



City of Seattle

Department of Planning and Development

Diane M. Sugimura, Director

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

Application Number: 3014111
Applicant Name: Matt Driscoll
Address of Proposal: 3801 Stone Way North

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow a four to five-story structure with 273 residential units, 8,215 square feet of commercial use, four live/work units and 261 parking stalls. Review includes 27,778 cubic yards of grading.

The following approvals are required:

Design Review - Seattle Municipal Code (SMC) Section 23.41

SEPA - Environmental Determination pursuant to SMC 25.05

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions*

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

* Notice of the Early Determination of Non-significance was published on April 25, 2013.

PROJECT DESCRIPTION

The applicant proposes to design and construct a residential building with 273 residential units, 8,215 square feet of commercial use, four live/work units and 261 parking spaces. The proposed demolition would remove several commercial structures.

The applicant provided three design options at the first early design guidance meeting. Commonalities of the three approaches include the desire to locate the primary residential lobby near the site's northeast corner, the garage entrance and solid waste storage on N. 38th St.,

commercial use along Stone Way N. with the larger portion of it anchoring the corner with N. 38th St., and live/work units on Woodland Park Ave N. The building mass of all schemes wraps, almost nautilus-like, around the site's lengthy perimeter leaving an open space at the center. Scheme #3, unlike the other options, sets back from the north property line leaving an open space that also serves as a passageway.

The four to five-story massing of option #1 varies little at the upper levels until it erodes somewhat as the volumes approach the southwest corner. Option #2's parti provides a cut or chasm (varying in width) along the east/west axis connecting Stone Way N. to Woodland Park Ave. The separation creates a rectangular shaped volume extending along the north property line and two other volumes, one defining the southeast corner and the other smaller rectangular volume extending from Woodland Park Ave to the site's center. The heights of Option #3's volumes vary little from one another. The volume which houses the live/work units is the most distinct of the three schemes as the rectangular block's length extends parallel to Woodland Park.

Residential open space occurs generally in the center of the site directly above the parking garage and on one or two roof tops closer to the Woodland Park Ave frontage. Only scheme #3 departs from this model by locating exterior amenity space on the north side and on a roof sandwiched between taller volumes.

By the second EDG meeting, the applicant submitted a revised concept featuring a slightly modulated Stone Way N. façade with an open portal leading into a courtyard enclosed on most sides. Characteristics of the scheme include commercial spaces at the north and south corners of the structure along Stone Way N. and double loaded corridors of residential units that wrap around the edges of the site along the north, east and south. On the western portion of the irregular shaped site, the façade contains live/work units at grade and additional apartments above the units. A secondary residential entrance occurs on the Woodland Park Ave N. elevation. This lies directly across the courtyard opposite the entry on Stone Way N. Another portion of the overall building mass extends from Woodland Park Ave eastward splitting the courtyard roughly two districts --- a narrow band extending east/west saddled between three wings of the building and a larger north/south court near the center of the site. In mass, the entire building appears to have a continuous roof line. Parking access would occur on N. 38th St. at a location topographically lower than the bulk of the complex.

At the Initial Recommendation meeting, the applicant introduced refinements to the scheme discussed at the second EDG meeting.

By the Final Recommendation meeting, the applicant significantly revised the facades and the programming along Stone Way N. in response to the Board's guidance. The modifications include a clearer definition of the four masses or pavilions that comprise the east elevation, a revision to the parapets to reflect this division and the sloping grade, changes to the veneers and an expansion of the plaza. The N. 38th St. and Woodland Park Ave N. elevations also witnessed changes to the parapets and articulation of the masses. Relocation of commercial and amenities spaces along Stone Way N. increased the amount of commercial space directly fronting Stone Way.

SITE & VICINITY

Located in the Fremont Hub Urban Village the large irregularly shaped site lies within a Commercial One (C1) zone with a 40 foot height limit. The terrain's declension, roughly 20 feet, occurs from the northwest to the southeast corner.

Existing uses on the site include single family and duplex residential uses, retail, commercial (office and retail), warehouse and surface parking lots. Businesses occupying the site consist of Michaelo Espresso Inc. a coffee equipment supplier, Rockler Woodworking, and Hy-Lite Mirror and Glass.

The ten parcel site comprises roughly 72,390 square feet including 200 linear feet of frontage on Woodland Park Ave N., 216 feet on N. 38th St. and 290 feet on Stone Way N. The development site includes a large portion of the block bounded by Bridge Way, N. 39th St., Stone Way N., N. 38th St. and Woodland Park Ave N. Its irregular shape occurs, in part, due to the presence of parcels not controlled by the developer at the northeast, northwest and southwest corners. The only true corner within the boundaries of the proposal lies at Stone Way N. and N. 38th St. Several commercial structure warehouses the materials for a roofing company. The site possesses a small mapped steep slope environmental critical area (ECA). A DPD geo-tech reviewer approved the project.

C1-40 zoning extends north to N. 39th St. and south to the Burke Gilman Trail along Woodland Park Ave N. South of N. 38th St., C2 40 and C2 30 zoning extends along Stone Way N. Multi-family Lowrise One (LR1) begins midway between Stone Way N. and Interlake Ave N. The commercially zoned corridor along Stone Way changes to LR 3 to the west of Albion Place N. The site lies within the Fremont Hub Urban Village.

