



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

Application Number: 3011923
Applicant Name: Brian Runberg, Runberg Architects
Address of Proposal: 418 Bellevue Avenue East

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 7-story building with 48 residential units and parking for 16 vehicles to be provided within the structure.

The following Master Use Permit components are required:

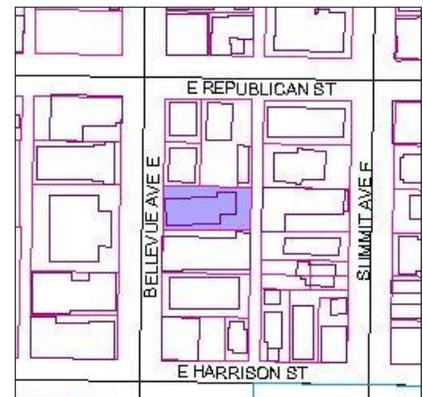
- Design Review** – Seattle Municipal Code Section 23.41 with Development Standard Departure:
1. Sight Triangle (SMC 23.54.030)
 2. Setbacks (SMC 23.45.518)

SEPA Environmental Review - Seattle Municipal Code Section 25.05

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

SITE AND VICINITY

The 7,200 sq. ft. subject site, zoned Midrise 60-foot height limit (MR-60'), is located midblock between East Harrison Street to the south and East Republican Street to the north. The Midrise zone extends in all directions. An alley borders the site to the east. While the site is relatively flat, there is a 14-16 feet difference between the street and the alley with a vertical retaining wall against the east property line at the alley.



The neighborhood is characterized by small, low- and mid-rise apartment and condominium buildings, most of which date from the early to mid-twentieth century. Older buildings are typically 3-4 story brick structures, while later buildings tend to be wood frame or concrete structures, ranging from 3-5 stories. Recent developments are typically wood frame buildings, 4-6 stories in height. Most of these buildings occupy only one or two parcels, creating a fairly consistent scale of development throughout the neighborhood. Many of the existing buildings are set back from the street and from adjacent property lines, while others, particularly larger buildings, are built out to their property lines. Brick is the most common cladding material, particularly in older buildings, while later buildings are clad in a variety of materials including wood, brick, stone and concrete masonry.

The area is well served by transit and is developed with mostly higher density multi-family residential structures.

PROJECT DESCRIPTION

The proposal includes the construction of a new seven-story structure containing 48 units. Parking for 16 vehicles to be provided within the structure. The proposed development is participating in the Workforce Housing Incentive program in exchange for increased height and FAR. Through the incentive zoning process, a portion of the building units will be committed to affordable housing.

PUBLIC COMMENTS

Approximately 14 members of the public attended the Early Design Guidance meeting held on May 4, 2011. The following comments were offered:

- Noted that the proposed massing concepts are not responsive to the neighborhood context and don't acknowledge the West Slope District of the Neighborhood Design Guidelines. The existing context is compatible with neighborhood density, but this proposed development is out of scale with this context. Does not feel that guidelines A-5 or C-1 have been satisfied.
- Stated concerns with the proposed setbacks, access off of the street and lack of landscaping – all unresponsive to guidelines B-1, A-5, A-8 and E-2.
- Pleased to see redevelopment of this site and the addition of high density to the neighborhood. Feels that the proposed driveway location is detrimental to the heavily used sidewalks and pedestrian activity of the neighborhood; the driveway from the street should be eliminated. Also, the sight triangle departure request poses a danger to the pedestrian crossing in front of the building.
- Discourage the proposed departure for the access off Bellevue as setting a poor precedent for new development. All of the parking should be located off the alley.
- Concerned with the loss of solar exposure to a neighboring building due to the future development of the subject site. As such, allowing any encroachments into the required setbacks should be denied.
- Encourage high density development that is done well. Concerned with the shading created by the proposed setback departures. The tucked-in parking off of the alley should be enclosed for safety and security.

