



**City of Seattle**  
Edward B. Murray, Mayor

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**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:** 3014789  
**Applicant Name:** Amber French – H+dIT for Xiao Wie Yang  
**Address of Proposal:** 4302 7<sup>th</sup> Ave NE

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a four story, 47 unit residential building with parking for 11 vehicles provided below grade. Existing structures to be demolished.

The following Master Use Permit components are required:

**Design Review** (SMC Chapter 23.41)

**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: Lowrise 3 (LR3)

Nearby Zones: To the north, along NE 45<sup>th</sup> St. the zone is NC3-65. Two blocks to the east is a C1-65 zone. To the west across I-5 is a SF 5000 zone and three blocks to the south is MIO-65-IC-45 zone.

Lot Area: 10,000 square feet.

Environmentally Critical Area's: None

Access: The site is bordered by 7<sup>th</sup> Ave NE to the west, and NE 43<sup>rd</sup> St. to the south.

Current Development: The site is currently occupied by two single family residential structures.

Surrounding Development: The residential neighborhood contains mostly apartment buildings and older single family residential structures converted into multifamily housing units. Directly to the north is a 40 unit 5-story structure constructed in 1986 and directly to the west is single family residence now used as a 4-plex. Across 7<sup>th</sup> are a single family residence built in 1922 and a 4-story apartment building opened in 2010. Across NE 43<sup>rd</sup> St are two converted single family residences.

Neighborhood Character: The block is located between I-5 to the west and a commercial zone two blocks to the east. Traffic along 7<sup>th</sup> Ave NE is heavy and fast as the street is an arterial that leads to the I-5 entry ramps at NE 45<sup>th</sup> St. I-5 exits just to the north of the site. NE 43<sup>rd</sup> St. is narrow and fairly quiet. The site is located 8 blocks to the west of the University of Washington campus. With the proximity to the University, many residents in the area appear to be transient.

Architecturally the neighborhood has no dominate style or character with its mix of mostly early 20<sup>th</sup> century houses and apartment structures built over the past 90 years. Given the wide planting strips along the sidewalks and the front yards of the single family residences the neighborhood has ample landscaping and openness.

Project Description: The proposed project is for the design and construction of a 4-story mixed use building with 47 residential units and 11 below grade parking spaces.

The proposed structure will have 4 stories of studio residential units. The lobby entry will be accessed by stairs from NE 43<sup>rd</sup> St and a ramp from 7<sup>th</sup> Ave NE. An open stair accessible to residents will have access from NE 43<sup>rd</sup> Ave. Usable ground level amenity area will be located along the east property line. Below grade parking and solid waste storage will be accessed by a 12' curb cut and ramp off of NE 43<sup>rd</sup> St. Approx. 2000 cubic yards of soil will be excavated.

## **DESIGN REVIEW**

The project had three Early Design Guidance meetings and two Recommendation meetings.

At the Initial EDG meeting three alternative design schemes were presented. All of the options include residential units above underground parking for 19 vehicles.

At the initial EDG meeting the Board had recommended the project should move forwards to MUP Application. However, it was brought up at that meeting that the applicant would need to work with SDOT to approve removal of a tree in the right-of-way where the proposed garage access was located. Additionally, a survey of trees on the site should be completed.

SDOT determined that removal of the tree along 7<sup>th</sup> Ave NE would not be allowed. The tree survey by an arborist determined two Exceptional Trees were located on the site. One Exceptional Tree along the north property line was determined by the arborist and DPD to be a hazard tree that should be removed. The second Exceptional Tree, a White Pine, located close to the middle of the site would need to remain or get a recommendation for removal from the Design Review Board. The project came back to the Board at this Second EDG meeting to request removal of the tree.

At the Second EDG meeting the Board members present all voted to recommend to DPD that the exceptional White Pine tree be allowed to be removed. The Board felt the tree was not a 'beautiful' tree that would enhance landscaping (E-2 Landscaping to Enhance the building and site) as most of the lower branches have been removed. The Board also stated that the location of the tree would force a design that would hinder the building design (C-2 Architectural concept and consistency), and require departures for setbacks that would impact the adjacent sites (A-5 Respect for adjacent sites).

