



City of Seattle
Edward B. Murray, Mayor

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

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

Application Number: 3013191
Applicant Name: Nick Hendrickson for Michael Derr for Aegis Living
Address of Proposal: 2900 3rd Ave W

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 3-story, 124 unit assisted living facility (Aegis Living) with common areas, activity rooms and support facilities. Parking for 47 vehicles will be provided below grade. Existing structures to be demolished.

The following approvals are required:

Design Review – Seattle Municipal Code 23.41 (SMC)

SEPA Environmental Determination – SMC 25.05

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

BACKGROUND INFORMATION:

SITE & VICINITY

Site Zone: LR2 and SF5000
Nearby Zones: (North) LR2
 (South) SF5000
 (East) LR2 & SF5000
 (West) LR2
Lot Area: 75,155 square feet.
Current Development: SPU Tennis Courts



Access: Primary pedestrian access from Third Ave W. Primary vehicle access from W Florentia St, with emergency/service access from 3rd Ave W.

Surrounding Development: Residential structures of various bulk/scale and uses.

ECAs: Steepslope and Potential Slide

Neighborhood Character: The development site includes an existing single family house and tennis courts. The site also has a significant amount of mature trees. The adjacent property includes a park (Queen Anne Bowl) to the south and a school (Northwest Child Development Center) to the east. North and west of the site generally consists of duplexes and larger apartment buildings.

PROJECT DESCRIPTION

The proposed development is for a three story building for an assisted living facility with approximately 124 apartment units. Also included is one floor programmed to serve residents with specialized memory care needs. Outdoor gardens and roof terrace will be provided for both the assisted living and memory care residents. An arborist engaged by the applicant has determined that seven of the trees on site are “Exceptional” per the City of Seattle tree preservation program. The preferred alternative preserves all the healthy Exceptional trees. A vehicle drop off typical of assisted living facilities, including a weather projected drop off zone is incorporated on all proposed schemes. Code required parking for 47 vehicles are provided for residents, staff and visitors.

Public Comments

Public comment was invited at the initial Master Use Permit applications and at the Design Review public meetings. Comments from the Design Review meetings are noted within the Design Review process summaries which follow below.

ANALYSIS – DESIGN REVIEW

EARLY DESIGN GUIDANCE MEETING: May 16, 2012

DESIGN PRESENTATION

Architect’s Presentation:

Three alternative design schemes were presented (at the Early Design Guidance meeting). All of the options include vehicle parking access from W Florentia St and service/emergency vehicle access from Third Ave W.

The first scheme (Option 1) shows two separate masses, with the longer massing along 3rd Ave W with on a 5 to 7’ building setback. A central courtyard and drop off area is accessed from a southern driveway from 3rd Ave W. The sense of entry is concealed and the assisted living program is compromised without an interior connection to both massing elements at each floor. This option would require all seven significant trees be removed. This option requires more earthwork and sited disturbance than options 2 or 3.

The second scheme (Option 2) shows an “o” shaped massing; the building is set back 35’ from W Florentia St allowing a vegetation buffer from the adjacent multifamily across the street. The taller portions of the building massing along 3rd Ave W is setback from the street and steps up the slope creating a residential scale. A covered porch wraps the SW corner to provide residents with views toward the Queen Anne Bowl and to 3rd Ave W. At least one significant tree must be removed. The porte cohere drop off at the street would require a departure for two short term parking stalls and require two curbs. This option requires more earthwork and sited disturbance than option 3.

The third scheme (Option 3) shows a “u” shaped massing; the building is set back 35’ from W Florentia St allowing a vegetation buffer from the adjacent multifamily across the street. The building massing along 3rd Ave W is set back from the street and steps up the slope creating a residential scale. A covered porch wraps the SW corner to provide residents with views toward the Queen Anne Bowl and to 3rd Ave W. A vehicle drive lane — to an internal courtyard passenger vehicle drop off area — leads through a landscaped area to reference the entry experience at Seattle Pacific University, to the northeast. No significant trees would be removed. This option requires less earthwork and sited disturbance than options 1 and 2.