- Stated that the proposed building is out of scale with the neighborhood. Although the presentation shows that the distance between buildings may be comparable, it has a much different impact when the buildings are three and four stories tall, versus seven stories.
- Stated that the project needs more parking.
- Oppose the loss of views from private property that would be caused by the proposed development.

The applicant applied for a Master Use Permit on August 16, 2011. Notice of Application was published on August 25, 2011 and the 14-day comment period was extended until September 7, 2011. Many comments were received by DPD during this period. The following comments, issues and concerns were raised:

- Requesting to be listed as a Party of Record.
- Concerned with the public notice procedures.
- Concerned about existing parking congestion. The number of parking stalls to be provided within the proposed development will not meet the demand of the proposed number of units.
- Objected to the height of the proposed building.
- Objected to the loss of views and increased shadows.
- Concerned with the proposed density.
- Opposed to the size of the building maximizing development on the site and encroaching into required setbacks.
- Concerned about property values declining due to the impacts created by the proposed project.

Approximately eight members of the public attended this Final Recommendation meeting held on November 30, 2011. The following comments, issues and concerns were raised:

- Concerned with the building height and proposed trees located on the roof deck will further block views. Clarifying height of the elevator shaft. [75']
- Supportive of the architectural concept and landscaping in the front and looks forward to seeing vacant blighted lot be redeveloped.
- Found the massing to be appropriate for the neighborhood and supports more housing. Supportive of the proposed material palette. Felt that the safety of the pedestrian was addresses for both access points. Concerned with the safety of the residential entrance on the north side of the building and would like to see additional lighting and encouraged moving the lobby to the street or add a gate for restricted access.
- Disliked proposed metal panel especially the large expanse on the north side. Wood siding would fade over time. Clarified that the modular units are locally made. Concerned with the noise that will be generated from the rooftop deck. Roof deck added unnecessary height to the building and should be deleted. Suggested that driveway mirrors be added on both sides of the driveway. Concerned with the loss of vegetation due to the shadows from the proposed building. Would like to know more about garbage management for the building. Concerned that loitering will occur at stairwells. Preferred hardiboard siding.
- Excited about the proposed development and density, which adds vitality to a neighborhood. Okay with the design of the north façade.
- Agreed that density is positive and should be encouraged. Would like to see a more welcoming alley entrance and warmer materials such as wood.

- Did not feel that the unique character of the west slope of Capitol Hill is expressed in the proposed design. Objected to the proposed garage access from the street. This building will be highly visible within the surrounding context and the north façade appeared too much as a metal monolith. The top floor appeared to be extraneous and only added additional height and bulk.
- Supported proposed building and addition of housing with a high quality product.

ANALYSIS - DESIGN REVIEW

Design Guidance

Three schemes were presented at the Early Design Guidance meeting. All of the options include vehicular access from the street (Bellevue Avenue).

The first scheme (Option A) showed a seven story building forming a basic box shape.

The second scheme (Option B) showed a six and seven story building with the lower portion at the street front and stepping upward in the easterly half of the site. The shape of this massing included a notched area facing south and units aligned in a barbell configuration with the end units running east-west and the central units running north-south.

The third and preferred scheme (Option C) showed a modified version of scheme B with a shallower notch at the south side and an additional notch at the north side. The entire building was shown at seven stories.

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.

At the final Recommendation meeting, Laura Hewitt Walker from the Office of Housing introduced the Workforce Housing Incentive program and provided a brief overview of incentive zoning.

The design presentation included an analysis of the building typologies, forms and styles in the surrounding neighborhood. Detailed floors plans, elevations, renderings and landscape plans were shown along with a color and material palette.

The project incorporates a more modern color and material palette that balances warm and cool colors. The palette includes blues and greys, accented by metal to contrast with the underlying warm tones and texture of wood found throughout the project and focused at pedestrian level. Accent features, such as green screens, reclaimed barn wood at the planters, and blackened steel elements at the ground level add additional visual interest as well as softer textures to the project.