Other businesses sharing the block include University Reprographics, Sea Gear, the Episcopal Bookstore, Kane Environmental, Dovetail, Inc., and the Bridgeway Building (offices).

Mostly one and two story structures populate the vicinity with the exception of the Bridgeway Building, the Prescott and the Oslo Towers, a residential structure across N. 39th St. Construction trade businesses represent a considerable share of commercial land use along the Stone Way N. corridor. Other neighboring buildings include Stoneway Electric Supply to the south, Bastyr Center to the southeast, Pacific Rim Automotive, Seattle Interiors and Fusions Beads to the east.

A minor arterial street, Stone Way North runs north and south connecting Wallingford, North 45th Street, the Green Lake area, Fremont, and the north Lake Union waterfront. A separate bike lane travels north bound along Stone Way N. and a shared vehicle/bike lane (sharrow) runs southbound. Bridge Way North, also a minor arterial, connects Aurora Ave. N. to Stone Way N. North 39th Street, a local street, forms the northern boundary of the project site. Stone Way N. and N. 39th St. have curbs and sidewalks. Classified as a local street, Woodland Park Ave. N. connects to Bridge Way N. and provides southern views towards downtown Seattle. N. 38th St. is classified as a collector street.

ANALYSIS - DESIGN REVIEW

Public Comments

Eighteen people affixed their names to the *first EDG Meeting* sign-in sheet. The attendees raised the following issues:

Programming

- Favors placing live/work units on Woodland Park Ave.
- Placement of live/work along 38th St. is preferable.

Open Space

- The amount of new residential projects in the area warrants creating a nice open space on N. 38th St. There is the potential for considerable amounts of pedestrian traffic.
- Create a significant open space along Stone Way.
- Likes how the architect described openings and terraces.
- Don't close off public access to the site.

Street front Amenities

- Create a 12 to 16 foot sidewalk along Stone Way.
- Provide continuous and deep overhead weather protection along the adjacent streets. Stagger the canopies along Stone Way to reflect grade.
- Each storefront entry should be at grade rather than above or below it.
- On N. 38th St. create a wide sidewalk with overhead weather protection.
- Adequate amounts of transparency on N. 38th St. are needed.

Massing

- Set back the structure at the upper levels.
- Chamfer the corners similar to the project under construction to the south of Tutta Bella restaurant further north on Stone Way.
- Focus on articulating the upper floors.

Other

- Provide a model for the next meeting.
- On the next iteration of drawings show roof top mechanical penthouses.

At the *second EDG meeting*, ten people signed-in. Comments included the following:

Open Space

- The open space concept is pathetic.
- The southeast corner does not provide sightlines for vehicles and pedestrians.
- The east/west open space will be cold and shadowed from the height and bulk of the proposed buildings.
- The roof open space should not face Stone Way. It ought to be located on the west side.

Relationship to the Streets

- Increase the width of the sidewalk on Stone Way.
- On Woodland Park Ave N. there should be more space between the sidewalk and the structure. This would create more space for personal safety reasons.

Massing

- The roof is a single horizontal plane. The roofline should follow the topography.
- The building should step back along Stone Way and Woodland Park.
- There are three major building elements of the complex. Each deserves the same attention as a separate building project.
- The east façade is too planar. It looks like paint was spilled on it.

- Create three distinct pavilions along Stone Way.
- Break the buildings vertically as well as horizontally.
- The mass on Stone Way should be divided into three pavilions which should step down the hillside with the topography.
- Step the elevation to echo the slope.

Materials

- The design should have the following characteristics: one predominant color, brick and overhead weather protection.
- The ground floor should be brick. It is a successful theme along the Stone Way corridor.

Context

- The booklet has no contextual analysis. It should have sketches depicting the proposal within the neighborhood.
- The building turns its back on the neighborhood.
- This is a really big project at a major location. The design disrespects the Wallingford and Fremont communities surrounding it.
- The drawings are not accurate in their depiction of the surroundings. The true context is much different from what is shown.
- It is impossible to discern from the drawings what impacts this building will have. There is no context.

Safety

- The design ought to follow Crime Prevention Through Environmental Design (CPTED) practices. The north end will be dark and narrow.
- There are not good enough sight lines. Crime in this area is a concern.
- The designer makes assumptions about the commercial space. However, the spaces do not look safe.

Commercial Use

- Commercial uses should extend the length of Stone Way. The height of these spaces should be no less than 15 feet.
- The commercial spaces are too small. They will be worthless.
- The property takes up one-half of a super block. Most of the ground floor should be commercial.
- There should be more commercial use on Stone Way.

Other

- The proposed design doesn't follow the guidelines.
- The drawings presented are incomprehensible. The architect has done an "excellent job of not showing anything".
- This project needs a lot of work.
- The Board should not give up on this project. There is a lot to be done.
- The applicant didn't respond to the first EDG meeting.

DPD received one letter expressing skepticism that the project will provide safe and comfortable work or living spaces for its residents. "Those facing on the 'courtyard' may find themselves feeling like little creatures held hostage every time there is a barbeque party just outside their own 'patios'. The rooftop design seems quite broken into small spaces that will become disincentives for use by residents. Units opening onto the street will feel very exposed while those on the north side will feel as if they've been stashed away in a cave."