PUBLIC COMMENT

Approximately twelve members of the public attended this Early Design Review meeting. The following comments, issues and concerns were raised:

- The project should respect the park atmosphere of the Queen Anne Bowl. The maintenance road should be designed to minimize its impact on the Bowl.
- The site’s landscape and ecosystem should be preserved.
- Stated that every senior housing project under this zoning needs the 90’ structure width departure because of operational purposes. He commented that the scale of the project and the use as a senior living facility provides a more beneficial use rather than other uses such as cottage housing or multifamily.
- Offered a preference towards Option 3 as it softens the potential impact on the forested edge of the site. He stressed the need to pay attention to the view of the building from the park.
- Support for Aegis as the most complementary buyer for the area since this is a low impact use. In addition, SPU is interested in creating opportunities for students’ internships and faculty lectures at the Aegis facility.
- Felt the project should take into account human impacts.
- Spillover lighting from the building towards the park and other common/public areas should be avoided or minimized. ‘The dark skies character of the Bowl should be preserved.’ The design should limit the delivery trucks having to back up.
- Concerned with parking impacts.

INITIAL RECOMMENDATION MEETING: January 22, 2014

DESIGN PRESENTATION

Architect’s Presentation:

The design presented at the initial recommendation meeting was a further developed version of the third scheme (Option 3) shows a “u” shaped massing; the building is set back 35’ from W Florentia St allowing a vegetation buffer from the adjacent multifamily across the street. The building massing along 3rd Ave W is set back from the street and steps up the slope creating a residential scale. A covered porch wraps the SW corner to provide residents with views toward the Queen Anne Bowl and to 3rd Ave W. A vehicle drive lane — to an internal courtyard passenger vehicle drop off area — leads

through a landscaped area to reference the entry experience at Seattle Pacific University, to the northeast. No significant trees would be removed.

PUBLIC COMMENT

Several members of the public attended this Initial Recommendation meeting. The following comments, issues and concerns were raised:

- The Queen Anne Community Council would like the opportunity to review the refined project before the Board makes its recommendation, and to avoid undue delay is willing to schedule special meeting for review.
- Concerned about the driveway location on both streets. Streets are busier than what the applicant may think. Sidewalks should be wider to improve pedestrian access.
- Concerned about the view from the Bowl.
- Concerned about disturbance to the night sky.
- For the Intended residents, the building is great. Needs better visual from the field looking up to understand the building. Would like to understand the treatment of the loading dock.
- Questioned the structural width departure.
- Requested to replace Queen Anne Bowl fencing with black wrought iron fence to help blend with Aegis property and improve park appearance.
- Requested to disguise the appearance of, and to control noise from, rooftop HVAC equipment
- Would like to see service area covered so kids don't fall in. [The applicant explained there was a high fence for safety.]
- Fire Department needs access. There is a 6 foot fence along the edge.
- Would like to see more trees. Requested that removal of significant trees be replaced with trees that in 50 years will be magnificent.
- Requested to avoid asphalt on driveway — there is some pervious pavement at driveway.
- Concerned about keeping dark sky on west side. [The applicant mentioned the lights were to be aimed downward.]
- Clarified is the height of dome? [15ft higher than 30 ft limit as allowed by zoning for extended stairs for a total of 45ft.] Concerned that it might block views from up above.
- Requested a re-designed garbage area that could reduce potential noise from garbage pick-up. [Staff clarified that this is a service provider issue that should be addressed to City Council and cannot be resolved with this project.]
- Concerned about the traffic on the street
- Concerned about construction noise.
- Felt it was a nice-looking building.
- Seattle Parks Department expressed satisfaction that the applicant was working well with Parks to ensure Aegis's plantings will not interfere with track in the Park, will not burden Parks with undue leaf cleanup, and to ensure back of house and loading dock functions are hidden from views from Queen Anne Bowl. Worked together to select species to minimize deciduous leaves on the running track and plants that might have roots raised through the track.
- Pleased with the beautiful parts of project and was pleased with the building's appearance.
- Clarified that the removal of trees will be with same size tree canopy. DPD staff confirmed replacement of same canopy area is required, so there is no net loss of canopy. [DPD staff said that DPD's arborist has reviewed the vegetation plans and what is shown meets the city requirements.]
- Concerned about noise from HVAC system. Would like loading dock to use sound absorbent material and a gate added to loading dock to block noise that is closed when truck moves in.

FINAL RECOMMENDATION MEETING: February 19, 2014

DESIGN PRESENTATION

Architect's Presentation:

The design presented at the initial recommendation meeting was a further developed version of the third scheme (Option 3) shows a “u” shaped massing; the building is set back 35’ from W Florentia St allowing a vegetation buffer from the adjacent multifamily across the street. The building massing along 3rd Ave W is set back from the street and steps up the slope creating a residential scale. A covered porch wraps the SW corner to provide residents with views toward the Queen Anne Bowl and to 3rd Ave W. A vehicle drive lane — to an internal courtyard passenger vehicle drop off area — leads through a landscaped area to reference the entry experience at Seattle Pacific University, to the northeast. No significant trees would be removed.