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.**

At the Early Design Guidance Meeting, the Board discussed the topographical challenge of the site and the resultant issue of efficient vehicular access. The Board agreed that such a condition, however, did not warrant access from the street to non required parking.

At the Final Recommendation Meeting, staff clarified that a departure for access from the street was not required because the site's topography and proposed design meet the Code provisions for a second access from the street (in addition to the alley access). The Board maintained their interest in not allowing access from the street, or in this case, to minimize access from the street. The Board agreed that the use of driveway pavers, the green wall along the south side of the building along the driveway and the building overhang help to minimize the presence of the driveway from the street. The ground level units face the street and have direct access to the street to engage with the sidewalk and pedestrian environment.

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

Capitol Hill-specific supplemental guidance:

- **Retain or increase the width of sidewalks.**
- **Provide street trees with tree grates or in planter strips, using appropriate species to provide summer shade, winter light, and year-round visual interest.**
- **Vehicle entrances to buildings should not dominate the streetscape.**
- **Orient townhouse structures to provide pedestrian entrances to the sidewalk.**
- **For buildings that span a block and “front” on two streets, each street frontage should receive individual and detailed site planning and architectural design treatments to complement the established streetscape character.**
- **New development in commercial zones should be sensitive to neighboring residential zones. Examples include lots on Broadway that extend to streets with residential character, such as Nagle Place or 10th or Harvard Avenues East. While a design with a commercial character is appropriate along Broadway, compatibility with residential character should be emphasized along the other streets.**

At the Early Design Guidance Meeting, the Board was strongly opposed to the proposed access off of Bellevue Avenue and agreed that such a disruption to the pedestrian environment could not be justified, especially since no parking is required by Code.

The Board would like to review the specific design details and dimensions of the ground level stoops and residential units along Bellevue at the next meeting.

At the Final Recommendation Meeting, the Board was pleased with the design and detailing of the three ground level residential units. See also A-1 regarding the street access.

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.

At the Early Design Guidance Meeting, the Board discussed at length the impact of the proposed departures and massing on the neighboring buildings and found that the applicant's preferred scheme would be too disruptive to the nearby residences and open spaces in terms of shading and proximity. The Board requested that a shading study of the proposed shadow impacts from the proposed building be presented for review at the next meeting.

At the Final Recommendation Meeting, the Board reviewed a shadow study of the proposed building in relation to the surrounding properties. The driveway to the street has been located at the south side of the building, away from the residential courtyard to the north. The stair corridor has also been located along the north side of the site to minimize the presence of windows overlooking the courtyard and residential units to the north. The Board supported the wood garage doors along the alley providing a warmer residential appearance. See C-4.

A-6 Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

At the Early Design Guidance Meeting, the Board reiterated a sentiment from the D-12 guideline that states "*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 unanimously agreed that the details of how this project meets the sidewalk at the ground level will be a critical component of this project's success. The lobby and ground level residential units should include transparency, landscaping and dimensions that foster engagement with the street.

At the Final Recommendation Meeting, the Board was supportive of the street level residential units which include raised planters, landscaping, stoops, windows, exterior lighting and warmer exterior materials at ground level designed to engage with the street while also providing a semi-private buffer for these three units.

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 anticipated development potential of the adjacent zones.

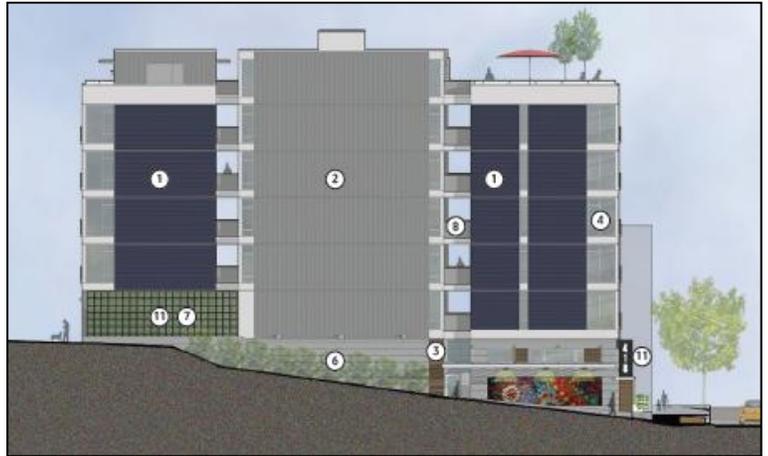
Capitol Hill-specific supplemental guidance:

