



**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 & DEVELOPMENT**

**Application Number:** 3014209  
**Applicant Name:** Clayton Smith, Bumgardner Architects  
**Address of Proposal:** 101 NW 85<sup>th</sup> Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a five story mixed use structure, with 105 residential units, and approx. 8,900 sq. ft. of retail use at grade. Parking for 86 vehicles will be located at and below grade. All existing structures to be demolished.

The following Master Use Permit components are required:

**Design Review** (SMC Chapter 23.41) with Development Standard Departures:

1. Access to Parking (SMC 23.47A.032.1.a).
2. Access to Parking (SMC 23.47A.032.1.a).

**SEPA-Environmental Determination** (Chapter 25.05 SMC)

**SEPA DETERMINATION:**

Determination of Non-significance

- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts.

Site Zone: Neighborhood Commercial 2-40 (NC2-40)

Nearby Zones: To the north, across NW 85<sup>th</sup> St. the zone is NC3P-65. To the east the zone is NC2P-40. Directly to the west the zoning is NC2-40. To the south, across the alley the zone is SF5000.

Lot Area: 29,390 square feet.

Project Description: The proposed project is for the design and construction of a 5-story mixed use building with 105 residential units and retail space along NW 85th St. Parking for 86 vehicles is to be provided in a below grade garage and behind the retail space. Approx. 15,400 cubic yards of soil will be removed from the site.



The proposed structure will have 4 stories of residential units ranging from studios to two bedroom units. The ground level will have approximately 8,894 sq. ft. of retail space that will be accessed off of NW 85<sup>th</sup> St. and through a covered terrace at the corner of 1st Ave NW and NW 85<sup>th</sup> St. The residential lobby, leasing office and tenant spaces including a fitness room, bike club room and storage will be located to the west of the retail space. A stair leads up to a lounge and outdoors terrace on the second level. Retail parking for 19 vehicles will be located behind the retail space and accessed from 1<sup>st</sup> Ave NW. A level of below grade residential parking for 66 vehicles will be accessed off of NW 85<sup>th</sup> St. Two residential van accessible parking spaces are located with the retail parking.

Current Development: The site is currently occupied by a vacated single story commercial structure and two single family residences. These structures will be demolished prior to construction of the proposed project.

Access: The site is bordered by NW 85<sup>th</sup> St. to the north, 1<sup>st</sup> Ave NW to the east and an alley to the south.

Surrounding Development: The site is located midway in a stretch of Neighborhood Commercial zoning along NW 85<sup>th</sup> St that stretches between 15<sup>th</sup> Ave NW and Aurora Ave. Across NW 85<sup>th</sup> St. to the north is a large Fred Myer site and two long blocks of mostly lowrise commercial development east to Greenwood Ave N. Directly to the west of the site is a 1980's three-story mixed use building. To the east across 1st Ave NW is a 1960's two-story commercial structure. South of the alley is an extensive single family zone that was developed in the early 1900's.

Environmentally Critical Area's: None

Neighborhood Character: This section of NW 85th St. is a busy arterial mostly fronted by one and two story commercial structures built in the mid 1900's. There are a few older one-story retail buildings closer to Greenwood Ave. There is no strong or consistent architectural style to the retail structures. The single family residential blocks are typical of Seattle's housing stock built between 1900 and 1930.

## DESIGN REVIEW

### EARLY DESIGN GUIDANCE MEETING: June 24, 2013

The packet presented at the EDG meeting is available online by entering the project number (3014209) at this website:

[http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp).

The EDG packet is also available to view in the EDG file, by contacting the Public Resource Center at DPD:

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

**Email:** [PRC@seattle.gov](mailto:PRC@seattle.gov)

Three alternative design schemes were presented. All options showed a small covered outdoor dining area along 1<sup>st</sup> Ave NW.

The first scheme (Option 1) showed the applicants preferred option. This option proposed pulling the residential floors towards NW 85th St providing a 24' plus setback from the south lot line. Twenty two parking stalls on the ground level would be accessed by a 24' extended alley curb cut from 1st Ave NW. Eighty four parking stalls would be accessed a driveway off NW 85th St. Two departures were required for access to parking.