At the Second Early Design Guidance meeting the Board had recommended the project to move forward to MUP application. The project was then sold to a new owner with a new design team. The project use and scale remained essentially the same but the physical design being proposed was different than what the previous team had presented to the Board. DPD determined the project needed to come in for another EDG meeting.

At the Third EDG meeting three alternative design schemes were presented. All of the options included a four-story residential structure. Schemes 1 and 3 have underground parking for 13 vehicles. The preferred scheme removed the exceptional tree.

At the third EDG meeting the five Board members present all voted to recommend to DPD that the exceptional White Pine tree be allowed to be removed. The Board felt the tree was not a 'beautiful' tree that would enhance landscaping (E-2 Landscaping to Enhance the building and site) as most of the lower branches have been removed. The Board also stated that the location of the tree would force a design that would hinder the building design (C-2 Architectural concept and consistency), and require departures for setbacks that would impact the adjacent sites (A-5 Respect for adjacent sites).

At the Third EDG meeting the Board recommended the project move forward to MUP application.

At the Initial Recommendation meeting the applicant presented the project which was an evolution of the preferred scheme from the Third EDG meeting. The structure had four stories with 47 residential units above a below grade level with 11 parking spaces, bike parking and solid waste storage. At the end of the Initial Recommendation meeting the project was directed to return for a 'limited scope' Recommendation Meeting, which was the Final Recommendation meeting.

### **INITIAL EARLY DESIGN GUIDANCE MEETING: June 17, 2013**

The packets presented at all of the Design review meetings as well as the meeting reports are available online by entering the project number (3014789) 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 and report are 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)

#### Public Comment

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

- Noted that 7th Ave NE is a very busy street with lines of vehicular traffic in the morning, waiting to get on the express lanes.
- Suggested that access from NE 43rd St would be better for traffic flow.

### **SECOND EARLY DESIGN GUIDANCE MEETING: October 7, 2013**

#### Public Comment

No members of the public were present at the Second EDG meeting.

### **THIRD EARLY DESIGN GUIDANCE MEETING: January 6, 2014**

#### Public Comment

One person from the public was present at the Final Early Design Review meeting.

## INITIAL RECOMMENDATION MEETING: June 2, 2014

### Public Comment

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

- Encouraged the pedestrian entry be located off of NE 43<sup>rd</sup> St.
- Concerned that the heavy traffic along 7<sup>th</sup> Ave NE would limit use of the outside space located at the residential entry.

## FINAL RECOMMENDATION MEETING: July 21, 2014

### Public Comment

No members of the public were present at the Final Recommendation Meeting.

## **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](#).

### ***Site Planning***

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

***University District Supplemental Guidelines:*** *In residential projects, except townhouses, it is generally preferable to have one walkway from the street that can serve several building entrances. At least one building entrance, preferably the main one, should be prominently visible from the street. To increase security, it is desirable that other entries also be visible from the street; however, the configuration of existing buildings may preclude this.*

At the Initial Early Design Guidance Meeting, the Board agreed that they preferred the main entry be located off of NW 43<sup>rd</sup> St. as this was the more pedestrian friendly street. See Guideline A-4.

At the Second Early Design Guidance Meeting, the Board was enthusiastic about the courtyard entry off of NW 43<sup>rd</sup> St. As the entry door will not be visible from the street the Board stressed the need for a prominent entry sequence from the street to the door. At the recommendation meeting the applicant needs to present the experience of the entry sequence in plan and sketches. See guidelines A-6 & D-1.

At the Third Early Design Guidance Meeting, the Board suggested locating the south interior exit stair door off the “patio”. The stair will probably be heavily used as circulation by the many of the tenants. See Guideline A-4.

At the Initial Recommendation Meeting, the Board was not satisfied with the lobby and residential entry configuration. The Board would prefer to see the entry door face toward NE 43<sup>rd</sup> St. as it is anticipated the majority of pedestrian traffic will be coming and going toward the University to the east, along 43<sup>rd</sup> St.

At the Final Recommendation Meeting, the Board expressed approval for the reconfigured preferred layout of entry plaza with the entry door facing 42nd Ave NE. See guideline A-4.

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

At the Initial Early Design Guidance Meeting, the Board indicated this guideline as a highest priority though it was not discussed.

