railing between the third and fourth floor emphasize the horizontal lines and three story volumes that de-emphasizes the upper two floors. The Board also supported creation of a usable open space behind this railing, within the setback area.

The Board notes that if the alley setback is not met, then the design should make efforts to be sensitive to the single family residential zone across the alley, even though it is currently developed with a large community swimming pool, surface parking lot and intervening park lawn. The Board agrees that the alley façade should be addressed as part of the overall building design and not ignored as an invisible part of the project. The ground level of the alley elevation, in particular, should screen the dumpsters. Also, shadow impacts from the proposed structure on the lawn area should be examined.

At the Recommendation meeting, the Board was supportive of the setback, uppermost level and the use of lighter colored materials for this floor to help de-emphasize its presence. The Board also agreed that the cornice design has vastly improved by being integrated into the brick material that frames the projecting building bookends. The railings for the top floor have been minimized and simplified.

The Board was enthusiastic about the design of the west façade along the alley and agreed that it is well-modulated and carries through the same material and color palette from the Queen Anne façade treating this elevation with the same quality and sensitivity as the front side.

Architectural Elements

C- 2 ARCHITECTURAL CONSISTENCY
Building design elements, details and massing should create a well-proportioned and unified building form and architectural concept.

At the EDG meeting, the Board agreed that the vertical lines should be de-emphasized to appear less heavy and dominant. The Board also stated a preference for the ten-foot wide bays (versus the twelve-foot bays). The Board agreed that there were positive elements from the previously approved MUP that should continue as part of the current design, such as massing modules, materials and details. The Board encouraged more traditional, small-scale details that will create a simple architectural statement.

The Board agreed that a setback at the ground level would be beneficial to the pedestrian-friendly nature of Queen Anne Avenue by increasing the sidewalk width and allowing space for the retail use to spill out onto the pedestrian realm. The Board enthusiastically supports using this space to utilize Green Factor features such as art that catches rainwater run-off.

At the Recommendation meeting, the Board felt that the design had evolved appropriately by responding to the guidance of the earlier meeting, including a setback at the ground level along the street, improved rhythm of the bays, high quality materials and use of color to emphasize and distinguish certain building features.

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.

Queen Anne Supplemental Guidance:

a. Building for the Long Term: New buildings should be designed and built as high-quality, long-term additions to the neighborhood with design and materials appropriate to Queen Anne.

b. Cladding Materials: High-quality cladding materials, such as brick and terra cotta, tile, natural and cast stone are suitable for the planning area. Although primary attention to material quality should be paid to the streetscape façade, quality materials are also desirable on alley facing facades.

- **Brick is the most common surface treatment in Queen Anne's commercial areas and is strongly encouraged.**
- **The use of applied foam ornamentation and EIFS (Exterior Insulation & Finish System) is highly discouraged, especially on ground-level locations.**
- **Materials that are subject to fading and discoloration should also be avoided.**

c. Ground-floor Façade Materials: Finish materials on ground-floor facades adjacent to pedestrian open space and sidewalk areas should exhibit quality and refined architectural detailing.

- **Cast stone, tile or brick that reflects architectural features on existing buildings is strongly encouraged.**
- **Large storefront windows should be composed of quality materials.**
- **The use of concrete as an exterior material along ground-floor facades is discouraged, unless well detailed and crafted.**
- **Absorbent or matte-finish materials that make cleaning or removing graffiti difficult are discouraged.**

d. Colors: Colors should be applied sensitively and should be considered in terms of their relationship to neighboring buildings.
e. Renewable Materials: When possible, use renewable building materials acquired from regional producers and manufacturers.

The Board would like to see a material palette of brick and other kinds of masonry that is desirable to the community. The Board acknowledges that the narrow site has only 45 feet of frontage along Queen Anne Avenue. Thus, the Board agrees that the treatment of this east façade is critical and will be scrutinized for a design that integrates high quality materials and architectural detailing that includes simple, elegant features along the building façade. The pedestrian level, in particular, should seek to engage the passers-by. The Board feels that the architecture of this building should strive to be a special asset to the community.

The Board agreed that the design should use high quality, functional and attractive windows, as well as other high quality materials throughout the building. The Board requires a color and materials board to be presented at the Final Design Review meeting.