GUIDELINES

After visiting the site, considering the analysis of the site and context provided by the proponent, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified highest priority by letter and number from the guidelines found in the City of Seattle’s “Design Review: Guidelines for Multi-family and Commercial Buildings”.

PRIORITIES

A	Site Planning
----------	----------------------

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

EDG Meeting #1: Acknowledging the site’s slope toward Lake Union, potential views, and the irregular shape of the development site provides inherently exciting possibilities for the design.

EDG Meeting #2: The Board objected to a roof that forms one horizontal plane. The roof line should step down the hillside echoing major shifts in massing needed along Stone Way N.

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

EDG Meeting #1: See guidance for A-4.

EDG Meeting #2: The Board objected to the architect’s characterization of Woodland Park Ave., noting the street’s commercial character. The design should match the lovely, smaller scale commercial character along this street.

For both commercial edges (Stone Way and Woodland Park), the Board expects to see a great commercial edge. These uses should have overhead weather protection to enhance the quality of the pedestrian experience along the two streets. On Woodland Park, the fronts of the live/work units should be articulated to express its clear commercial use.

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

EDG Meeting #2: The residential entry on Woodland Park Ave. N. is not clearly distinguished from the commercial live/work units (see A-2). The architect will need to show how the entry sequence functions as well as how the access to the courtyard works. See guidance D-12 for the Board’s discussion of the residential entrance on Stone Way.

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

EDG Meeting #1: The Board emphasized the importance of this guideline as it pertains to both the corner of N. 38th St. and Stone Way and along the Stone Way corridor. Plazas should connect the residential and commercial uses to the street. The placement of live/work units on Woodland Park Ave implicitly creates a need for a pedestrian oriented design approach to these commercial units. The fronts of the units, whether they sit at the property edge or provide a transitional space in front of the unit, should encourage pedestrian activity.

EDG Meeting #2: The Board reiterated its earlier guidance for A-4, human activity. Characteristics need to comply with this guideline include commercial storefronts along the entire Stone Way façade, functional plazas at or near mid-block on Stone Way and at the corner of Stone Way and N. 38th St., a well defined commercial base, and commercial storefronts for the live/work units along Woodland Park Ave. N.

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.

EDG Meeting #2: The lack of accurate and realistic illustrations of the surrounding context in the EDG packet baffled the Board. Without this essential information, the Board stated that it hampered the ability to provide informed guidance regarding the relationship of the proposed structure with the adjacent buildings. The residential units and live/work units at the north property lines, adjacent to University Reprographics, and near the corner building at N. 38th St. and Woodland Park Ave N. are problematic as they will likely create dark outdoor spaces and inhibit natural light into the units. Together these issues warrant security concerns. The units and their outdoor spaces along the edges of the property should either have greater setbacks from the property lines or the architect must show how the units at the edges and those with outdoor patios would create a positive living environment.

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

EDG Meeting #1: Along all three street edges, the design must celebrate the transition between the residential use and the streetscape. The Board will want to see an imaginative contribution to the streetscape.

EDG Meeting #2: The Board observed that the applicant did not respond to the earlier guidance to create comfortable and secure transitions between Woodland Park Ave and the live/work units and between Stone Way and the commercial/leasing uses. Wider sidewalks on Stone Way would contribute to a more pleasant pedestrian environment and wider landscaping along Woodland Park Ave N. between the live/work units and the sidewalk is required.

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

EDG Meeting #1: The large site offers ample room for a variety open spaces that differ in size and amount of privacy. Open spaces along Stone Way N. and at the corner of 38th Ave. may accommodate both residential and commercial tenants.

EDG Meeting #2: The open space concept(s) did not succeed on several levels. A significant open space fronting Stone Way should work in concert with a major break in the massing. This open space may lead to the inner courtyard but there needs to be a plaza fronting Stone Way that acts as a forecourt to the inner open space formed by the three masses. The portal alone does not succeed as a significant element of the Stone Way elevation.

The Board asked for a larger open space at the southeast corner, possessing extensive transparency into the commercial space, and better sight lines for pedestrian and vehicular traffic along the N. 38th St. right of way.

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.

EDG Meeting #1: The placement of the garage access on N. 38th received Board endorsement.

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.

EDG Meeting #1: See the Board deliberation (guideline D-1) on the value of creating open space at the corner of N. 38th St. and Stone Way N. Attributes of the open space should include a strong connection to the commercial uses at the corner, openness to the sky rather than sheltered underneath the building mass, and a strong connection to the pedestrian realm.

Given the project's close proximity to the corner of Bridge Way N. and Woodland Park Ave N., the project design should acknowledge the intersection. Renderings of the design should illustrate a perspective from the intersection.

EDG Meeting #2: The Board noted that the open space at the southeast corner did not meet the expectations that the earlier guidance above provided. A significant reworking of this open space must be completed before returning to the Board.

The design presented at the 2nd EDG meeting did not acknowledge the corner at Bridge Way N. and Woodland Park Ave. N as requested at the earlier meeting. The Board reiterated the importance of distinguishing the massing and the detailing at this visible location as a singular element of the overall architectural composition.

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.