At the Second Early Design Guidance Meeting, The Board noted that the entry courtyard should be designed to encourage activity. Consider landscaping and solar access to create a compelling social environment.

At the Third Early Design Guidance Meeting, the Board expressed that they would like to see the area outside the main pedestrian entry designed as a ‘patio’ space where tenants could gather and interact. It was agreed that NE 43<sup>rd</sup> St. would most likely be more successful in achieving a usable space, given the heavy traffic along 7<sup>th</sup> Ave NE.

The Board suggested extending the exterior stairs from the sidewalk to the entry further south and designing the stairs to provide for human interaction.

It was also suggested to have the south interior exit stair door located off the “patio”. The stair will probably be heavily used as circulation by the many of the tenants.

At the Initial Recommendation Meeting, the Board suggested raising the small plaza level with the sidewalk, up to the level of the first floor to provide a space better located for the residential users of the building. As well, the Board would prefer the entry door to the lobby be located off this plaza, and they encouraged orientating the stairs in an east/west direction. The current ramp location should be maintained. The Board indicated they would be inclined to grant a setback departure to allow the raised entry plaza in the required setbacks.

The Board noted that the exterior south stair will most likely be used by the residents yet a welcoming, easy accessible lobby would be preferable as it will encourage people to interact.

At the Final Recommendation Meeting, the Board expressed approval of the presented design which provided a small entry plaza at the level of the lobby, accessed by stairs from 43<sup>rd</sup> Ave NE, oriented in an east/west direction. The entry door to the lobby will be easily accessed by the stairs or ramp.

**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 Initial Early Design Guidance Meeting, the Board indicated this guideline was not a priority if the current setbacks presented at EDG are maintained.

At the Second Early Design Guidance Meeting, the Board did not discuss this guideline. The setbacks of the preferred option have changed but continue to provide adequate separation from the surrounding structures.

At the Third Early Design Guidance Meeting, the Board did not discuss this guideline.

At the Initial Recommendation Meeting, the Board did not discuss this guideline.

At the Final Recommendation Meeting, the Board did not discuss this guideline.

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

At the Initial Early Design Guidance Meeting the Board indicated this guideline as a highest priority though it was not discussed.

At the Second Early Design Guidance Meeting, the Board spent much time discussing this guideline. The entry experience from NW 43<sup>rd</sup> St. should be welcoming, yet secure. Consider weather protection and where the secure point will be located. Windows should face into the courtyard to provide “eyes” on the entry path. Other building entries should be avoided. See guidelines A-3 & D-1.

At the Third Early Design Guidance Meeting, the Board discussed this guideline. See Guidelines A-4 & A-3.

At the Initial Recommendation Meeting, the Board expressed support for raising the small plaza area level with the sidewalk up to the level of the first floor to provide a space designated for the residential users of the building. The entry to the lobby should be off this plaza and they encouraged orientating the stairs in an east/west direction. The current ramp location should be maintained. The Board indicated they would be inclined to grant a setback departure to allow the raised entry plaza in the required setbacks.

At the Final Recommendation Meeting, the Board expressed approval of the presented design which provided a small entry plaza at the level of the lobby, accessed by stairs from 43<sup>rd</sup> Ave NE, oriented in an east/west direction. The entry door to the lobby will be easily accessed by the stairs or ramp.

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

***University District Supplemental Guidelines:*** *The ground-level open space should be designed as a plaza, courtyard, play area, mini-park, pedestrian open space, garden, or similar occupiable site feature. The quantity of open space is less important than the provision of functional and visual ground-level open space. Successfully designed ground level open space should meet these objectives:*

- *Reinforces positive streetscape qualities by providing a landscaped front yard, adhering to common setback dimensions of neighboring properties, and providing a transition between public and private realms.*

- *Provides for the comfort, health, and recreation of residents.*
- *Increases privacy and reduce visual impacts to all neighboring properties*

At the Initial Early Design Guidance Meeting the Board indicated this guideline as a highest priority though it was not discussed.

At the Second Early Design Guidance Meeting, the Board saw the entry courtyard as providing an opportunity for a great residential amenity space. Landscaping, solar access and lighting need to be carefully considered.

At the Third Early Design Guidance Meeting, the Board encouraged the design and programming of the open space at the northeast corner of the site to provide areas for barbecuing, relaxation and interaction.