- **Break up building mass by incorporating different façade treatments to give the impression of multiple, small-scale buildings, in keeping with the established development pattern.**

- Consider existing views to downtown Seattle, the Space Needle, Elliott Bay and the Olympic Mountains, and incorporate site and building design features that may help to preserve those views from public rights-of-way.
- Design new buildings to maximize the amount of sunshine on adjacent sidewalks throughout the year.

At the Early Design Guidance Meeting, the Board discussed the magnitude of the proposed setback departures and agreed that the resultant design was oversized and would create a massing that was out of scale with the neighborhood. The

Board stressed that while neighborhood densification is laudable, there needs to be a balanced approach when such density involves going beyond the allowed buildable area to such a large extent. The quality of the streetscape experience would suffer as a result of such departures; therefore many of the requested departures and massing shown at this meeting were not supported due to the negative impacts to bulk and scale. See departure discussion of setbacks at the conclusion of this report.



At the Final Recommendation Meeting, the Board was unanimously pleased with the revised design which responded precisely to the guidance provided at the EDG meeting regarding setbacks and massing. The building has also been configured with exterior walkways providing points of transparency through the site and building giving relief from the bulk and massing. Both the north and south facades are broken into three distinct masses separated by the open walkways. The application of color and materials further emphasize the three masses and break down the length of these facades. The Board expressed concern with the wide expanse of the middle section of the north façade. Given the prominence and visibility of this elevation, the Board recommended breaking this expanse into thirds using reveals, alternating metal panel sizes, etc or to recognize floor lines, stair lines or landings in the design of this metal façade.

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.**

At the Early Design Guidance Meeting, the Board discussed the importance of the design that is responsive to the context. Specifically, the Board requested a more detailed analysis of how the seven story building will respond to the existing and predominantly lower scaled buildings.

The Board does not expect the design of this building to emulate the historic buildings in the neighborhood. The Board was intrigued by the idea of a design that contrasts with the varied historic architecture eras that are represented in the context.

At the Final Recommendation Meeting, the Board reviewed an analysis of the building massing and allowable envelopes showing a more slender profile consistent with many buildings in the immediate context. The modern design of the proposed building contrasts with the various architectural styles and contributes to the eclectic context.

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 facade walls.

Capitol Hill-specific supplemental guidance:

- **Incorporate signage that is consistent with the existing or intended character of the building and the neighborhood.**
- **Solid canopies or fabric awnings over the sidewalk are preferred.**
- **Avoid using vinyl awnings that also serve as big, illuminated signs.**
- **Use materials and design that is compatible with the structures in the vicinity if those represent the desired neighborhood character.**

At the Early Design Guidance Meeting, the Board agreed that the design of this building should have a clear concept for each façade that is responsive and sensitive to the immediate context. The Board was supportive of the design concept for a contemporary looking building.

At the Final Recommendation Meeting, the design included vertical and horizontal white bands that express the floor plates and party walls. The ground level had wood siding for a warmer residential expression for the ground level units. The building materials and colors express the unit modules using a regular rhythm. The Board expressed some concern that the overhanging portion of the building creates a non-alignment in the building architecture and the projecting corner of the building is not grounded where it overhangs above the driveway. The Board recommended that the design of the ground level base either become either glassier or more solid to better reflect the design concept of the upper levels. The Board also recommended that the design of the green wall and trellis feature along the driveway be better integrated into the design of the south and west elevations. The Board further supported the inclusion of windows/privacy windows along the south façade for the ground level unit at the southwestern corner and encouraged more such windows.