The second scheme (Option 2) showed an option that pushed the residential floors away from NW 85th St and closer to the south lot line at the alley. Twenty two parking stalls on the ground level would be accessed by a 24' extended alley curb cut at 1st Ave NW. Eighty four parking stalls would be accessed from NW 85th St. Three departures are required, two for access to parking and one from the residential setback requirement.

The third scheme (Option 3) showed the code compliant option. This option proposed pulling the residential floors towards NW 85th St providing a 24' plus setback from the south lot line. Thirty parking stalls on the ground level and 78 stalls below grade would be accessed from the alley.

Departures were requested for residential setbacks along the north and west property lines and slope of the parking access ramp.

#### Public Comment

Several members of the public were present. The following comments, issues and concerns were raised at this meeting:

- Stated that at a community meeting about the project people were supportive of having parking accessed from NW 85th St.
- Objected to allowing more height to the project.
- Concerned about the height of the project.
- Concerned about increasing the width of the alley as 1<sup>st</sup> Ave NW is a Green Street.

- Encouraged the applicant to be creative in providing privacy for the single family residences across the alley.
- Encouraged bioswales be part of the landscaping.
- Encouraged access to parking from NW 85th Street instead of the alley.
- Concerned about allowing access to the site from 1st Ave NW as it is a Green Street.
- Encouraged the residential floors be located towards NW 85th and away from the single family zone.

**RECOMMENDATION MEETING: March 10, 2014**

The packet presented at the Initial Recommendation meeting is available online by entering the project number (3014209) at this website:

[http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp).

The Initial Recommendation packet is also available to view in the project file, by contacting the Public Resource Center at DPD:

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

**Email: [PRC@seattle.gov](mailto:PRC@seattle.gov)**

The applicant presented the project which was an evolution of the preferred scheme from EDG. The structure has four stories with 104 residential units atop the ground level, which has approximately 9,100 sq. ft. of retail space. The residential lobby will be accessed off of NW 85<sup>th</sup> St. A small covered open 'terrace' will be located at the corner of NW 85<sup>th</sup> St and 1<sup>st</sup> Ave NW. The residential floors are located towards NW 85th St. providing a 20' plus setback from the south lot line. Twenty commercial parking stalls are located at the back of the street facing ground level and are accessed by a 23' extended alley curb cut on 1st Ave NW. Sixty-six parking residential stalls are accessed off of NW 85th St. from a 23' wide curb cut. Two departures are requested for access to parking.

**Public Comment**

Several members of the public were present. The following comments, issues and concerns were raised at this meeting:

- Expressed that the proposal will enhance the neighborhood.
- Approved of the angled windows on the south elevation facing the SF zone.
- Questioned the use of the dark toned siding.
- Encouraged the design be built as presented at the meeting.
- Encouraged the Board to grant the departure for a curb cut on NW 85<sup>th</sup> St. to allow for vehicle access to parking.
- Encouraged all parking be accessed from NW 85<sup>th</sup> St. [The applicant noted that due to the high water table at the site, only one level of parking can be provided below grade.]
- Wanted clarification on how exiting from the commercial parking via the alley will work.
- Concerned about the angle of the parking entry/exit at the alley.

- Concerned that the commercial parking users will travel at fast speed. Suggested use of a speed bump. [The applicant noted that the curved entry to the parking will slow vehicles down.]
- Questioned how pedestrians will be kept off the ramp into the alley parking.
- Encouraged public art be included as part of the design.

## **PRIORITIES & BOARD RECOMMENDATIONS**

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 Neighborhood specific guidelines are summarized below. For the full text please visit the [Design Review website](#).

### **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.**

At the Early Design Guidance Meeting, the Board encouraged creative massing of the upper floors of the project while acknowledging the limitations of the rectangular site and the location of a residential zone to the south. See also Guideline B-1.