At the Initial Recommendation Meeting, the Board questioned how the amenity space at the northeast corner of the site, as currently designed, would be used. They were concerned that it was uninviting and could be misused. The Board gave guidance that the walkway widths should be increased and lighting should be provided, to promote a welcoming and safe environment. They encouraged the applicant to design a grand space with the proposed tree as the centerpiece.

At the Final Recommendation Meeting, the Board expressed approval of the proposed widening of the walkways to 42" and the proposed lighting plan in the northeast amenity area. The area will have one paved courtyard with a large tree as the centerpiece and benches for seating. See Guideline E-2.

**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.*

***University District Supplemental Guidelines:*** In Lowrise residential developments, single-lane driveways (approximately 12 feet in width) are preferred over wide or multiple driveways where feasible.

At the Initial Early Design Guidance Meeting, the Board discussed the pros and cons of access off of 7<sup>th</sup> Ave NW or NW 43rd St. The Board recommended the applicant work with DPD and SDOT to determine the access location for parking. Issues that need to be determined are:

- Can the street tree along 7<sup>th</sup> Ave NW where the applicant wants to take access be removed? [Staff note; applicant should contact Bill Ames at SDOT.]
- Location of the curb cut in relationship to the existing utility poles.
- Does SDOT have a strong preference on which street the curb cut should be located?
- What is the opinion of DPD's traffic reviewer?

At the Second Early Design Guidance Meeting, it was presented to the Board that the entry to below grade parking will be located at the SE corner of the lot off of NW 43<sup>rd</sup> St. The Board noted that the entry should be sited and designed to provide safety for pedestrians. At the recommendation meeting, sketches showing the experience of entering the garage should be provided.

At the Third Early Design Guidance Meeting, the Board noted that the driveway width should be the minimum needed at the intersection with the sidewalk and street. Sight triangles and other measure should be shown that will provide for pedestrian safety.

At the Initial Recommendation Meeting, the Board was satisfied with the location and configuration of the driveway.

At the Final Recommendation Meeting, the Board did not discuss this guideline.

**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 Initial Early Design Guidance Meeting the Board indicated this guideline as a highest priority and encouraged the design make a gesture to the corner.

At the Second Early Design Guidance Meeting, The Board indicated that given the traffic along 7<sup>th</sup> Ave NW and the entry court location, the building corner should be strong and consistent, not the central focus point of the design.

At the Third Early Design Guidance Meeting, the Board noted they preferred the parking access away from the corner.

At the Initial Recommendation Meeting, the Board did not specifically address the corner. See Guidelines A-3, A-4 and A-6.

At the Final Recommendation Meeting, the Board did not address this guideline.

### **C. Architectural Elements and Materials**

**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.*

At the Initial Early Design Guidance Meeting the Board indicated this guideline as a highest priority though it was not discussed.

At the Second Early Design Guidance Meeting, the Board stressed that the concept of the design needs to be well addressed at the street and courtyard elevations. They encouraged the portions of the building housing circulation functions to be distinct from the residential units, with color and materials, as presented in the EDG packet.

The Board encouraged the change of the window rhyme at the NW corner of the west elevation and taking advantage of the corner units to provide more windows. The south elevation along NW 43<sup>rd</sup> St. needs more fenestration and interest.

At the Third Early Design Guidance Meeting, the Board discussed the entry, stair tower and elevations. It was noted that most pedestrian traffic is expected along NW 43<sup>rd</sup> St. so the design of the stair tower and entry along the south elevation should provide visual interest.

In the preferred scheme, the west elevation was presented showing modulation and a material color change. The Board debated suggesting the same level of detailing and material interest on the east elevation. They observed that for this project, the east, west and south elevations are all visible.

At the Initial Recommendation Meeting, the Board was satisfied with the concept and form of the project.

At the Final Recommendation Meeting, the Board did not discuss this guideline.

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

At the Initial Early Design Guidance Meeting, the Board advised the applicant to strengthen the street edges of the structure. At the Recommendation meeting they would like to see sketches showing the character and landscaping of the proposal.

At the Second Early Design Guidance Meeting, indicated this guideline as a highest priority. The entry sequence and the elevations facing the courtyard should provide elements to meet this guideline.