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

Capitol Hill-specific supplemental guidance:

- **Incorporate building entry treatments that are arched or framed in a manner that welcomes people and protects them from the elements and emphasizes the building's architecture.**

- **Improve and support pedestrian-orientation by using components such as: non-reflective storefront windows and transoms; pedestrian-scaled awnings; architectural detailing on the first floor; and detailing at the roof line.**

At the Early Design Guidance Meeting, the Board noted that they will look forward to reviewing the details of the residential stoops and lobby at the next meeting.

At the Final Recommendation Meeting, the design included a fence with vegetated wall for the ground level units along the south side of the site. On the north side, a canopy is provided to emphasize the lobby location and main residential entrance. An art mural is included along the entry pathway. The street level ground level units (west façade) are delineated with warmer exterior wood materials, raised planters, vegetation, lighting and other details to engage with the sidewalk.

- 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.**

Capitol Hill-specific supplemental guidance:

- **Use wood shingles or board and batten siding on residential structures.**
- **Avoid wood or metal siding materials on commercial structures.**
- **Provide operable windows, especially on storefronts.**
- **Use materials that are consistent with the existing or intended neighborhood character, including brick, cast stone, architectural stone, terracotta details, and concrete that incorporates texture and color.**
- **Consider each building as a high-quality, long-term addition to the neighborhood; exterior design and materials should exhibit permanence and quality appropriate to the Capitol Hill neighborhood.**
- **The use of applied foam ornamentation and EIFS (Exterior Insulation & Finish System) is discouraged, especially on ground level locations.**

At the Early Design Guidance Meeting, the Board encouraged a material palette with the richness of materials shown in the examples contained in the presentation packet. The Board appreciated the suggestion of using both cool and warm materials. The Board will review the color and material palette at the next meeting. The Board was supportive of the levels of transparency suggested in the presentation packet.

At the Final Recommendation Meeting, the color and material palette included a dark blue cementitious fiber cement horizontal siding and cool silver metal panel for the building body. The base of the west façade included horizontal wood plank. The windows were a white vinyl and the building base was architectural concrete. The Board recommended that the three garage doors along the alley be a commercial grade wood material as shown during the presentation. This material provides a warmer residential appearance that responds to the immediate residential context.

D. Pedestrian Environment

D-6 Screening of Dumpsters, Utilities, and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

Capitol Hill-specific supplemental guidance:

- **Consolidate and screen dumpsters to preserve and enhance the pedestrian environment.**

Broadway-specific supplemental guidance:

- **For new development along Broadway that extends to streets with residential character—such as Nagle Place or 10th or Harvard Avenues East—any vehicle access, loading or service activities should be screened and designed with features appropriate for a residential context.**

At the Early Design Guidance Meeting, the Board encouraged secure screening of the trash and recycling off of the alley. The Board also noted that the tucked in parking shown off of the alley should be similarly screened and secured.

At the Final Recommendation Meeting, the Board was pleased that the garbage room is fully enclosed and secured near the northeastern corner of the building and accessible from the alley.

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

Capitol Hill-specific supplemental guidance:

- **Consider: pedestrian-scale lighting, but prevent light spillover onto adjacent properties; architectural lighting to complement the architecture of the structure; transparent windows allowing views into and out of the structure—thus incorporating the “eyes on the street” design approach?**
- **Provide a clear distinction between pedestrian traffic areas and commercial traffic areas through the use of different paving materials or colors, landscaping, etc.**

At the Early Design Guidance Meeting, the Board noted that adequate lighting and security of the tucked in parking and service areas are critical to maintaining a safe alley.