EDG Meeting #1: The transition of the Stone Way corridor from a warehouse and building supply district to a vital and pedestrian oriented mixed use center with residential, retail and some office is well underway. Relatively new mixed use buildings at N. 45th St and the future offices of Brooks Shoe, establish bookends with a series of large mixed use buildings including Stone Way Village at N. 40th and Bridge Way, a nearly complete mixed use structure between N. 44rd St. and N. 43rd, smaller infill projects and a proposal at Stone Way Roofing Supply. Commonalities of the larger new construction projects include generous open spaces associated with the pedestrian realm, retail uses fronting Stone Way and use of brick as a significant building material.

EDG Meeting #2: Disagreeing with the architect's assumptions about the use of brick along the southern portion of Stone Way and the nature of commercial uses along Woodland Park Ave N., the Board noted that several buildings had brick facades including the well designed Stone Way Electric Supply (across 38th Ave N.). The Board strongly urged the use of brick either at the building base to define the commercial base or use it as a means of defining one or more of the distinguishing masses that will be developed along Stone Way. The pervasive industrial character of the existing surrounding structures represents one convincing leitmotif as way of informing the proposal's design. The horizontality, clean lines, use of one dominant color, and minimum of material changes that characterize these structures should influence the building design.

- 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.**

EDG Meeting #1: The Board considers this guideline a high priority. The architect's reworking of the conceptual design and massing must clearly convey a strong architectural concept endowed with an understandable hierarchy of massing and uses. The structure should have a significant shift and change in the mass at a point one-third or one-half the length on Stone Way which may accommodate the open space.

The Board generally favored the massing of the live/work as shown on Option #3.

EDG Meeting #2: Reiterating the earlier guidance above, the Board members emphasized the need for a simpler organizational hierarchy on the Stone Way façade than presented at the second meeting. Three separate pavilions with a major break structured around a significant open space and roof lines stepping down the grade were discussed as one possible approach.

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

EDG Meeting #1: Due to the project's considerable size, in particular its length along three streets, the architect must find solutions to provide a level of detail, modulation and compositional arrangement that clearly contributes to a sense of human scale. Strive to show clearly how the grade is managed along the slope and its relationship to the proposed program.

EDG Meeting #2: The renderings presented at the meeting did little to convince the Board that the development team met the expectations sought at the first EDG meeting. Distinguishing a commercial base from the upper residential floors, use of brick or stone at the base, expansive amounts of transparency along the frontage at Stone Way, and open space integrated with the structure on Stone Way and the uses at the base would all act to provide a convincing sense of scale that reduces the overall composition from the larger massing ideas based on urban form and neighborhood character to one that has an intimate appeal to the senses.

- 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.**

EDG Meeting #1: Board members expressed a desire for a clean, elegant Stone Way façade free of frequent changes in color, texture and modulation, citing the Stone Way Electric Supply (in debt to the Dutch de stijl movement) as an example of strong horizontal lines, subtle variations in mass and minimal fluctuations in color and materials.

EDG Meeting #2: Restating its earlier guidance, the Board discussed the desire for brick as a means of defining the commercial base or using it to clad one or more of the major building masses. The design ought to take its cues from some of the better nearby structures.

The color rendering presented with muted, subtle colors was preferred to the elevations with multiple color combinations. The Board did not want color applied to the façades to indicate minor shifts in the vertical plane or to imply changes in massing that do not actually occur.

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.

EDG Meeting #1: The quality of the N. 38th street frontage will depend upon minimizing the size of the garage entrance and enhanced detailing of the garage door and the façade of the adjacent trash area.

EDG Meeting #2: The Board did not dwell on this issue at the 2nd EDG meeting.

D. Pedestrian Environment

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

EDG Meeting #1: The Board endorsed the placement of a significant open space along Stone Way. The open space should inform the massing of the complex. Locating open space along the site's north portion (as in Option #3) met with resistance. The open space ought to introduce porosity to the revised parti by creating a permeable connection to the courtyard. Open spaces should generally not be covered by building mass. Level changes may signify the extent of residential privacy.

The Board also supported a smaller plaza at the corner of Stone Way and N. 38th St. to support the commercial uses located there. Again, the space should not be covered as shown in Options #1 and #3. The space ought to spill out into the right of way.

EDG Meeting #2: The applicant did not address the earlier guidance. The Board reiterated its expectation outlined in the above guidance. See also A-7 and C-2.

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.

EDG Meeting #1: The proximity of the solid waste storage to the garage made sense. Its presence along the N. 38th St. streetscape should not form a blank wall. At the Recommendation meeting, the applicant will need to represent whether solid waste pick up occurs internal or external to the structure. The latter may require screening.

EDG Meeting #2: The operations and screening of service areas did not receive attention at this meeting. The guidance from the earlier meeting remains relevant.

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

EDG Meeting #1: Design of open spaces should provide safe and secure environments. Depending upon the open spaces' relationship to the street frontages, the open space will have lesser or greater amounts of defensible spaces.

EDG Meeting #2: Responding to concerns conveyed during the public comment period and their own observations, the Board members noted that considerable work needs to be accomplished to show that the edges of the site are secure, yet at the same time, inviting to the building residents. See guidance for A-5, Respect for Adjacent Sites. Realistic perspectives and other architectural drawings will need to be presented at the

Recommendation meeting. Design of fences, gates and other landscape elements shall be included.