At the Third Early Design Guidance Meeting, the Board stated that human scale elements should be provided, especially at the pedestrian entry.

At the Initial Recommendation Meeting, the Board suggested the applicant consider patterning the exterior concrete walls with reveals to provide human scale detailing and interest.

At the Final Recommendation Meeting, the Board directed the applicant to detail the mesh screening enclosing the south open stair to have breaks that align with other horizontal lines of the façade.

**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.*

**University District Supplemental Guidelines:** New buildings should emphasize durable, attractive, and well-detailed finish materials, including:

- *Brick*
- *Concrete*
- *Cast stone, natural stone, tile.*
- *Stucco and stucco-like panels*
- *Art Tile*
- *Wood*
- 

*The materials listed below are discouraged and should only be used if they complement the building's architectural character and are architecturally treated for a specific reason that supports the building and streetscape character:*

- *Masonry units*
- *Metal Siding*

- *Wood siding and shingles*
- *Vinyl siding.*
- *Sprayed-on finish with large aggregate.*
- *Mirrored glass*

For the full text of this section see the University Community Design Guidelines at [http://www.seattle.gov/dpd/cms/groups/pan/@pan/documents/web\\_informational/dpds021313.pdf](http://www.seattle.gov/dpd/cms/groups/pan/@pan/documents/web_informational/dpds021313.pdf)

At the Initial Early Design Guidance Meeting, the Board advised the applicant provide a materials board and proposed detailing at the Recommendation Meeting.

At the Second Early Design Guidance Meeting, the Board advised the applicant provide a materials board and proposed detailing at the Recommendation Meeting. See guideline C-2.

Consider Juliette balconies along NW 43<sup>rd</sup> St instead of 7<sup>th</sup> Ave NW.

At the Third Early Design Guidance Meeting, the Board stated that they want to see quality materials used on the project. Provide a materials board at the Recommendation meeting. See Guideline C-2.

At the Initial Recommendation Meeting, the Board strongly expressed they would like to see the open south stair constructed with pre-cast concrete treads and risers and open metal grated landings. As the stair will be used and visible, quality materials and construction is of highest importance. The first level of the stair should be enclosed and secured to limit access only to the residents.

There was some Board concern over the use of white cement board as a material due to long term maintenance concerns.

The Board was concerned about the possibility of graffiti on the concrete retaining walls flanking the driveway to the below grade level. The use of a high quality sealant was encouraged to facilitate ease of repainting when needed.

At the Final Recommendation Meeting, the Board reiterated their guidance to design the open south stair with pre-cast concrete treads and risers and open metal grated landings. The first level of the stair should be enclosed and secured to limit access only to the residents. See Guideline C-3.

## ***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.*

At the Initial Early Design Guidance Meeting the Board indicated this guideline as a highest priority though it was not discussed.

At the Second Early Design Guidance Meeting, The Board spent much time discussing this guideline. To ensure the main entry off the courtyard is well used, other required egress locations should be exits only. See guidelines A-3 & A-6.

At the Third Early Design Guidance Meeting, the Board indicated this as highest priority. See Guidelines A-3 & A-4.

At the Initial Recommendation Meeting, the Board gave strong guidance on the residential entry and open spaces. See Guidelines A-3, A-4, A-6, D-7, and E-2.

At the Final Recommendation Meeting, the Board expressed approval of the proposed residential entry and open spaces. See Guidelines A-3, A-4, A-6, A-7, D-7, and E-2.

- 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.*

At the Initial Early Design Guidance Meeting the Board indicated this guideline as a highest priority though it was not discussed.

At the Second Early Design Guidance Meeting, the Board indicated that some portion of blank wall facing the street may be acceptable depending on the massing of the structure, window location, materials and detailing of the elevations. See guideline C-2.

At the Third Early Design Guidance Meeting, the Board expressed concern about the amount of blank walls and service uses oriented along 43<sup>rd</sup> Ave NE. Most pedestrian traffic is expected along 43<sup>rd</sup>.

The south interior exit stair towers should provide windows to break up the blank facade. Consider shifting the south stair to provide window access into interior circulation corridor.

At the Initial Recommendation Meeting, the Board was concerned about the possibility of graffiti on the concrete retaining walls flanking the driveway to the below grade level. The use of a high quality sealant was encouraged to facilitate ease of repainting when needed.