The Board was supportive of the proposed material palette that included a brick base with significant transparent and operable glazing of the aluminum storefront windows with tile kick plate beneath and opaque glass overhead canopies. The upper stories consist of brick columns and cornice cap above the third floor with a charcoal colored hardi panel with a lighter grey colored metal panel for the top story. The two columns that flank the plaza will likely become integral parts of future mosaic artwork. The Board did note the potential quality problems of the hardi panel and encouraged the use of a cementious system with integral color and robust quality. The Board also specified that the application and installation of this material are critical to the building's appearance and sense of quality.

The Board discussed at length the application of color to the central building section and the uppermost level. The Board concluded that the dark color of the recessed area is suitable and less contrast between the colors is preferred, therefore, the medium and dark grey tones are preferable.

Pedestrian Environment

D-1 PEDESTRIAN OPEN SPACES AND ENTRANCES
Convenient and attractive access to the building' entry should be provided. To ensure comfort and security, entry areas should be sufficiently lighted and entry areas should be protected from weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

Queen Anne Supplemental Guidance:

Sidewalks along Queen Anne Avenue are typically too narrow to support a viable pedestrian environment. Sidewalks become congested, outdoor seating and other pedestrian amenities are difficult to accommodate and people, their dogs, strollers, and bicycles damage in-ground plantings. Wider sidewalks are viewed as being vital to creating a vibrant pedestrian environment.

a. Building Setbacks for Wider Sidewalks: Where possible, buildings should be set back 3 to 4 feet from property lines abutting public sidewalks to provide increased sidewalk width (at least 15' – 16', including walkway and amenity strip) along Queen Anne Avenue.

b. Creating Pedestrian Open Space: Courtyards and other pedestrian open spaces that accommodate outdoor eating, serve as public gathering areas, or provide greenery along the streetscape are especially encouraged. Such areas should be sited, if possible, to allow sunlight to penetrate.

c. Recessed Retail Entry Areas: Retail entries that are recessed and designed to encourage and enhance pedestrian movement and activity are preferred. The scale of retail entries should be commensurate with the façade.

d. Avoiding Dark, Unusable Spaces: The spaces created by recessed storefronts, facade modulation or building setbacks at ground-level should not darken retail areas and should be large enough to be usable by pedestrians or to provide opportunities for uses such as outdoor café seating or flower shop displays.

e. Pedestrian Weather Protection: Some pedestrian weather protection, in the form of canopies and awnings over sidewalks, is desirable. However, the community values open air and sunlight, so long; unbroken stretches of overhead protection are discouraged. Structures longer than the traditional 45-foot wide buildings characteristic of Queen Anne should avoid continuous and uniform awnings or canopies. Pedestrian weather protection that provides for sunlight at the street level, through either clear glass or retractable systems, should be considered. (See related guideline in Architectural Elements and Materials, C-2, Individualized Storefronts)

f. Operable Storefront Windows: Storefront windows that open the interior space to the sidewalk are encouraged to provide outdoor eating and drinking opportunities.

g. Retail Use and Open Space at Sidewalk Level: Retail uses adjacent to sidewalks should be located at sidewalk level. Below grade entries are discouraged. Setbacks and plazas should be at sidewalk level, although outdoor dining plazas or terraces elevated above the sidewalk level are acceptable if they are wheelchair accessible.

h. Pedestrian Amenities and Street Furniture: New development should be encouraged to integrate pedestrian amenities including, but not limited to street trees, pedestrian lighting, benches on street corners, trash receptacles, consolidated newspaper racks, public art, and bike racks in order to maintain and strengthen pedestrian activity. (See also guideline A-2 Streetscape Compatibility)

k. Residential Entries: Residential entries should be clearly pronounced and set back from the street. On side streets, stoops with elevated entries and open spaces are encouraged.

The Board noted that for safety reasons, the residential entrance should not be too recessed and should be differentiated with a unique canopy or other distinguishing feature.

The Board was pleased with the location of the residential entrance, as well as the dramatic overhead glass canopy that identifies this entrance. The Board expressed a preference for a curved canopy and recommended that the canopy extend further towards 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.

An art piece is proposed to be installed on the blank area of the south façade using the same artist that has been retained for other neighborhood images.

D-9 COMMERCIAL SIGNAGE

Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.