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

EDG Meeting #1: At the Recommendation meeting, the applicant will need to show the placement and style of signage.

EDG Meeting #2: The applicant will need to present concept signage ideas at the next meeting.

D-10 Commercial Lighting. Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. 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.

EDG Meeting #1: Incorporate the Wallingford community's specified pedestrian lighting fixtures along the rights of way, if allowed by SDOT, or in the plazas and other open spaces adjacent to the ROWs if not.

EDG Meeting #2: Provide a concept lighting plan at the Recommendation meeting.

D-11 Commercial Transparency. Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

EDG Meeting #1: The Board noted the guideline's high priority for them.

EDG Meeting #2: At the very least, the design of the commercial fronts on both Stone Way and Woodland Park Ave should comply with the Land Use Code regulations; the Board would not likely consider a departure from transparency or blank wall regulations.

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

EDG Meeting #1: Both the safety of the residential entries and their visibility will be an important Board consideration.

EDG Meeting #2: The major residential building entry/portal sequence perplexed the three reviewers. Circulation should be simpler and more apparent. The open space to be designed on Stone Way should be formed by the building structure and not sheltered by an overhead ceiling or soffit.

E. Landscaping

E-2 Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.

EDG Meeting #1: Provide a well developed landscape plan at the Recommendation meeting.

EDG Meeting #2: The landscaping along the site's edges appeared meager and enervate. The Board expects a much more robust landscape plan that forms special places in the courtyard, helps define the open spaces along Stone Way and N. 38th St. and provides a pleasant pedestrian experience along the three conterminous streets.

The location of the roof deck on the east side of the complex overlooking Stone Way received support.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a Design Review and SEPA components on April 18, 2013.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted Initial and Final Recommendation Meetings on August 19 and October 21, 2013 respectively to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meetings, site plans, elevations, floor plans, landscaping plans, and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

Public Comments

Twenty-two people affixed their names to the *Initial Recommendation* meeting sign-in sheet. The attendees raised the following issues:

Programming

- Increase the amount of real commercial space. All spaces need to be deeper and larger.
- The project will need lots of bike lockers. The building should have direct access to the bike storage area.
- Deep bay depths on retail don't invite good retail.
- Deeper retail spaces are needed.
- Move the leasing office away from the street. Add commercial where the leasing office is designated. The leasing can still be part of the plaza but it should face the courtyard.

Massing

- The treatment of the corner at Stone Way and 38th St. is attractive.
- The three pavilions are not evident on Stone Way.
- Increase the height of the brick on the northern most mass along Stone Way.
- Set back the structure at the upper levels.
- Chamfer the 38th and Stone corner similar to the Noble Apartments just south of Tutta Bella restaurant on Stone Way.
- The roof is a single horizontal plane. The roofline should follow the topography.
- The parapets are weak. The structure needs a greater step down along Stone than what is shown.

Relationship to the Streets

- Increase the depth of the overhead weather protection on 38th St and on Stone Way. (mentioned by several speakers)
- Ensure that the amount of transparency remains at the corner of 38th St. and Stone Way.
- The bike storage area should not be located on Stone Way where the space ought to be commercial. Locate bike storage on 38th St. or in the garage. (Reiterated by others)

Open Space

- The area devoted to open space is impressive.

Amenities

- The greenhouse is appealing.
- The dog amenity on the roof is a nice feature.

Other

- Ensure that the project consumes less energy and water consumption.
- Many of the security concerns raised at the earlier meetings have been addressed.
- The design is attractive.

DPD received approximately 15 letters commenting on the proposal. Topics include impacts on traffic congestion, parking, pedestrian and vehicular safety, bulk and scale, and the large trees on Stone Way and on the site. Authors favored greater building setbacks from Stone Way, more robust landscaping, greater amounts of open space, and a design that reflects the industrial heritage of the neighborhood. A letter questioned the accuracy of the proposed floor area ratio (FAR), the loss of small businesses and the small size of the proposed commercial spaces.

Eleven members of the public added their names to the *Final Recommendation* meeting sign-in sheet. Many of the people who spoke praised the changes to the design. The following summarizes the evening's comments:

Stone Way elevation

- Revise the blank wall facing Stone Way to make it more pleasing. (Mentioned by several speakers.) Other speakers supported the blank wall.
- Place art on the wall or install windows.
- The blank wall will attract graffiti.
- Place overhead weather protection over the blank wall.
- Drop the canopy over the entry bay in order to provide adequate protection from the weather.
- The columns at the entry are too thin. These need to have better proportions.
- If a bank leases the 38th & Stone Way corner space, there must be a condition to ensure clear, transparent windows.

Amenity areas

- The bike room needs adequate space.
- The Board hasn't discussed the placement of the roof top amenity area.
- The greenhouse is a good idea.
- Increase the amount of space at the plaza for the commercial uses. The crescent walls should be pushed further back from the street.

Other

- This project is an example of a good outcome through the design review process.

RECOMMENDATIONS

A Site Planning

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

Initial Recommendation Meeting: The very modest changes in parapet heights on Stone Way and Woodland Park Ave did not satisfy the Board's expectation that the building's roof line actually step down as the slope changes. See discussion for guideline C-2.