At the Recommendation Meeting, the Board expressed their approval of how the project has addressed their earlier guidance and this guideline.

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

**Greenwood/ Phinney-specific supplemental guidance:**

- A. Reinforcement of Commercial and Residential Development Patterns: Commercial development in the Greenwood/Phinney corridor has historically been oriented toward the street, with buildings up against the sidewalks. Most residential developments have modest landscaped setbacks and first floors are built slightly above grade to allow for privacy and a sense of transition from the street. Continuing this pattern will reinforce the character of both the business districts and residential areas.**
- B. Treatment of Side Streets: Some treatment of side-streets off of Greenwood Avenue North and 85th Street is important to create an effective transition to residential neighborhoods. Some options to consider include:**
- setbacks with view-framing landscaping
  - arbors with hanging plants;
  - small outdoor spaces with trees and landscaping.

At the Early Design Guidance Meeting, the Board encouraged the ground floor provide a design with a strong one-story ‘banding’ to mimic the scale of older nearby one-story retail structures. See also Guideline C-1.

The applicant is proposing a covered outdoor dining area off of 1<sup>st</sup> Ave NW. The Board encouraged this, but would like to see sketches and more information on how this space will function and interact with the pedestrian scale and activity.

At the Recommendation Meeting, the Board expressed their approval of how the project has addressed their earlier guidance and this guideline.

**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 encouraged screening of the amenity space on the terrace adjacent to the alley and single family zone. The Board encouraged the applicant to orient windows on the south facing elevation so that sightlines are away from the single family residences across the alley.

At the Recommendation Meeting, the Board expressed their approval of how the project addressed this guideline and their guidance. As the south end of the alley will be used for access to and exiting from the commercial parking, the Board suggested the applicant use art to soften the concrete wall at the garage entry. Lighting should be shielded from spillover and glare into the single family lots to the south. Signage should not be intrusive. See Guideline A-8.

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

At the Early Design Guidance Meeting, the Board asked if the roof will be used to provide amenity space for the residents. The applicant stated that it had not been determined yet, amenity space will be provided at the terrace along the alley.

At the Recommendation Meeting, the Board expressed their approval of how the project addressed this guideline.

**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 spent much time discussing this issue as the applicants preferred option will take access from NW 85<sup>th</sup> St and a widened alley curb cut off of 1<sup>st</sup> Ave NW, both of which will need departures.

The Board indicated that they need to see a traffic analysis of impacts to the surrounding area before they can make a decision to grant these departures. The traffic report should present analysis on the code compliant option where all access is from the alley and the applicants preferred option with access from NW 85th St. and 1st Ave NW.

The Board also indicated they would like to know more about the Green Street designation of 1<sup>st</sup> Ave NW and what implications the designation may have for the design of the project.

[Staff note: DPD has expressed concern about access from NW 85<sup>th</sup> St.]

At the Recommendation Meeting, the Board expressed that the developments vehicle use of the alley should be minimized to lessen the impact on the current pedestrian and vehicular use of the alley by the adjacent single family residents. The extended alley curb cut will provide access to 20 commercial use parking spaces right off of 1<sup>st</sup> Ave NW.

The Board noted that the location of the 23' curb cut on NW 85<sup>th</sup> St. will be close to the midpoint of the blockface and should not have much impact on pedestrian flow along the street. The Board stated that signage at the garage entrance must clearly indicate that the entry is for residential parking only.

The Board approved the two requested curb cuts for access to the residential parking from NW 85<sup>th</sup> St and the widened alley at 1<sup>st</sup> Ave NW for access to commercial parking. See the Departure section 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.**

At the Early Design Guidance Meeting, the Board identified this guideline as high priority but did not discuss this guideline.

At the Recommendation Meeting, the Board expressed their approval of how the project addressed this guideline.

<b>B. Height, Bulk and Scale</b>
----------------------------------

**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.**

**Greenwood/ Phinney-specific supplemental guidance:**

**A. Impact of New Buildings on the Street:** Consider the setback of upper stories of new mixed-use development on Greenwood Avenue North and North/Northwest 85th Street to reduce the dominance of new buildings on the street.