Queen Anne Supplemental Guidance:

a. Pedestrian-oriented Signs: Pedestrian-oriented signs, such as blade signs mounted perpendicular to pedestrian sidewalks on storefronts or on the underside of rain canopies, architecturally integrated signs and small, unique signs (such as signs made of natural materials like painted wood, carvings, metal or etched glass) are encouraged. Directional lighting for signs is also encouraged.

b. Signs to Avoid: Backlit signs, digitally animated signs and illuminated letters that are typically auto-oriented rather than pedestrian-oriented are discouraged.

D-10 COMMERCIAL LIGHTING

Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours.

Queen Anne Supplemental Guidance:

a. Preferred Pedestrian Lighting: The following modes of pedestrian lighting are preferred:

• Pedestrian-scale street lighting, such as 19-foot-high pole fixtures
• Exterior wall sconces on the front of buildings
• Down lighting under rain canopies
• Display window lighting that casts soft light on sidewalks

b. Pedestrian lighting considerations:

• Pedestrian lighting should be coordinated with tree plantings so that pedestrian areas will be well-lighted beneath trees as they mature, as well as beneath storefront canopies.
• Fixtures should include shielding to prevent glare into single-family homes and residential units on floors above the sidewalk level.
• Recessed entryways should be lit with wall sconces or other down-lighting fixtures.
• Bollard light fixtures are discouraged.

The Board recommended that rather than simply using exterior light fixtures affixed to the facade, the design should integrate lighting into the overhead canopies and plaza level to highlight the building architecture and artwork (the two columns) and plaza seating. The Board was also very enthusiastic with the concept of overhead catenary lighting.

D-11 COMMERCIAL TRANSPARENCY

Commercial storefronts should be transparent allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of the building. Blank walls should be avoided.

Given the project's location along the commercial spine of upper Queen Anne, the Board strongly emphasized that the design should reinforce and enhance pedestrian and sidewalk activity along Queen Anne Avenue North. The Board supported plans to improve the right-of-way along Queen Anne Avenue with street trees, landscaping, lighting, seating, textures, paving and other elements that contribute to a vibrant and interesting streetscape. Additionally, the Board would like to review a conceptual signage and lighting plan for the proposed building.

The Board was pleased with the proposed right-of-way plans that includes a setback area, two columns that will be part of future artwork, plaza seating, lighting (see D-10), street lights (consistent with Picture Perfect Queen Anne) and operable roll up doors.

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.

Queen Anne Supplemental Guidance:

a. Green Factor Focus on Ground-level Plantings: The Green Factor, a requirement of the Seattle Land Use Code, should be thoughtfully applied; a focus on ground-level plantings that enhance the pedestrian environment is strongly recommended.

b. Recommended Landscape Enhancements: The following landscape enhancements are encouraged:

1. Soften the building form by using wall-hung trellises, terraced landscaping, planted retaining walls, or include planted pergolas to shelter pathways and courtyards.
2. Incorporate a planter wall or planter box as part of the architecture.
3. Include a planted landscaped courtyard, entryway or fountain.
4. Distinctively landscape open areas created by building modulation with in-ground plantings or large planters.
5. Emphasize entries and corners with special plantings or planted containers in conjunction with decorative paving, sculpture and lighting.

c. Evergreen Plantings: The use of mostly evergreen plants is strongly recommended for a year-round attractive landscape.

d. Quality Landscaping Materials: Lush landscape materials and the use of interesting details in paving, outdoor furniture, fountains and artwork are encouraged.

e. Recommended Plants: Plant selections should be tailored to the light conditions on the east and west sides of Queen Anne Avenue. Developers may elect to take guidance on plant selections from a plant list prepared by Picture Perfect Queen Anne to communicate specific community preferences.

f. Planted Containers: A variety of planted containers to mark business entries is encouraged to enhance the pedestrian environment.

The Board emphasized that the entry plaza area should be the central element of this building and the design of this space should endeavor to create a special, well detailed and well considered heart of the project. The Board will be interested in how the open spaces include creative ways of achieving the Green Factor, public art opportunities and interesting landscaped and hard-scaped spaces. The Board also encouraged the project to integrate guidelines from Picture Perfect Queen Anne.