At the Final Recommendation Meeting, the alley included a fully enclosed garage and exterior lighting along the alley. The Board expressed concern for the safety of residents and tenants in the open passage way along the north side of the site. The Board recommended reconfiguring the lobby to be accessible from the street or the provision of additional lighting and/or signage to increase visibility of the main residential entrance. The Board also recommended eliminating the recessed portion of the lobby entry to minimize hiding places or loitering opportunities. The Board also recommended exploring the installation of gate features at either end of the passage way to secure this space.



D-8 Treatment of Alleys. The design of alley entrances should enhance the pedestrian street front.

See D-7.

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.

See A-1, A-6, C-3 and D-7.

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.

At the Early Design Guidance Meeting, the Board stated they will look forward to reviewing a well-detailed landscape design for the right-of-way and the space located along the north and south sides of the site. The Board is particularly interested in how the ground level residential units will be design and treated to maintain privacy and security for these units, while also engaging with the street.

At the Final Recommendation Meeting, the landscape design included raised planters along the sidewalk for the ground level residential units made of reclaimed wood. Rain chains for these units also provide a residential detail. A green wall with a trellis feature were shown along the driveway at the southwestern corner. The Board was concerned that vegetation at this location must be successful and recommended that the species selected will survive in such a location and include irrigation. The trellis itself should be designed to provide visual interest in the interim phase before the vegetation has matured. The Board was supportive of the proposed rough cobble like paving for the driveway.



DEVELOPMENT STANDARD DEPARTURES

Several departures from the development standards were proposed at the Final Recommendation meeting.

- 1. Sight Triangles (SMC 23.54.030.G1):** The Code requires that for two way driveways or easements less than twenty-two feet wide, a sight triangle on both sides of the driveway used as an exit shall be provided, and shall be kept clear of any obstruction for a distance of ten feet from the intersection of the driveway or easement with a driveway, easement, sidewalk or curb intersection if there is no sidewalk. The applicant proposes the use of traffic safety mirrors to mitigate the absence of sight triangles at the driveway.

The Board recommended in favor of the proposed departure and the 90-degree driveway design which does not have a code complying sight triangle on the south side of the driveway. The Board agreed that the preferred design minimizes the presence of the driveway on the street and sidewalk.

- 2. Setbacks (SMC 23.45.518 Table A):** The Code requires the following:

Rear Setback: 10' for rear lot line abutting an alley

Front Setback: 7' average, 5' minimum

Side Setback: For portions of the structure below 42 inches: 7' average, 5' minimum
For portions of the structure above 42 inches: 10' average, 7' minimum

The Board recommended the following conditions to the Director (to be reviewed and approved by the Land Use Planner):

1. The expanse of the middle portion of the north elevation should be broken into thirds using reveals, alternating metal panel sizes, etc or to recognize floor lines, stair lines or landings in the design of this metal façade.
2. The design of the ground level base of the west façade either become either glassier or more solid to better reflect the design concept of the upper levels.
3. The design of the green wall and trellis feature along the driveway should be better integrated into the design of the south and west elevations.
4. Windows/privacy windows along the south façade for the ground level unit should be increased at the southwestern corner.
5. The three garage doors along the alley should be a commercial grade wood material
6. The lobby should be reconfigured to be accessible from the street or the additional lighting and/or signage to increase visibility of the main residential entrance should be provided. The recessed portion of the lobby entry should be eliminated to minimize hiding places or loitering opportunities. The installation of gate features at either end of the passage way to secure this space should be explored.
7. The species selected for the driveway trellis should be hardy to survive such a location. Irrigation should be included for the proposed green wall. The trellis itself should be designed to provide visual interest in the interim phase before the vegetation has matured.

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 members of the East 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 and accepts the conditions recommended by the Board that further augment the selected Guidelines.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director of DPD has reviewed the recommendations of the Design Review Board made by the four members present at the recommendation 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 recommendations of the Design Review Board made by the four members present at the recommendation meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departures with the conditions summarized at the end of this Decision.