**B. Zone Edges:** Careful siting, building design and massing are important to achieve a sensitive transition between more intensive and less intensive zones. Consider design techniques including:

- increasing the building setback from the zone edge at the ground level;
- reducing the bulk of the building's upper floors nearest to the less intensive zone;
- reducing the overall height of the structure; and
- using of extensive landscaping or decorative screening.

*Design departures:* If alternative techniques are used to successfully achieve a sensitive transition between these zones, the following departures are suggested for consideration by applicants and board members to offset the loss of any development opportunity within the Greenwood/Phinney neighborhood:

- relax the minimum size limit for nonresidential uses—allow up to a 15 percent reduction in the required commercial area; and

- **relax the residential amenity or setback requirements.**

At the Early Design Guidance Meeting, the Board encouraged creative massing of the upper residential levels and to sensitively respond to the adjacent zone and residential neighborhood to the south.

At the Recommendation Meeting, the Board expressed their approval of how the project addressed this guideline and their guidance.

## **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.**

**Greenwood/ Phinney-specific supplemental guidance:**

- A. Signage: The design and placement of signs plays an important role in the visual character and identity of the community. Key aspects of this effort are to ensure that the signs are at an appropriate scale and fit in with the building’s architecture and the local district. Small signs are encouraged in the building’s architecture, along a sign band, on awnings or marquees, located in windows or hung perpendicular to the building façade. The following signs are generally discouraged:**
- **Large illuminated box (back-lit “can”) signs, unless they are treated or designed to be compatible with the character of surrounding development. Back-lit awnings should be limited to one horizontal-mounted lighting tube. Small neon signs are an alternative as long as they are unintrusive to adjacent residences.**
  - **Pole-mounted signs. Small monument signs are encouraged as part of low walls**
  - **screening parking and abutting pedestrian-oriented space. Design should not present a visibility problem to a driver, pedestrian or bicyclist.**
- B. Façade Articulation and Modulation: Façade articulation and modulation in the Greenwood/Phinney Ridge Planning Area are most critical in multi-family residential buildings. Use of façade articulation and architectural elements is encouraged to make new construction compatible with the surrounding architectural context. Architectural features such as those listed below can add further interest to a building, and lend buildings a human scale:**
- **Pitched roof**
  - **Covered front porch**
  - **Vertically proportioned windows**
  - **Window trim and eave boards**

At the Early Design Guidance Meeting, the Board encouraged the ground floor provide a design with a strong one-story ‘banding’ to mimic the scale of older nearby one-story retail structures. See also Guideline A-2.

The applicant is proposing a covered outdoor dining area off of 1<sup>st</sup> Ave NW. The Board encouraged this, but would like to see sketches and more information on how this space will function and interact with the pedestrian scale and activity.

At the Recommendation Meeting, the Board expressed their approval of how the project has addressed their earlier guidance and this guideline.

**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.**

**Greenwood/Phinney-specific supplemental guidance:**

- A. Architectural Styles:** The Greenwood Avenue North/Phinney Avenue North and North/Northwest 85th Street corridors are characterized by their utilitarian, non-flamboyant, traditional architectural styles (except for churches). Some important points to consider in making new development consistent and compatible with existing development include:
- small-scale architectural details at the ground level, including color, texture/patterns, materials, window treatment, sculptural elements, etc;
  - landscaping is an important component of the overall character, particularly for residential development; and
  - personalization of individual businesses is a key feature of both corridors.
- B. Building Entrances:** Almost all of the existing buildings located at corners along the Greenwood Avenue North/Phinney Avenue North and North/Northwest 85th Street corridors have entrances at the corner. Even when the principal off-street parking areas are located on the side of the building, a primary building entrance should be located at the corner. This concept is consistent with traditional neighborhood commercial designs and important in facilitating pedestrian activity at the street corners.