PUBLIC COMMENT

Three members of the public attended the Final Recommendation meeting. The following comments, issues and concerns were raised:

- The Land Use Review Committee for the Queen Anne Community Council submitted a letter expressing ‘serious concerns over the loading dock location’ and they were only supportive of 2 of the 3 departures requested by the applicant.
- Concerned about the three vehicle access points — two on one street and one on another street.
- Concerned about disturbance to the night sky.
- Would like to see the vehicle access to the service area covered to reduce noise.

PRIORITIES & BOARD RECOMMENDATIONS

DESIGN GUIDELINE PRIORITIES

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

The Design Review materials presented at the Design Review Board meetings are available online by entering the project number at website noted below:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

Or by contacting the Public Resource Center at DPD:

Address: **Public Resource Center**
700 Fifth Ave., Suite 2000
Seattle, WA 98124-4019

Email: PRC@seattle.gov

A. Site Planning

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

At the Early Design Guidance meeting, the Board noted The Board recommended that the pedestrian entrance sequence to the courtyard be legible and inviting.

At the Final Recommendation Meeting, the Board indicated they were satisfied with the design response presented on recommendation package pages 1-2, 4-6, and 12-15.

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 indicated that the project should pay attention to the visibility of the façade from The Queen Anne Bowl and recognized this as a design problem that can be resolved with modulation and articulation.

Additionally, the building should be treated with modulation and articulation along the East façade facing the Northwest Center's Child Development Program property.

At the Initial Recommendation meeting, the Board recommended that the architectural lighting on the library bridge turn lights off using a motion detector or window treatment. The building will read as smaller elements with the center dark. Any common areas expressed on the exterior of the building should have motion sensors.

The Board agreed that building lighting spillover towards the park and other common/public areas should be avoided or minimized.

The Board indicated that the project should pay attention to the visibility of the façade from The Queen Anne Bowl and recognized this as a design problem that can be resolved with modulation and articulation.

At the Final Recommendation meeting, the Board reviewed the interior motion detector lighting recommendation package and exterior lighting fixtures facing the Queen Anne Bowl. The Board asked that this information be noted on the Master Use Permit plans. See CONDITIONS—DESIGN REVIEW below.

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 expressed some concern regarding the character of the courtyard and the bridge connection the South and North wings of the preferred option. The Board recommended that the courtyard needs further development as well as a better analysis of vehicle circulation.

At the Final Recommendation meeting, the Board reviewed the courtyard and the bridge connection. The Board was satisfied with the proposal based on the detailed information provided on the courtyard design/vehicle circulation. The Board did ask that the driveway

retaining wall be planted with landscaping so that no portion of the exposed wall would be greater than 3 feet on average. The Board asked that this information be noted on the Master Use Permit plans. See CONDITIONS—DESIGN REVIEW below.

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

At the Early Design Guidance meeting, the Board requested a section drawing and descriptions on how the loading drive lane and retaining wall will be screened for views from the Queen Anne Bowl.

At the Final Recommendation meeting, the Board reviewed the service/fire access drive lane and screening to the Queen Anne Bowl. The Board asked that the service loading dock gate be located where the pedestrian walkway is not blocked by vehicles when in the gate is in an open/closed position. This information shall be noted on the Master Use Permit plans. See CONDITIONS—DESIGN REVIEW below.

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

At the Early Design Guidance meeting, the Board asked about the occurrence and location of emergency vehicles (ambulances). Aegis responded that they expect emergency vehicles will come to the main front door entering through the courtyard drop-off area and historically this happens less than once a week.

At the Final Recommendation meeting, the Board reviewed the circulation for the emergency vehicles and was satisfied with the design. They did ask that the gate for the service/fire access be located where no vehicle would block the sidewalk if the gate were open or closed. The Board asked that this information be noted on the Master Use Permit plans. See CONDITIONS—DESIGN REVIEW below.

*A-10 **Corner Lots.** Building on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.*

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.*

At the Early Design Guidance meeting, the Board asked DPD staff to clarify the intent of the structure width provision in the code. DPD expressed that the code doesn't anticipate senior living facilities and the need for these types of structures to be interconnected for operational purposes. The structure width standard set for LR2 zones sets a limit to avoid long linear facades with no modulation and its focus is mostly for apartment buildings.