At the Recommendation meeting, the Board was pleased with the plaza proportions and design (see D-10, D-11) as well as the proposed extensive green roof, pervious concrete and planter boxes. The Board supported a plaza design that maximizes flexibility of the space to accommodate different need and functions. The Board did have several recommendations, however, for further enhancement of the ground level plaza area: The Board recommended integrating seating into the base of the two columns that flank the plaza. The Board also recommended introducing hanging baskets at street level. The Board also recommended that the tile kick plate at the building base vary to correspond to different commercial uses.

Design Review Departure Analysis

Four departures were requested at the Recommendation meeting.

1. **Alley Setback. (SMC 23.47A.014.B3 and B4):** The Code requires that the portions of the building above 13 feet are set back 15 feet from the center line of the alley because the site is across the alley from a residential zone. The existing alley is 16 feet wide, so the set back requirement would be seven feet east of the west property line. The applicant proposes a setback of slightly less than one foot for a portion of the building facing the alley.

   The volume of the building contained in the setback is 382 cubic feet, whereas the total amount of the setback provided elsewhere on the west elevation is 4,143 cubic feet. The modulation of the west façade is significant and provides much visual relief which is the intent behind the setback requirement. The extensive modulation and the fact that no residential use exists across the alley to the west were both factors that the Board considered in their unanimous approval of the departure request. The Board also found that the attractive design of the alley elevation was addressed with the same high quality material palette found on the front elevation. (B-1, C-2, C-4)

2. **Solid Waste Enclosure Access. (SMC 23.47A.029.D2c):** The Code requires that the height clearance for the designated solid waste area is 21 feet. The proposed clearance is less than 21 feet and garbage collection would be accommodated with alternative collection methods in coordination with SPU. The Board agreed and voted unanimously in support of such a deviation would be acceptable and was done similarly to the next door development. (B-1)

3. **Parking Aisle Width. (SMC 23.54.030.E):** The Code requires a 22 foot wide back up aisle and the proposed design includes a 20'6" aisle width for the surface parking provided along the alley. The extra space between the building and the parking stalls would be used to create a pedestrian pathway and buffer area for people to walk between the cars and the building in a safer manner. The Board supported this gesture and agreed that it would be beneficial to the pedestrian users of this building, as well as create a more attractive area in front of the commercial use that faces the alley. The Board voted unanimously in support of the departure. (A-4, D-1)

4. **Loading Berth Near Residential Zones. (SMC 23.47A.011.E):** The Code requires that a loading berth cannot be provided within 50 feet of a residential zone and the proposed development would like to include a loading berth along the alley. The Board agreed that the presence of such a loading berth in the proposed location would not impact the residential zone given that the residential zone is not developed with residential uses, nor are the present uses (community swimming pool facility) accessed from the alley. The Board voted unanimously in support of the departure. (B-1)

Summary of Board's Recommendations

The recommendations summarized below are based on the plans submitted at the Final Design Review meeting. Design, siting or architectural details specifically identified or altered in these recommendations are expected to remain as presented in the presentation made at the April 19, 2008 public meeting and the subsequent updated plans submitted to DPD. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members recommended **CONDITIONAL APPROVAL** of the proposed design including the requested departures subject to the following design elements in the final design including:

1. The following architectural features and details presented at the Final Design Review meeting and described under Guidelines A-3, C-4, D-10, D-11 and E-2:

    a) Signage and lighting;
    b) building materials;
    c) ground level landscaping and entry plaza space; and
    d) large, transparent storefront windows.

The recommendations of the Board reflected concern on how the proposed project would be integrated into both the existing streetscape and the community. Since the project would have a strong presence along Queen Anne Avenue, the Board was particularly interested in the establishment of a vital design that would enhance the existing streetscape and encourage pedestrian activity. The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

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

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

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

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

Four of the five Board members of the Queen Anne/Magnolia Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with the well-considered street level details, building materials, and architectural design that support a high-quality, functional design responsive to the neighborhood's unique conditions. Most of the recommendations made by the Design Review Board have already been reflected in the plans. The Director accepts the conditions recommended by the Board that further augment Guidelines C-2, C-4 and E-2 and support the case in favor of granting departure from the setback standards.

Board Recommended Conditions:

1. Use cementious system with integral color and robust quality. The Board also specified that the application and installation of this material is critical to the building's appearance and sense of quality.
2. The Board prefers a curved canopy and recommended that the canopy extend further towards the right-of-way.
3. Integrate seating into the base of the two columns that flank the plaza.
4. Introduce hanging baskets at street level.
5. The design of the tile kick plate at the building base shall vary to correspond to different commercial uses and not be uniform for the entire base.