At the Early Design Guidance Meeting, the Board did not directly discuss this issue but did indicate that the project will need to provide a strong retail presence along NW 85<sup>th</sup> St. and provide for privacy for the residential zone to the south with creative treatment of the residential floors fenestration and amenity spaces.

The applicant is proposing a covered outdoor dining area off of 1<sup>st</sup> Ave NW. The Board encouraged this but would like to see sketches and more information on how this space will work.

At the Recommendation Meeting, the Board expressed their approval of how the project addressed this guideline and their guidance.

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

**Greenwood/ Phinney-specific supplemental guidance:**

**New multi-story developments should consider methods to coordinate a building's upper and lower stories. The parts should function as a composition—not necessarily requiring the top and bottom to be the same or similar.**

At the Early Design Guidance Meeting, the Board indicated this as a highest priority but did not specifically discuss.

At the Recommendation Meeting, the Board expressed their approval of how the project addressed this guideline.

- 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.**

**Greenwood/ Phinney-specific supplemental guidance:**

**New buildings should feature durable, attractive and well-detailed finish materials. Examples of structures in the neighborhood that feature desirable exterior finish materials are provided in the Appendix.**

- A. Building Materials in the Greenwood Avenue North/Phinney Avenue North and North/Northwest 85th Street Corridors:** Again, buildings within these corridors are characterized by their utilitarian, nonflamboyant, traditional architectural styles. Brick is the most common surface treatment in the commercial areas and should be encouraged. Plastic awnings should be strongly discouraged. As an alternative, architectural canopies are encouraged to provide weather protection and a place for business signage.

**B.**

At the Early Design Guidance Meeting, the Board did not discuss this guideline but indicated the applicant should provide a materials board at the Recommendation Meeting. At the Recommendation Meeting, the Board expressed their approval of the projects material and color selection.

- 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 Early Design Guidance Meeting, the Board indicated this may be a priority guideline if access is granted from NW 85<sup>th</sup> St.

At the Recommendation Meeting, the Board noted that the location of the 23' curb cut on NW 85<sup>th</sup> St. will be close to the midpoint of the blockface and should not have much impact on pedestrian flow along the street. The Board stated that signage at the garage entrance must clearly indicate that the entry is for residential parking only. See Guideline A-8.

## **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.**

**Greenwood/ Phinney-specific supplemental guidance:**

- A. Pedestrian Open Spaces:** Small, usable open spaces are an important design objective. Open spaces incorporating the following features are encouraged with new commercial and mixed-use development:
- Good sun exposure during most of the year
  - Located in areas with significant pedestrian traffic
  - Storefront and/or residential windows face onto open space, at or above the ground level

- There are a variety of places to sit
  - Pedestrians have something to look at, whether it is a view of the street, landscaping, a mural, etc.
- B. North/Northwest 85th Street Corridor and Greenwood Avenue North Corridor, North of North 87th Street: New development should enhance the pedestrian environment and encourage pedestrian activity along the North/Northwest 85th Street corridor and the Greenwood Avenue North corridor, north of North 87th Street. The following measures should be encouraged:**
- Building entries facing the street
  - Pedestrian-oriented facades
  - Weather protection
  - Below-grade parking, when possible
- C. Pedestrian Amenities: When possible, new development should integrate pedestrian amenities including but not limited to street trees, pedestrian lighting, benches, newspaper racks, public art and bike racks to maintain and strengthen pedestrian activity.**

At the Early Design Guidance Meeting, the Board was satisfied with and expects to see the design provide weather protection along NW 85<sup>th</sup> St. as a combination of a building cantilevers and canopies.

At the Recommendation Meeting, the Board expressed their approval of how the project addressed this guideline and their guidance.

- 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.**

**Greenwood/ Phinney-specific supplemental guidance:**

**Storefronts are encouraged to be located at the sidewalk edge, particularly in neighborhood commercial districts, and should be continuous, minimizing blank walls.**

**Where unavoidable consider treating blank walls with one or more of the methods suggested in the Citywide Design Guidelines, including:**

- installing vertical trellis in front of the wall with climbing vines or plant material;
- employing small setbacks;
- employing different texture, colors, or materials;
- providing art or murals.