The preferred option shows a very generous setback to preserve vegetation and mitigate the potential impact of a long façade along W Florentia St. This gesture was seen as a positive feature of the preferred option and a good way to mitigate potential impacts in exchange of granting the departure.

In addition to landscape, the building should be treated with modulation and articulation along the East façade facing the Northwest Center’s Child Development Program property.

The preferred option shows a very generous setback to preserve vegetation and mitigate the potential impact of a long façade along W Florentia St. This gesture was seen as a positive feature of the preferred option and a good way to mitigate potential impacts in exchange of granting the departure.

At the Initial Recommendation meeting, the Board commented that the style, scale and details break down the apparent building size successfully. The Board agreed that the overall architecture is well designed and they supported the whimsical dome concept. The Board also noted support for the arched entry below the bridge. The appreciated the attractive renderings are gorgeous, but would like to see more architectural details, as well as how the building is responding to the challenging topography.

The Board considered the idea of the ‘Roof Porch’ extending over the loading dock, however they agreed that this would result in a longer building façade and would not resolve the truck issue.

At the Final Recommendation meeting, the Board indicated the east elevation materials and color details presented were incomplete. The Board asked that this information be added to the Master Use Permit plans. See CONDITIONS—DESIGN REVIEW below.

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

At the Early Design Guidance meeting, the Board Chair noted that the 2 absent Board members (Kurfirst, Black) expressed their support via e-mail for the preferred alternative (#3) and for the structure width departure (see attached). These comments were handed out to the design team.

The Board expressed that the bridge as shown in the EDG packet illustrations show a rather institutional character that conflicts with the residential character of the rest of the building.

At the Final Recommendation meeting, the Board was informed that the neighborhood contains a wealth of typologies, with high quality architecture and a historic context. The applicant presentation featured a Queen Anne Victorian style, which includes façades with Fishscale Shingles, board and batting, bay windows with detailed panel areas, and various façade areas with bracketed soffits/cresting. The Board agreed that the architectural language was appropriate and they were satisfied with the design response presented.

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.*

At the Initial Recommendation meeting, the Board noted that the color scheme should be further broken up on the east façade. The preferred contrasting color scheme was also preferred by the Board as helpful in breaking down the building scale, but they would like to see additional “playful” application of color. The Board agreed that the architectural language is responding much better to the neighborhood than previous scheme.

The Board is concerned about materials and requested to see a materials board including a sample of the metal roofing.

See C-3 above.

C-5 ***Structured Parking Entrances.** The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.*

At the Final Recommendation meeting, the Board had no further comments on this subject, as the design responded adequately to the guideline.

D. Pedestrian Environment

D-2 ***Blank Walls.** Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.*

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

At the Early Design Guidance meeting, the Board noted that the treatment of the retaining wall at the south property line should be clearly addressed in future meetings. (D-2, D-3)

At the Initial Recommendation meeting, the Board agreed that the retaining walls should add scoring to reduce the scale of the walls. The board also suggested that the north walls be terraced to break down the scale of the blank wall. The Board also requested that the applicant study methods to minimize the perceived height of the retaining walls. For example, planting in front of concrete wall with some detail viewed from the sidewalk might work.

At the Final Recommendation meeting, the Board asked that the main vehicle entry drive retaining wall be landscaped where there would be limited areas of exposure. See CONDITIONS—DESIGN REVIEW below.

D-4 ***Design of Parking Lots Near Sidewalks.** Parking [access] near sidewalks should provide adequate security and lighting, avoid encroachment of vehicles onto the sidewalk, and minimize the visual clutter of parking lot signs and equipment.*

At the Initial Recommendation meeting, the Board noted they were comfortable with the current configuration presented showing a screened loading area creating a visual connection between upper building terrace and the bowl.

At the Final Recommendation meeting, the Board noted that the fence along the Queen Anne Bowl should be ornamental steel (or similar) and black color. Additionally, the gate at the service loading dock area should be designed for clear pedestrian travel on the public sidewalk when in the open/closed position. See CONDITIONS—DESIGN REVIEW below.

D-5 Visual Impacts of Parking Structures. *The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.*

D-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.*

At the Early Design Guidance meeting, one Board member questioned if limiting the height of the loading dock would handicap the building operations through the life of the building.

Other members of the Board recognized that granting the departure to reduce the loading dock height is an overall good feature since this would limit the size of vehicles accessing the loading areas.

The Board also recognized that the same departure was granted for another project from the same applicant.