The Board suggested the applicant consider patterning the exterior concrete walls with reveals to provide human scale detailing and interest.

At the Final Recommendation Meeting, the Board reiterated their guidance given at the Initial Recommendation meeting to provide reveals in the exterior concrete walls visible from the street and use a high quality sealant to help protect the concrete from permanent graffiti.

- 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 Initial Early Design Guidance Meeting the Board indicated this guideline as a highest priority and advised the applicant to contact Liz Kain at SPU about solid waste storage location and handling.

At the Second Early Design Guidance Meeting, the Board discussed the proposed location along 7<sup>th</sup> Ave NE where solid waste will be housed on pick up day. The Board would like more information on how the solid waste will be transferred to that location and how that space will look when not holding solid waste.

At the Third Early Design Guidance Meeting, the Board was concerned about the location of a concrete pad located along NW 43<sup>rd</sup> St. that trash, recycling, etc. would be moved to on collection day. The concern is that this will become a permanent location for trash collection instead of the proposed below grade location. The Board wants to see this area screened even if it is used only on collection day.

At the Initial Recommendation Meeting, the Board was concerned that the solid waste will not be managed as proposed, with the collection company hauling and returning the waste receptacles up and down the driveway on collection days. The Board debated the merits and problems of providing a screened collection area in the proposed amenity area abutting the street, instead of the proposed lower level location. It was noted by DPD that as the MUP and building plans will show the permitted locations for the solid waste and amenity areas, any change or relocation of these uses would be an enforceable violation that would need to be corrected.

At the Final Recommendation Meeting, the Board noted that the handling of solid waste had been covered in the Initial recommendation meeting,

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

At the Initial Early Design Guidance Meeting, the Board indicated this guideline as a highest priority. The Board requested a lighting plan be presented at the Recommendation Meeting. Landscaping should be chosen and sited to enhance security.

At the Second Early Design Guidance Meeting, the Board expressed this guideline as highest priority. Provide windows on the elevations facing the entry courtyard. Consider flipping the stair and elevator location to provide another unit facing the courtyard.

At the Third Early Design Guidance Meeting, the Board stated they want shown at the Recommendation meeting how security for the garage and the NE common amenity space will work.

At the Initial Recommendation Meeting, the Board noted that the gates to the residential amenity areas should be designed so they are not climbable, without being solid. The outdoor amenity spaces should provide lighting along the walkways to be welcoming and feel safe.

To provide a safe and secure environment for the residents the open south stair should be enclosed at the first level.

The tree type in the NE corner amenity area should be the required replacement tree for the exceptional White Pine to be removed. The replacement tree type should be a deciduous tree that has an open canopy, to allow for views down through the tree canopy. See Guideline E-2.

At the Final Recommendation Meeting, the Board expressed approval of the proposed lighting plan with lighting located in the ground amenity areas and at the residential entry. The Board noted that all fencing and gates around the ground level amenity space should be 6' high.

## **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.*

At the Initial Early Design Guidance Meeting, the Board indicated this guideline as a highest priority. The Board questioned how the proposed roof top P-patch would work.

At the 2<sup>nd</sup> Early Design Guidance Meeting, the Board indicated this guideline as highest priority. The Board is recommending removal of the exceptional white pine tree and an exceptional tree which has been determined to be a hazard tree will be removed. Provide a landscape plan that includes trees that will replace the canopy of the trees to be removed.

Consider placement of landscaping to provide solar light in the courtyard.

At the Third Early Design Guidance Meeting, the Board indicated this guideline as a highest priority. Provide a detailed landscape plan at the Recommendation meeting.

At the Initial Recommendation Meeting, the Board directed that the tree type in the NE corner amenity area should be the required replacement tree for the exceptional White Pine to be removed. The Board noted that the proposed Magnolia tree was not a good tree choice as it is very dense and will require maintenance. It was expressed that the replacement tree should be a deciduous tree with an open canopy. The species should be one that can thrive when neglected.

The Board also encouraged the trees along the east property line to be deciduous trees with a lighter canopy instead of the proposed denser Magnolia trees.