Final Recommendation Meeting: The applicant revised the parapets along the three abutting streets. The Board accepted the changes which both simplified the design and accentuated the differences in the heights of the masses.

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

Initial Recommendation Meeting: At all of the design review meetings, the Board emphasized the prospect of a great commercial edge along Stone Way. The placement of the bike storage room and the leasing office along Stone undermines this desire for the community. Revise the programming to add commercial space at these locations. See discussion under guidance A-4.

The Board did not discuss the design of the live/work units on Woodland Park Ave.

Final Recommendation Meeting: Responding to the Board's directives, the applicant shifted the bike storage room to N. 38th St. and increased the amount of commercial space near the entry portal and elsewhere along Stone Way. The Board welcomed the modifications.

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

Initial Recommendation Meeting: By prioritizing the bike storage area and the leasing office to front onto Stone Way N., the applicant has overlooked the community desire to have commercial storefronts engaging with this important corridor. Relocate the bike storage area to N. 38th St. either on the street or inside the garage. Shift the leasing office away from Stone Way and have it face the courtyard where the drawings currently show an amenity area. The areas once designated for bike storage and leasing should be used for commercial use ensuring that future development encourages human activity on the street.

Final Recommendation Meeting: The relocation of the bike storage area and the enhancement of the commercial spaces met with the Board's approval (see A-2).

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.

Initial Recommendation Meeting: The applicant added space between the proposed structure and the adjacent buildings to the north. The Board did not comment on either this relationship or the building's proximity to the other two adjacent businesses.

Final Recommendation Meeting: This issue did not generate discussion at the meeting.

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

Initial Recommendation Meeting: The Board did not comment on the transitions between the sidewalk on Woodland Park Ave and the live/work units and the two-story residential units, the subject of the second EDG meeting.

For discussion of the primary residential entry on Stone Way N. see Board guidance for D-1.

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

Initial Recommendation Meeting: Repeating much of the concerns raised at the second EDG meeting, the Board directed the applicant to revise the nature of the plaza entry area on Stone Way. See D-1 guidance.

Deliberation did not focus on the design of the sunken courtyard or the roof top garden.

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.

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.

Initial Recommendation Meeting: Discussion did not dwell on the design for the commercial corner at Stone Way and N. 38th St. with the exception that transparency remains critical for the success of the commercial space.

The vertical corner bay of windows should assume a different plane than the adjoining east and south elevations.

Final Recommendation Meeting: The architect adjusted the corner bay at 38th and Stone Way to conform to the Board's earlier wishes.

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.

Initial Recommendation Meeting: The use of limestone on the façade received commendation. The brick module relates to many of the older and now new mixed use structures in the neighborhood.

Final Recommendation Meeting: The use of brick on the corner masses received Board praise.

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.

Initial Recommendation Meeting: Board members, as well as the public, noted the strides in overall design development since the EDG meetings. The Stone Way façade exudes more restraint and calm than earlier versions. The subject elevation, in part, remains diffident to guidelines A-1, site characteristics, and A-2, streetscape compatibility. The minimal changes in parapet heights ignore the significant sloping terrain. From the right of way, the slight variation in the parapet won't be acknowledged. The central portion of the scheme lacks a coherent relationship to the street. Accessory uses to the residential component (bike storage, leasing office) consume much of the street frontage and their placement leaves them significantly above or below grade.

In addition to the above, other elements of the three major pavilions (and an entry gasket) work against the elevation from appearing as a refined ensemble. Unlike the other large mixed use projects recently reviewed or built along Stone Way, this project has neither a significant setback along the frontage (3636 Stone Way) nor a strategy such as the Prescott to create three or four visually arresting pavilions. (Staff note: Part of the difficulty of evaluating the subject elevation is that the perspective renderings use foliage

to obscure the architecture.) The Board provided the following ideas to create a stronger A,B,C,A rhythm on the façade:

- Changes in materials ought to signify changes in the vertical plane.
- The upper levels on the bookend pavilions should step back from the predominant brick plane.
- Raise the height of the limestone on the northern segment to create a more coherent association with the south segment.
- The lantern at the southeast corner ought to stand proud of the prominent vertical plane.
- The central “B” segment needs distinguishable or identifiable characteristics in spite of it representing the longest segment and projecting forward from its adjacent planes. Consider changing the design of the parapet as part of the revisions.

The roof line on Woodland Park Ave N must step down in plane as it follows the descent of the terrain.

Final Recommendation Meeting: The Board lauded the overall changes to the Stone Way façade. Several aspects of the design generated discussion and ensuing conditions. At the two-story portal at the formal entrance, the Board, following-up public comments, recommended that the architect adjust the proportions of the two, two-story columns in relationship to the breadth of the overall opening and mass. The columns should remain sandblasted concrete and not clad in another material.

Considerable discussion focused on the expanse of ground level blank wall at the mid-section of the façade, in which a portion of a larger commercial space lies behind the wall. The overall amount of glazing along Stone Way meets the zoning code regulations and the Board acknowledged both the extent of fenestration and the improvement to the design since the first Recommendation meeting. Suggestions for modifying the wall included adding windows, changing material, revealing the concrete foundation and supplying artwork. The Board recommended that the blank portion of the wall needs slight articulation. The architect should explore alternatives and work with city staff.