At the Final Recommendation meeting, the Board discussed this guideline in the context of the departure request.

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

At the Early Design Guidance meeting, the Board noted that the parking garage entrance off Florentia Street should be designed carefully to maximize sight lines, retaining walls with landscaping to promote pedestrian safety. (D-7, E-3)

At the Final Recommendation meeting, the Board addressed this guideline under A-6.

D-10 Commercial [Exterior/Interior] Lighting. *Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.*

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

At the Initial Recommendation meeting, the Board commented that there should be a very legible entry sequence and it should be clarified that the walkway is separated from the driveway. The Board would also like to see details of the lighting and way-finding signage at the entry.

At the Final Recommendation meeting, the Board reviewed the walkway design, way-finding character, and lighting details and indicated that they were satisfied with the proposal. See CONDITIONS—DESIGN REVIEW below.

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 Initial Recommendation meeting, the Board noted that the rendering does not show the details of the bioswale and noted that it is unreasonable to expect to this feature to hide headlights coming down the hill. The applicant should minimize the wall. The Board would like to see these details at the next meeting. The road curves so the headlights are not constant in one direction; this is sufficient and there does not need to be additional screening. The Board appreciated the graciousness of ramp and separation of the pedestrian circulation from drive aisle.

At the Final Recommendation meeting, the Board reviewed the driveway, bioswale, and the retaining wall and stated that they want DPD to make sure that no vertical portions of the retaining wall have more than 3'0" on average of exposed wall. See CONDITIONS—DESIGN REVIEW below.

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.*

At the Initial Recommendation meeting, the commented — about landscaping and how it is modulating — a conditioned responses that what parks agreed to with Aegis at that codified — there is a memorandum.

At the Final Recommendation meeting, the Board reviewed the landscaping and they were satisfied with the proposal, subject to the Board Recommended Conditions of approval below.

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

At the Early Design Guidance meeting, the Board noted DPD confirmed that VIA and Aegis is already working with an arborist to identify and preserve significant trees.

At the Initial Recommendation meeting, the Board requested to see a perspective sketch from middle of the Bowl and specifically requested a graphic showing the building with and without landscaping. The Board would like to better understand the relationship between building and the field.

In the bowl, the Board supported the sense of enclosure and would like to reinforce this with taller trees on either side of the terrace offering permeability in center. The Board suggested shielding lights from the units by adding some conifers.

The Board expressed their concern about the survivability of the vegetation along the green screen and the pedestrian view of the green walls.

At the Final Recommendation meeting, the Board reviewed the landscaping and they were satisfied with the proposal. See CONDITIONS—DESIGN REVIEW below.

Design Standard Departures

The Board's recommendation on the requested departure(s) will be based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departure(s). The Board's recommendation will be reserved until the final Board meeting.

At the time of the meeting, the following departures were requested:

- 1. Structure Width (SMC 23.45.527):** The Code requires that structure width and façade length limits in LR 2 zones for apartments may not exceed 90'. The applicant proposes approximately 245' structure width parallel to 3rd Ave West in lieu of three code-compliant 90' wide structures, which would be in compliance with code but would be much closer to the abutting streets. The departure better meets the Design Guidelines as it allows the preservation of all exceptional trees that are not hazardous, and provides a much greater than required 35 foot setback along West Florentia and approximately 30 foot setback along 3rd Ave West.

The Early Design Guidance meeting and the Initial Recommendation meeting, the Board indicated they were favorable towards the departure. The siting and design provides a sensitive transition to the less intensive development in the vicinity and the proposal creates a height, bulk, and scale (B-1) anticipated.

At the Final Recommendation meeting, the Board recommended approval of the departure as the design better meets the intent of guideline B-1. See CONDITIONS—DESIGN REVIEW below.

- 2. Loading Berth Requirements (SMC 23.54.035 C.2.):** The Code requires loading areas for a "medium demand" use are required to be 14' tall and 35' long. The applicant proposes to reduce those dimensions to 12' vertical clearance and 25' depth, in recognition of the smaller size of trucks servicing this use, as well as to better achieve the intent of the Design Guidelines by reducing the amount of required excavation and reducing the visual impacts of the loading area on the Queen Anne Bowl.

The Early Design Guidance meeting and the Initial Recommendation meeting, the Board indicated they were favorable towards the departure. The applicant's operational needs do not warrant a loading berth beyond what is proposed. (A-8, E-3)

At the Final Recommendation meeting, the Board recommended approval of the departure as the design better meets the intent of guideline A-8. See CONDITIONS—DESIGN REVIEW below.