At the Early Design Guidance Meeting, the Board did not discuss this guideline but indicated it of highest priority.

At the Recommendation Meeting, the Board expressed their approval of how the project addressed this guideline.

- 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, the Board expects to see these functions located off the alley.

At the Recommendation Meeting, the Board expressed their approval of how the project addressed this guideline.

- 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 discussed this guideline as highest priority but did not discuss.

At the Recommendation Meeting, the Board expressed their approval of how the project addressed this guideline.

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

At the Early Design Guidance Meeting, the Board discussed the applicants' proposal to widen the existing alley curb cut for access to parking. The Board instructed the applicant and DPD to discuss with SDOT if this is a feasible option. The public indicated that 1<sup>st</sup> Ave NW is an SDOT designated Green Street.

For the recommendation meeting The Board advised the applicant to provide perspective drawings of the project from the alley.

At the Recommendation Meeting, the Board encouraged the applicant to consider using art to soften the impact of the diagonal concrete wall at the entry to commercial parking at the extended alley curb cut. Lighting should be shielded from spillover and glare into the single family lots to the south. Signage should not be intrusive. See Guideline A-8.

- 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.**

At the Early Design Guidance Meeting, the Board did not discuss this guideline but indicated it as highest priority.

At the Recommendation Meeting, the Board expressed that signage for both the residential and commercial parking garages needs to clearly state their use. The signage for the commercial parking entry at the extended alley curb cut on 1<sup>st</sup> Ave NW should not be intrusive to the single family lots south adjacent to the site.

- 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.**

At the Early Design Guidance Meeting, the Board did not discuss this guideline but indicated they would like to see a lighting plan at the Recommendation Meeting.

At the Recommendation Meeting, the Board expressed their approval of how the project addressed this guideline. Commercial lighting should not have spillover into the single family lots adjacent to the site.

**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.**

At the Early Design Guidance Meeting, the Board did not discuss this guideline but indicated it as highest priority.

At the Recommendation Meeting, the Board expressed their approval of how the project addressed this guideline.

**E. Landscaping**

**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 stated they want to see a developed landscape plan. The Board encouraged using landscaping to create a separation from the single family zone and provide screening on the terraced amenity space.

At the Recommendation Meeting, the Board expressed their approval of how the project addressed this guideline and their guidance.

**DEVELOPMENT STANDARD DEPARTURES**

The Board's recommendation on the requested departure(s) were 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). At the Final Recommendation Meeting two departures were requested:

1. **Access to Parking (23.47A.032.1.a):** The Code requires access to parking shall be from the alley if the lot abuts an improved alley. The applicant proposes access to below grade residential parking from a 23' wide curb cut on NW 85th St.

This departure would provide an overall design that would better meet the intent of Design Guidelines A-5 and A-8. By having the residential parking accessed from NW 85<sup>th</sup> St. vehicle impacts on the single family zone users privacy and pedestrian use of the alley, will be minimized.

The Board recommended unanimously that DPD grant the departure.

2. **Access to Parking (23.47A.032.1.a):** The Code requires access to parking shall be from the alley if the lot abuts an improved alley. The applicant proposes to extend the 14' alley curb cut on 1st Ave NW by 9' to 23'in total, to access the required commercial parking.

This departure would provide an overall design that would better meet the intent of Design Guidelines A-5 and A-8. By increasing the curb cut width the commercial parking entry will be accessed mostly from NW 1<sup>st</sup> Ave. Given the angle of the exit ramp vehicles will most likely exit directly onto 1<sup>st</sup> Ave NW. Vehicle impacts to the single family zone user's privacy and pedestrian and vehicle use of the alley will be minimized.

The Board recommended unanimously that DPD grant the departure.