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

Initial Recommendation Meeting: Discussion focused on the overhead weather protection. The Board decided that continuous canopies were not a necessity rather the architect should increase the depth of the canopies to extend into the rights of way when they do not interfere with the existing street trees.

Final Recommendation Meeting: The applicant widened canopies and added them to portions of the frontages on Stone Way and N. 38th St. No other revisions to the marquees were requested.

Two elements of the design require more detailed illustration and potential refinement: 1) the accoutrements such as decorative railings, canopies and balconies and 2) the bridge at level two that stretches across the open passageway from Stone Way to the central courtyard. City staff will review and approve the design of these elements.

- 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.**

Initial Recommendation Meeting: The Board indicated a preference to see the brick on the northern pavilion raised another floor.

Final Recommendation Meeting: In response to the previous guidance, the architect raised the level of brick on the north pavilion to meet the cornice.

- 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.**

D. Pedestrian Environment

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

Initial Recommendation Meeting: Redesign the entry/plaza on Stone Way to address three issues: the need for an appropriate scale for such a large project; the importance of providing the appropriate type of programming surrounding the space; and the desire to create an open space that allows tenants and customers to collect and socialize. As presented to the Board and the public, the space appears small and tunnel-like, accentuating circulation rather than providing a plaza or heart. A Board member stated that it resembled a wide thorough fare without a place to pause or gather.

Enlarge the portal by creating a two-story opening that befits a façade length of nearly 300 feet. Rearrange the open space to emphasize gathering over passage, this space ought to complement commercial spaces that will flank it. See the discussion in guidance A-4 to relocate the leasing office for additional commercial space to adjoin the plaza. The south wall of the north commercial space ought to have glazing visually connecting to the plaza. These changes will create a space for people to occupy and that will supplement the adjacent commercial uses.

Final Recommendation Meeting: The applicant response met all the expectations set forth in the Initial Recommendation meeting. The more capacious entry, both vertically and horizontally, creates a welcoming entrance and promenade as well as a substantial plaza, shared by commercial tenants and residents, with sitting areas, a fountain and low or pony walls with multiple purposes. The commercial spaces now have entries and windows that connect the spaces to the plaza.

The low concrete wall along N. 38th St should not create a dead end for pedestrians but rather open-up on the west end of the linear plaza between the commercial space and the sidewalk.

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

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

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

Initial Recommendation Meeting: The Board did not discuss the concept signage images for the commercial spaces.

Final Recommendation Meeting: Signage did not produce any discussion at the meeting.

D-10 Commercial Lighting. Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. 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.

Initial Recommendation Meeting: The Board did not discuss the lighting plan. Earlier Board notes on incorporating Wallingford community specified pedestrian lighting fixture remain relevant.

Final Recommendation Meeting: Discussion did not alight on this element of the design.

D-11 Commercial Transparency. Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

Initial Recommendation Meeting: The Board conveyed its interest in ensuring maximum transparency along Stone Way and N. 38th St.

Final Recommendation Meeting: See the discussion of the blank wall under C-2.

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

Initial Recommendation Meeting: The primary residential entry's emphasis on circulation overlooks the desire to combine passage with a plaza that supplements flanking commercial spaces. See guidance for D-1.

Final Recommendation Meeting: The redesign of the entry plaza accommodates increased outdoor areas for the flanking commercial uses and the residents.

E. Landscaping

E-2 Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.

Initial Recommendation Meeting: Add patterns and variations to the paving design along the rights of way to articulate entries, plazas and corners. Patterns, street identification markers, etc. on the ground plane will help imbue the project with a sense of place.

Final Recommendation Meeting: Noting that the paving patterns designed by the landscape architect spill into the three adjacent rights of way, the Board wished to ensure that the design receive SDOT approval. The land use planner will need to work with SDOT and the applicant to find a satisfactory solution if the current design does not meet SDOT's standards.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the October 21, 2013 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the October 21st public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the five Design Review Board members present unanimously recommended approval of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed below).

The Board recommended the following **CONDITIONS** for the project. (Authority referenced in the letter and number in parenthesis):

- 1) At the two-story portal announcing the formal entrance, adjust the proportions of the two, two-story columns in relationship to the breadth of the overall opening and mass. The columns should remain sandblasted concrete and not clad in another material. (C-2)
- 2) The portion of blank wall at ground level on Stone Way needs a slight amount of articulation. The architect should explore alternatives and work with city staff. (C-2)
- 3) Two elements of the design require more detailed illustration and potential refinement:
a) the accoutrements such as decorative railings, canopies and balconies and b) the bridge at level two that stretches across the open passageway from Stone Way to the central courtyard. City staff will review and approve the design of these elements. (C-3)
- 4) Open the west end that forms the plaza between the commercial space and the N. 38th St sidewalk to avoid creating a dead end for users. (D-1)
- 5) Ensure that the paving patterns designed by the landscape architect spill into the three adjacent rights of way. The land use planner will need to work with SDOT and the applicant to find a satisfactory solution if the current design does not meet SDOT's standards. (E-2)

DIRECTOR'S ANALYSIS - DESIGN REVIEW

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

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated April 18, 2013. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

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

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, construction impacts, traffic and parking impacts as well as its mitigation.