- 3. Access to Parking (SMC 23.45.536):** The Code requires that a corner lot may choose which street is used. The applicant proposes access from two streets — resulting in less site disturbance and less excavation, thus allowing the preservation of all non-hazardous Exceptional trees.

The Early Design Guidance meeting and the Initial Recommendation meeting, the Board indicated they were favorable towards the departure. They agreed that the proposal results in a logical separation in vehicle traffic that minimizes the intrusion of the site's natural features and topography.

At the Final Recommendation meeting, the Board recommended approval of the departure as the design better meets the intent of guideline A-8. See CONDITIONS—DESIGN REVIEW below.

- 4. Structure Width (SMC 23.45.527):** The Code requires that structure width and façade length limits in LR 2 zones for apartments may not exceed 90'. The applicant proposes approximately 245' structure width parallel to 3rd Ave West in lieu of three code-compliant 90' wide structures, which would be in compliance with code but would be much closer to the abutting streets. The departure better meets the Design Guidelines as it allows the preservation of all exceptional trees that are not hazardous, and provides a much greater than required 35 foot setback along West Florentia and approximately 30 foot setback along 3rd Ave West.

The Early Design Guidance meeting and the Initial Recommendation meeting, the Board indicated they were favorable towards the departure. The siting and design provides a sensitive transition to the less intensive development in the vicinity and the proposal creates a height, bulk, and scale (B-1) anticipated.

At the Final Recommendation meeting, the Board recommended approval of the departure as the design better meets the intent of guideline B-1. See CONDITIONS—DESIGN REVIEW below.

- 5. Loading Berth Requirements (SMC 23.54.035 C.2.):** The Code requires loading areas for a "medium demand" use are required to be 14' tall and 35' long. The applicant proposes to reduce those dimensions to 12' vertical clearance and 25' depth, in recognition of the smaller size of trucks servicing this use, as well as to better achieve the intent of the Design Guidelines by reducing the amount of required excavation and reducing the visual impacts of the loading area on the Queen Anne Bowl.

The Early Design Guidance meeting and the Initial Recommendation meeting, the Board indicated they were favorable towards the departure. The applicant's operational needs do not warrant a loading berth beyond what is proposed. (A-8, E-3)

At the Final Recommendation meeting, the Board recommended approval of the departure as the design better meets the intent of guideline A-8. See CONDITIONS—DESIGN REVIEW below.

- 6. Access to Parking (SMC 23.45.536):** The Code requires that a corner lot may choose which street is used. The applicant proposes access from two streets — resulting in less site disturbance and less excavation, thus allowing the preservation of all non-hazardous Exceptional trees.

The Early Design Guidance meeting and the Initial Recommendation meeting, the Board indicated they were favorable towards the departure. They agreed that the proposal results in a logical separation in vehicle traffic that minimizes the intrusion of the site's natural features and topography.

At the Final Recommendation meeting, the Board recommended approval of the departure as the design better meets the intent of guideline A-8. See CONDITIONS—DESIGN REVIEW below.

DECISION – DESIGN REVIEW

After considering the proposed design and design solutions presented in relation to previously prioritized design guidelines and after having heard public comments on the project’s design, the five Design Review Board members present unanimously recommended conditional approval of the subject design with conditions noted below and unanimously recommended conditional approval of the requested design departures¹.

The Director of DPD has reviewed the recommendations of the Design Board members present at the final Design Review recommendation meeting and finds that the Board acted within its authority and the Board’s recommendations are consistent with the *City of Seattle Design Review: Guidelines* and do not conflict with regulatory requirements.

Therefore, the proposed design is conditionally approved as presented at the February 19th 2014 Design Review Board meeting.

CONDITIONS

Design Review conditions are listed at the end of this report.

ANALYSIS – SEPA

This analysis relies on the *Environmental (SEPA) Checklist* for the proposed development submitted by the applicant which discloses the potential impacts from this project. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Seattle SEPA ordinance provides substantive authority to require mitigation of adverse impacts resulting from a project (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific adverse environmental impacts identified in an environmental document and may be imposed only to the extent that an impact is attributable to the proposal. Additionally, mitigation may be required only when based on policies, plans, and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675, inclusive, (SEPA Overview Policy, SEPA Cumulative Impacts Policy, and SEPA Specific Environmental Policies). In some instances, local, state, or federal requirements will provide sufficient mitigation of a significant impact and the decision maker is required to consider the applicable requirement(s) and their effect on the impacts of the proposal.