## **BOARD RECOMMENDATIONS**

The recommendation summarized below was based on the design review packet dated March 10, 2014, and the materials shown and verbally described by the applicant at the March 10, 2014 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, five Design Review Board members recommended **APPROVAL** of the subject design and of departures with the following recommendations:

1. Consider art work along the concrete walls of the parking garage entry at the alley. (D-2)
2. Signage at the two parking garages needs to clearly state the allowable users of the parking garages. (A-8)

Applicant response to Recommended Design Review Recommendations:

1. The applicant's plans indicated that the design of the concrete walls will include scoring and reveals. The specific design of the walls has been reviewed and approved by the Land Use Planner. The proposal satisfies recommendation #1.
2. The applicant's plans include a design of the signs with the appropriate language and scale of text as to be visible. The specific design of the signs has been reviewed and approved by the Land Use Planner. The proposal satisfies recommendation #2.

## **ANALYSIS & DECISION – DESIGN REVIEW**

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

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

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

### Director's Analysis

Five members of the Northwest Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with and accepts the conditions recommended by the Board that further augment the selected Guidelines.

### Director's Decision

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

### SEPA ANALYSIS

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated [Click here to enter a date.](#). The Department of Planning and Development (DPD) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or its agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the 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, and certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations.

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts in appropriate.

Public Comment:

The public comment period began on October 3, 2013 and ended on October 16, 2013. Public Comments were received.

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 Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes construction-related noise, air quality, greenhouse gas, construction traffic and parking impacts, as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include a single family zone across the alley. There will be excavation required to prepare the building site and foundation. The applicant has stated in the SEPA checklist that approx. 15,400 cubic yards of soil will be removed from the site and construction is estimated to last 16 months. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding residential uses in the adjoining area. Due to the proximity of residential zones, 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, see SEPA conditions at the end of this document.

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 due to the relatively minor contribution of greenhouse gas emissions from this project.

Air Quality

Demolition of the existing structures, grading and construction activities will result in localized short-term increases in air particulates and carbon monoxide which could temporarily affect the air quality in the vicinity. Demolition/construction activities that would contribute to these impacts include excavation, grading, soil compaction, and operation of heavy trucks and smaller equipment (i.e., generators and compressors). Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency regulations requires activities which produce airborne materials or other pollutant elements to be contained with temporary enclosure. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency ("PSCAA") prior to demolition.

Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne.

There is no indication of unusual short term adverse impacts related to air quality. Current codes are adequate to provide mitigation and pursuant to the Overview Policy (SMC Section 25.05.665) and Air Quality Policy (SMC Section 25.05.675A). Therefore, no further mitigation is warranted.

#### Construction Parking and Traffic

During construction, which may last 16 months, parking demand is expected to 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). 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. This plan shall identify nearby off-street parking lot locations, number of stalls per lot, and distance from the subject property. The plan shall also include the peak number of construction workers anticipated at the proposed development during construction. The plan shall also identify any strategies to reduce the amount of single occupancy commuting by construction workers at the site. Approval of this plan by DPD will be required prior to the issuance of demolition and building permits. The authority to impose this condition is found in Section 25.05.675.B.2.g of the Seattle SEPA Ordinance.

Increased trip generation is expected during the proposed demolition, removal of up to 15,400 cubic yards of soil, grading, and construction activity, with haul routes restricted to nearby arterials. Large trucks turning onto arterial streets would be expected to exacerbate the flow of traffic. Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted. To mitigate construction haul route and truck trip impacts, the applicant shall submit a Construction Haul Route for approval to SDOT.

Excavation activity will require approximately 1,540 round trips with 10-yard hauling trucks or 770 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 from 4:00 to 6:00 PM.

#### Long Term Impacts

Long term or use-related impacts are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare. Compliance with 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, greenhouse gas emissions; height, bulk and scale; historic preservation; traffic and transportation; and parking impacts warrant further analysis.

*Greenhouse Gas Emissions*

Operational activities, primarily vehicular trips associated with the project construction 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, therefore, no further mitigation is warranted.

*Height, Bulk & Scale*

The project went through a Design Review process which addressed the issue of Height, Bulk & Scale; see the above Design Review Analysis for details of the process and design changes.