ANALYSIS - SEPA

The proposal is for 2,000 square feet of commercial space, 70 residential units and 65 parking stalls, thus the application is not exempt from SEPA review. Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) because the proposed project is located in a commercial zone and an urban center and exceeds the unit threshold.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated August 5, 2011 and annotated by the Land Use Planner. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist and submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, and 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 and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

Short-Term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction 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 Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) 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.

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. Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, noise, and construction traffic warrant further discussion.

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 1,300 cubic yards of excavated material. Excess material to be disposed of must be deposited in an approved site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- 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 building activity to be undertaken in association with the proposed project, additional analysis of drainage, grading, noise, greenhouse gases, and traffic impacts is warranted.

Drainage

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

Earth - Grading

The construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 1,300 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Traffic, Circulation and Parking

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.

During construction, 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 PM 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.

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.

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 PM 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).

On-street parking in the neighborhood is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site or on a dedicated site within 800 feet for the term of the construction whenever possible.

To facilitate these efforts, a Construction Management Plan will be required as a condition of approval identifying construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.

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 these construction transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Noise

All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized upon approval of a by DPD with a 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.

Greenhouse Gas Emissions

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.

Long-Term Impacts

Transportation

A transportation analysis for the proposed project was prepared by Gibson Traffic Consultants dated November 2011. This analysis estimated the amount of additional vehicle traffic the project is likely to generate. The analysis utilized trip rates from the Institute of Transportation Engineers' *Trip Generation* manual (8th edition). High level of local transit service, proximity to downtown and a moderately dense mixed-use environment suggest that many trips in the area likely are made using non-auto modes. This is supported by data from the 2000 Census, which indicate that only 28% of local residents commute to work by car, with the rest using transit, walking, bicycling, or other modes, or working at home.

Overall, the project is forecast to generate 201 daily auto trips, with about 14 of these trips occurring during the AM peak hour and 19 during the PM peak hour. Project traffic is expected to distribute among Bellevue, Harrison and Republican streets, with little additional traffic on any one roadway. Traffic impacts from the project are likely to be minimal, and do not warrant mitigation pursuant to SMC 25.05.675 R.

Parking

The 2000 Census data presented in the transportation analysis indicate that the average household in the census tract of the project site had approximately 0.6 vehicles per rental unit. Using this rate, the proposed 48 residential units are expected to generate a peak demand of 29 vehicles. The project will provide 16 parking spaces; therefore, the spillover parking demand is anticipated for the difference of 13 stalls. Given high levels of on-street parking utilization, this spillover may make on-street parking more difficult in the vicinity of the project site, and also may serve as a disincentive for project residents to own cars. However, no code authority exists to condition the project to mitigate this impact, as the project is located in the Capitol Hill/First Hill Urban Center and under SMC 25.05.675M such conditioning is prohibited.

Greenhouse Gas

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.

DECISION – STATE ENVIRONMENTAL POLICY ACT (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. 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 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).

CONDITIONS – SEPA

Prior to Issuance of any Construction, Shoring or Grading Permits

1. The applicant shall provide to the DPD Land Use Planner for approval a Construction Management Plan which identifies construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.

During Construction

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.
3. 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.

DESIGN REVIEW

Prior to Building Permit Issuance

4. The expanse of the middle portion of the north elevation should be broken into thirds using reveals, alternating metal panel sizes, etc or to recognize floor lines, stair lines or landings in the design of this metal façade.
5. The design of the ground level base of the west façade either become either glassier or more solid to better reflect the design concept of the upper levels.
6. The design of the green wall and trellis feature along the driveway should be better integrated into the design of the south and west elevations.
7. Windows/privacy windows along the south façade for the ground level unit should be increased at the southwestern corner.
8. The three garage doors along the alley should be a commercial grade wood material.
9. The lobby should be reconfigured to be accessible from the street or the additional lighting and/or signage to increase visibility of the main residential entrance should be provided. The recessed portion of the lobby entry should be eliminated to minimize hiding places or loitering opportunities. The installation of gate features at either end of the passage way to secure this space should be explored.