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, 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 specific circumstances (SMC 25.05.665 D 1-7) mitigation can be required.

¹ Mindy Black (Chair), Katherine Idziorek, Jill Kurfirst, Boyd Pickrell, and Janet Stephenson.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the environment are subject to the Overview Policy (e.g., Traffic and Transportation). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate.

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.

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.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos or other hazardous substances during demolition. The applicant will take the following precautions to reduce or control emissions or other air impacts during construction:

- During demolition, excavation and construction, debris and exposed areas will be sprinkled as necessary to control dust and truck loads and routes will be monitored to minimize dust-related impacts.
- Using well-maintained equipment and avoiding prolonged periods of vehicle idling will reduce emissions from construction equipment and construction-related trucks.
- Using electrically operated small tools in place of gas powered small tools wherever feasible.
- Trucking building materials to and from the project site will be scheduled and coordinated to minimize congestion during peak travel times associated with adjacent roadways.

These and other construction and noise management techniques shall be included in the Construction Impact/ Noise Impact Management Plan to be submitted for approval prior to issuance of construction permits.

Traffic and Circulation

Site preparation would involve removal of the existing on-site building and asphalt pavement and excavation for the foundation of the proposed building and below grade parking garage. Approximately 19,550 cubic yards of material would be excavated and removed from the site.

Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible.

Traffic impacts resulting from the truck traffic associated with the removal of the existing building and excavation for the foundation of the proposed building will be of short duration and mitigated in part by enforcement of SMC 11.62. This immediate area is subject to traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675 B (Construction Impacts Policy) and SMC 25.05.675 R (Traffic and Transportation) additional mitigation is warranted.

The construction activities will require the export/import of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other building 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. Assuming contractors use double loaded trucks to export/import grade/file material, with each truck holding approximately 20 cubic yards of material, thus requiring approximately 978 truckloads (1,955 trips) to remove the estimated 19,550 cubic yards of excavated material.

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

City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

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 – Use-Related Impacts

Earth

The project site has been identified as in a steep slope and potential slide area. SMC 25.05.908 provides that the scope of environmental review of a project within a critical area is limited to: 1) documenting whether the proposal is consistent with the City’s Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes evaluating the need for additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and applicable environmental laws.

DPD has reviewed the proposal and determined that this action will not result in significant adverse impact to the ECA environment. Codes and development regulations applicable to the project will provide sufficient mitigation for most anticipated impacts.

Transportation and Parking

The applicant submitted a Transportation Impact Analysis (TIA) prepared by the Transpo Group in September 2013. This report evaluated existing traffic conditions in the study area, estimated the total amount of new traffic to be generated by the project, and evaluated the impacts of those trips on traffic operations in the study area. It also estimated the likely peak parking demand of the project, and assessed the impacts of that demand on nearby on-street parking availability.

The TIA estimated the project's trip generation using data from the Institute of Transportation Engineers' *Trip Generation* manual (9th edition) for similar facilities. Based on the anticipated number of beds in the facility, roughly 406 daily vehicle trips and 43 trips in the PM peak hour are expected. These new trips were distributed on the nearby roadway network, with half expected to travel to and from the south on 3rd Avenue W, 35 percent to and from the east along W Florentia Street, and 15 percent to and from the north on 3rd Avenue W. Based on trip distributions, traffic impacts were evaluated at the intersections of 3rd Avenue W with W Dravus Street, W Florentia Street, and W Fulton Street. During the PM peak hour, all intersections are forecast to operate acceptably (level of service D or better); project traffic is expected to add no more than three seconds of delay to movements at these intersections, which would be largely unnoticeable to the average driver. The project is not expected to result in any substantial transportation impacts, and no mitigation is necessary.

A small number of trips would be made by the Aegis passenger van and various delivery vehicles and garbage/recycle trucks. Loading and unloading of the passenger van would occur in the interior courtyard; the van would be stored in the below-grade garage when not in use. Delivery trucks would use the service access dock off of 3rd Avenue W; based on delivery activity at similar facilities, about four truck deliveries per week are expected at this site. The on-site storage bay would allow trucks to turn around within the site, avoiding backing in from or encroaching onto 3rd Avenue W.