Pursuant to SEPA Policy 25.05.675.G.2.c: Height, Bulk and Scale, "the Citywide Design Guidelines (and any Council-approved, neighborhood Design Guidelines) are intended to mitigate the same adverse height, bulk and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review process is presumed to comply with the height, bulk and scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk and scale policies that have undergone design review shall comply with the design guidelines applicable to the project." Additional SEPA Mitigation of height, bulk and scale is not warranted.

*Historic Preservation*

There are three existing structures on site, two are more than 50 years old. The Department of Neighborhoods indicated that the existing structures on site are unlikely to qualify for historic landmark status (email dated 11/27/2013 from DON).

*Traffic and Parking*

The applicant submitted a Transportation Impact Analysis (Transportation Impact Analysis by Transpo Group, dated October 2013), and a revised Transportation Impact Analysis by Transpo Group dated April 2014.

The proposed development is anticipated to generate 460 new daily residential trips and 240 daily retail trips. Peak traffic volumes would occur during the weekday PM peak hour (one-hour period between 4:00PM and 6:00PM, including 45 PM peak hour trips and 15 PM peak hour retail trips).

The proposed project will create slight increases in delay to surround intersections but all intersections will operate at acceptable levels of service and no mitigation will be required.

DPD's Transportation Planner has reviewed the Transportation Impact Analysis and determined additional SEPA mitigation is not necessary.

The project is providing 68 residential-only parking spaces and 18 commercial parking spaces. The Transportation Impact Analysis noted that the residential peak parking demand for this development is anticipated to be 92 spaces. This demand exceeds the proposed 66 residential parking spaces to be provided below grade and two residential-only van spaces located with the commercial parking. The overflow peak residential parking demand is 24 spaces. As the peak demand for residential and commercial parking will occur at different times the 18 commercial parking spaces could be used for overnight parking, leaving a deficit of six parking spaces. An

on-street parking survey was conducted which determined that 44 on-street parking spaces, were available within 800' of the site on a weekday evening at 10:00PM.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in urban villages within 1,320 feet of a street with frequent transit service. This site is located within the Greenwood-Phinney Ridge Residential Urban Village, is also located within a mapped frequent transit service corridor. Regardless of the parking demand impacts, no SEPA authority is provided to mitigate impacts of parking demand from the residential components of this project, even if impacts were identified.

### **DETERMINATION OF NON-SIGNIFICANCE**

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

- 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 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW [43.21C.030](#) (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC [197-11-355](#) and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

### **SEPA - CONDITIONS OF APPROVAL**

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

1. Provide a construction traffic management plan including a worker parking plan with the intent to reduce on-street parking.
2. If the applicant intends to work outside of the limits of the hours of construction described in condition #3, a Construction Noise Management Plan shall be required, subject to review and approval by DPD, and prior to a demolition, grading, or building permit, whichever is issued first. The Plan shall include proposed management of construction related noise, efforts to mitigate noise impacts, and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short-term transportation impacts that result from the project.

During Construction

3. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan, required prior to issuance of a building permit as noted in condition #1.
4. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site from 4:00 to 6:00 PM.

**DESIGN REVIEW - CONDITIONS OF APPROVAL .**

Prior to Certificate of Occupancy

5. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Beth Hartwick 206 684-0814 or [beth.hartwick@seattle.gov](mailto:beth.hartwick@seattle.gov)).
6. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Beth Hartwick 206 684-0814 or [beth.hartwick@seattle.gov](mailto:beth.hartwick@seattle.gov)).

For the Life of the Project

7. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Beth Hartwick 206 684-0814 or [beth.hartwick@seattle.gov](mailto:beth.hartwick@seattle.gov)) or a DPD assigned Land Use Planner.

Signature: \_\_\_\_\_ (signature on file) Date: August 11, 2014  
Beth Hartwick, Senior Land Use Planner  
Department of Planning and Development

BH:drm

K:\Decision-Signed\3014209.docx