Noise

Noise associated with construction of the mixed use building and future phases could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts.

Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

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

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

Air Quality

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

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. In order to ensure that PSCAA will be notified of the proposed demolition, a condition will be included pursuant to SEPA authority under SMC 25.05.675A which requires that a copy of the PSCAA permit be attached to the demolition permit, prior to issuance. This will assure proper handling and disposal of asbestos.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

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

The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

Excavation to construct the mixed use structure will be necessary. The maximum depth of the excavation is approximately 33 feet and will consist of an estimated 27,780 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Impacts

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Traffic and Parking

Duration of construction of the apartment building may last approximately 18 months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675 B and M). Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Due to the large scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, the applicant will need to provide a construction worker parking plan to reduce on-street parking until the new garage is constructed and safe to use. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 27,780 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 2,778 round trips with 10-yard hauling trucks or 1,389 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

Long-term Impacts

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

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with

these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, green house gas emissions, traffic, parking impacts, and historic preservation warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's 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.

Historic Preservation

The existing buildings on the subject site were reviewed by the Department of Neighborhoods and determined that it is unlikely, due in part to a loss of integrity, that the existing structures would meet the standards for designation as an individual landmark.

Traffic and Transportation

The proposed apartment development would produce approximately 1,384 new daily vehicular trips, with 122 net new week day, PM peak hour trips. The addition of the mixed use building would not cause nearby intersections and the site access to degrade to an unsatisfactory level of service. All off-site study intersections would operate at the same Level of Service (LOS) as a future without project conditions with minimal increases in average vehicle delay caused by adding project related trips to the roadway network. No SEPA mitigation of traffic impacts to the nearby intersections is warranted.

Parking

Seattle Municipal Code does not require any residential parking to be provided in the Fremont Hub Urban Village. Based on the transportation consultant's analysis the number of vehicles owned per renter occupied unit ranges from 1.07 to 1.11. Therefore, the 276 units would generate a parking demand from 295 to 306 spaces. The 265 parking spaces in the garage would create a potential deficit of 30 to 41 spaces. Use of Transportation Demand Management practices would reduce the parking demand by approximately 10%. Elements of the plan include proximity to transit, carpooling options, Zip Car and Car2Go services, installation of 78 bicycle spaces and a bike repair shop. Implementation of these services would reduce demand to an estimated 275 vehicles to occur overnight. The expected spillover would be ten vehicles. As the project will be closing several curb cuts on Stone Way N., N. 38th St. and Woodland Park Ave N., it is likely that the increase in on-street parking spaces will be close to the amount of spillover demand. The project is likely to have a minimal impact on on-street parking away from the project site.

The analysis also notes that the commercial spaces will generate a peak parking demand of about 14 vehicles. In order to accommodate this demand, spaces in the garage will need to be shared by the residential and commercial users during the day. As residential parking peaks after 9:00 pm and before 6:00 am and retail/restaurant parking peaks after 10:00 am and before 9:00 pm, the ability to share the residential parking spaces with the commercial uses during the day would allow an efficient use of the available parking.

Summary

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

DECISION - SEPA

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

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

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance

Revise plans sets to show:

1. At the two-story portal announcing the formal entrance, adjust the proportions of the two, two-story columns in relationship to the breadth of the overall opening and mass. The columns should remain sandblasted concrete and not clad in another material.
2. The portion of blank wall at ground level on Stone Way needs a slight amount of articulation. The architect should explore alternatives and work with city staff.
3. Two elements of the design require more detailed illustration and potential refinement: a) the accoutrements such as decorative railings, canopies and balconies; and b) the bridge at level two that stretches across the open passageway from Stone Way to the central courtyard. City staff will review and approve the design of these elements.
4. Open the west end that forms the plaza between the commercial space and the N. 38th St sidewalk to avoid creating a dead end for users.
5. Ensure that the paving patterns designed by the landscape architect spill into the three adjacent rights of way. The land use planner will need to work with SDOT and the applicant to find a satisfactory solution if the current design does not meet SDOT's standards.

Prior to Building Application

6. Include the departure matrix in the zoning summary section on all subsequent building permit plans. Add call-out notes on appropriate plan and elevation drawings in the updated MUP plans and on all subsequent building permit plans.

Prior to Commencement of Construction

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

Prior to Issuance of all Construction Permits

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

Prior to Issuance of a Certificate of Occupancy

9. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 206.615-1392). An appointment with the assigned Land Use Planner must be made at least one week in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

For the Life of the Project

10. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce Rips, 206.615-1392). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

CONDITIONS – SEPA

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

11. Provide a construction traffic management plan including a worker parking plan with the intent to reduce on-street parking.
12. Attach a copy of the PSCAA demolition permit to the building permit set of plans.

During Construction

13. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M:
 - A. Surveying and layout.
 - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
 - C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

14. In addition to the Noise Ordinance, requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:
 - A. Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
 - B. Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
 - C. Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
 - D. Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
15. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.
16. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

For the Life of the Project

17. Reserve 14 spaces in the garage for shared commercial and residential tenant parking.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Bruce Rips, (206-615-1392) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.

Signature: (signature on file) Date: January 9, 2014
Bruce P. Rips, AAIA, AICP
Department of Planning and Development