Based on Transpo's parking demand analysis, the project is expected to generate a peak parking demand of about 53 vehicles; this demand would occur in the late morning. As 47 parking spaces are proposed on-site, the project would have a parking spillover of about six vehicles at peak times. A parking study was conducted in the late morning and early afternoon to measure existing levels of on-street parking utilization within 800 feet of the project site. Currently, between 52 and 55 percent of on-street spaces are occupied during these times. The project would impact on-street parking in two ways: the additional on-street parking demand identified above, and the removal of five parking spaces along 3rd Avenue W to accommodate new curb cuts. With the project, on-street utilization would remain largely similar to current conditions; the utilization rate would increase to between 55 and 57 percent in the late morning and early afternoon. Based on this level of parking availability, no adverse impact to parking around the site is expected, and no mitigation is required.

Transportation Concurrency

The City of Seattle has implemented a Transportation Concurrency system to comply with one of the requirements of the Washington State Growth Management Act (GMA). The system, described in DPD's Director's Rule 5-2009 and the City's Land Use Code is designed to provide a mechanism that determines whether adequate transportation facilities would be available "concurrent" with proposed development projects. The evaluated screen-lines included in the TIA would all continue to operate below the concurrency threshold with construction of the project. As a result, no concurrency-related mitigation is warranted or required for the project.

Noise

Operational noises generated as a result of this proposal are consistent with the permitted uses in a multi-family residential zone. Noise generated as a result of the project is not expected to be significant and therefore no mitigation is required or warranted.

Height, Bulk, and Scale

The design guidelines are intended to mitigate height, bulk and scale impacts under SEPA. A project that is approved pursuant to the design review process is presumed to comply with the City's SEPA policies regarding height, bulk, and scale. Through the design and environmental review process, DPD has found no evidence that height, bulk or scale was not adequately addressed through the design review process and compliance with the design guidelines. As such, no additional mitigation regarding height, bulk and scale is warranted or required.

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).

The proposed action is **APPROVED WITH CONDITIONS.**

CONDITIONS – SEPA

During Demolition, Excavation, and Construction

1. For the duration of the removal of the existing building, excavation of materials, and delivery of construction materials; the owner(s) and/or responsible party(ies) shall cause truck trips to and from the project site to cease during the hours between 4 PM and 6 PM on weekdays.
2. Debris and exposed areas shall be sprinkled as necessary to control dust; a truck wash and quarry spall areas shall be provided on-site prior to the construction vehicles exiting the site if scoop and dump excavation is not used; and truck loads and routes shall be monitored to minimize dust-related impacts.

CONDITIONS-DESIGN REVIEW

Prior to Issuance of the Master Use Permit (MUP)

Revise MUP Plans to reflect the following:

3. The main vehicle entry drive — shall be designed with a profile (with cross-sections intervals) that shows a vertical wall exposure of no more than 3'0" on average. A note shall also be added to say 'that landscaping will be installed on any vertical parts of the wall that are exposed more than 3'0"'.

4. At the NE corner of the site at the access stairway from Florentia, a gate shall be installed at the mid-point landing to discourage through-traffic by pedestrians. Signage should be considered near the pedestrian sidewalk noting this as a 'dead end' or not available to the general public.
5. All public/group interior spaces facing the Queen Anne Bowl shall be lit with motion-activated lighting.
6. All exterior light fixtures must be shielded or obscured so there is 'no visible luminaire from the fixture.'
7. The fence along the Queen Anne Bowl should be ornamental steel (or similar) and black color.
8. Provide elevations with material and color designations [as illustrated] and those presented in the meeting with confirmation that, accent bay color distribution is consistent with the northwest bay shown on page 6 of the final recommendation packet, dated February 19th 2014. Parapet walls shall be consistent with the cornice trim as shown on the east elevation. Additionally, playfulness of elements such as the dome, trim detailing and accent panels shall be maintained.
9. The gate at the service/fire access shall be located for clear pedestrian travel on the public sidewalk when in the open/closed position.
10. The landscape design presented at the final recommendation meeting shall be documented in the MUP plans. Additionally, the hardscape shown (newel posts and bench at south patio and ornamental handrail at 3rd Ave walkway) shall be documented in the MUP plans.

During Construction

11. Any major proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval by the Land Use Planner assigned to the project.
12. Substantial compliance with all images and text on the MUP drawings, as modified by this decision and approved shall be verified by the Land Use Planner assigned to this project. An appointment with the assigned Land Use Planner must be made at least three working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that substantial compliance has been achieved.

Signature: (signature on file) Date: July 10, 2014
Colin R. Vasquez, Senior Land Use Planner²
Department of Planning and Development

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