At the Final Recommendation Meeting, the Board was pleased with the tree choice of Koelreuteria Paniculata for the Exceptional Tree replacement, to be located in the center of the NE corner amenity area. The tree will do well with minimal care and does not have a dense canopy. It was noted that the proposed landscaping should grow and thrive without much maintenance.

## **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 no departures were requested:

## **BOARD RECOMMENDATIONS**

The recommendation summarized below was based on the design review packet dated July 21, 2014, and the materials shown and verbally described by the applicant at the July 21, 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 with the following conditions:

1. Design the open south stair with pre-cast concrete treads and risers and open metal grate landings.
2. Size the on-site sidewalks in the amenity areas to be a minimum width of 42”.
3. Detail the mesh screening enclosing the south open stair to have breaks that align with other horizontal lines of the façade.
4. Provide reveals on all exterior concrete walls visible from the street.
5. Provide reveals in the exterior concrete walls at the entry plaza that align with the pattern of the permeable pavement.
6. Design the height of the gates and fences around the amenity area along 43<sup>rd</sup> Ave NE to be 6’ tall, and the fence on top of the driveway retaining wall to measure a minimum of 6’ high from finished grade.

Applicant response to Recommended Design Review Conditions:

1. The applicant’s plans have been modified to include notes on the floor plans that call out that the open south stair will have open metal grate landings and precast concrete tread and risers. The proposal satisfies recommendation #1.
2. The applicant’s plans have been modified to include notes on the site plan that call out the width of the onsite sidewalks in the amenity area to be 3’-6” in width. The proposal satisfies recommendation #2.

The applicant did not address the remaining four conditions as part of the MUP review, so those will be conditions of the project during building permit review.

## **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 Northeast 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 **CONDITIONALLY APPROVES** the proposed design.

### 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 February 4, 2014. 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 SEPA public comment period began on March 3, 2014, and ended March 9, 2014. No 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 are residential uses. There will be excavation required to prepare the building site and foundation. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding residential uses in the adjoining area. Compliance with Seattle's Noise Control Ordinance (SMC 25.08) is required therefore, no further mitigation is warranted.

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.

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.

Traffic Impacts

The construction of the project which is expected to last 10 to 12 months 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. 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: greenhouse gas emissions; parking; and possible increased traffic in the area. 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; 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.

Historic Preservation

The Department of Neighborhoods reviewed the two existing structures on site and determined that they are unlikely to qualify as historic landmarks (Landmarks Preservation Board letter LPB 581/14). Therefore, no mitigation is warranted for historic preservation.

Traffic and Parking

The applicant submitted a Transportation Impact Analysis - Traffic Impact Study by TSI, dated April 14, 2014.

The proposed development is anticipated to generate 164 new daily residential trips. Peak traffic volumes would occur during the weekday PM peak hour (one-hour period between 4:00PM and 6:00PM, including 16 PM peak hour trips.

Proposed traffic conditions with the project fully occupied in 2015 do not anticipate any significant traffic impacts. DPD's Transportation Planner has reviewed the Transportation Impact Analysis and determined additional SEPA mitigation is not necessary.

The project is providing 11 parking spaces for the 47 units. The TSI report noted that the parking demand for this development is anticipated to be 27 spaces. This demand exceeds the proposed 11 residential parking spaces to be provided below grade. The overflow residential parking demand is therefore 16 spaces. An on-street parking survey was conducted which determined that evening on-street parking spaces were very limited. There are multiple off street parking lots with monthly parking available within the vicinity. It is anticipated that the limited number of onsite parking spaces will shift tenants towards other travel options such as walking and transit.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in the University District Urban Center. 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**

None

### **DESIGN REVIEW - CONDITIONS OF APPROVAL.**

#### **Prior to Issuance of a Building Permit**

1. Detail the mesh screening enclosing the south open stair to have breaks that align with other horizontal lines of the façade.
2. Provide reveals on all exterior concrete walls visible from the street.

3. Provide reveals in the exterior concrete walls at the entry plaza that align with the pattern of the permeable pavement.
4. Design the height of the gates and fences around the amenity area along 43<sup>rd</sup> Ave NE to be 6' tall, and the fence on top of the driveway retaining wall to measure a minimum of 6' high from finished grade.

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: October 9, 2014  
Beth Hartwick, Senior Land Use Planner  
Department of Planning and Development

BH:drm

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