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

Director's Decision

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

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated July 19, 2010. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

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

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction materials hauling, equipment and personnel; increased noise; and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates approximately 11,500 cubic yards of excavation for construction. Excess material to be disposed of must be deposited in an approved site.
- The Stormwater Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.

- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

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

Environmental Element	Discussion of Impact
1. Drainage/Earth	• 11,500 cubic yards of excavated materials. • Contaminated soils
2. Traffic	• Increased vehicular traffic adjacent to the site due to construction vehicles.
3. Construction Noise	• Increased noise from construction activities.
4. Air Quality	• Emissions of Greenhouse Gases during construction.

Drainage

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

The Stormwater Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 11,500 cubic yards of material. The Stormwater Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Construction: Traffic

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

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The construction activities will require the removal of material from site and can be expected to

generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

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

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

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

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

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

Noise

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

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

Air Quality

The indirect impact of 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 due to the relatively minor contribution of greenhouse gas emissions from this project. No potential short term adverse impact to air is anticipated and therefore air quality mitigation is not necessary.

Long-term Impacts

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

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

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

Environmental Element	Point of Discussion
1. Parking	• Increase in parking demand from proposed development.
2. Traffic	• Increase in traffic from proposed development.
3. Air Quality	• Greenhouse Gases impacts.

Parking

The proposed development includes 68 parking spaces to be provided on-site. The proposed parking spaces are distributed between two levels of below grade parking. All of the parking will be accessed from the alley. Using the Fourth Edition of the Institute of Traffic Engineers *Parking Generation Manual* and a study prepared by Transpo dated October 21, 2010, parking generation rates associated with Apartments and Retail were used. It was assumed that the parking would be shared between the residential and retail use. Based on the demand for each use and the average parking rate, the maximum weekday parking demand is 68 vehicles. Therefore, the proposed supply of 68 vehicles is anticipated to be adequate and the estimated parking demand generated by the proposed project is not considered adverse and the parking impacts require no further mitigation.

Traffic

A transportation analysis for the project was prepared by The Transpo Group dated October 21, 2010 and updated on January 20, 2011. This analysis updated the study prepared for the previous development proposal and estimated the amount of additional vehicle traffic the current project was likely to generate. The analysis utilized trip rates from the Institute of Transportation Engineers' *Trip Generation* manual (8^{th} edition).

Overall, the project is forecast to generate approximately 394 daily auto trips, with about 23 of these trips occurring during the PM peak hour. The roadway system near the site includes the Queen Anne Avenue arterial, the alley and several cross streets. Since the previous study was conducted, a four way stop has been added to the intersection of Queen Anne Avenue and Crockett Street. Given the low volume of traffic that will be generated by the project, the traffic impacts from the project are likely to be minimal and the level of service at the studied intersections will remain unchanged, and do not warrant mitigation pursuant to SMC 25.05.675 R.

Air Quality

The number of vehicular trips associated with the project construction is expected to increase from the amount currently generated by the various sites and the projects overall electrical energy and natural gas consumption is expected to increase. Together these changes may result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

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

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

CONDITIONS – SEPA

The owner applicant/responsible party shall:

During Construction

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

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

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

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance

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

Prior to Building Permit Issuance

The plans shall be revised as follows:

4. Use cementious system with integral color and robust quality. The Board also specified that the application and installation of this material is critical to the building's appearance and sense of quality.

5. The Board prefers a curved canopy and recommended that the canopy extend further towards the right-of-way.

6. Integrate seating into the base of the two columns that flank the plaza.

7. Introduce hanging baskets at street level.

8. The design of the tile kick plate at the building base shall vary to correspond to different commercial uses and not be uniform for the entire base.

9. Embed all of the conditions listed at the end of this decision in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.

10. Embed the 11 x 17 colored elevation drawings from the DR Recommendation meeting and as updated, into the MUP plans prior to issuance, and also embed these colored elevation drawings into the Building Permit Plan set in order to facilitate subsequent review of compliance with Design Review.

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

During Construction

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

12. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Lisa Rutzick, 386-9049). 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.

13. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD Land Use Planner assigned to this project. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

Signature: (signature on file) Date: April 28, 2011
Lisa Rutzick, Land Use Planner
Department of Planning and Development

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