



City of Seattle
Edward B. Murray, Mayor

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

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

Application Number: 3015961
Applicant Name: Jeff Wegener for Build Urban
Address of Proposal: 5755 NE 63rd St

SUMMARY OF PROPOSED ACTION

Land Use Application to allow 2, 4-story structures containing 8 residential units. Two of the units include accessory dwelling units. Parking for 8 vehicles to be provided within structures. Environmental Review includes future short plat.

The following Master Use Permit components are required:

Design Review with Departures (Seattle Municipal Code 23.41)

Development Standard Departure to allow residential units within 10' of the street property line and within 4' of sidewalk grade. (SMC 23.47A.008.D.2)

Development Standard Departure to allow access from an adjacent street instead of the alley (SMC 23.47A.032.A and 23.47A.032.C)

Development Standard Departure to allow more than 40% blank facades at the street level. (SMC 23.47A.008.A.2.c)

SEPA - Environmental Determination (Seattle Municipal Code Chapter 25.05)

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 & VICINITY

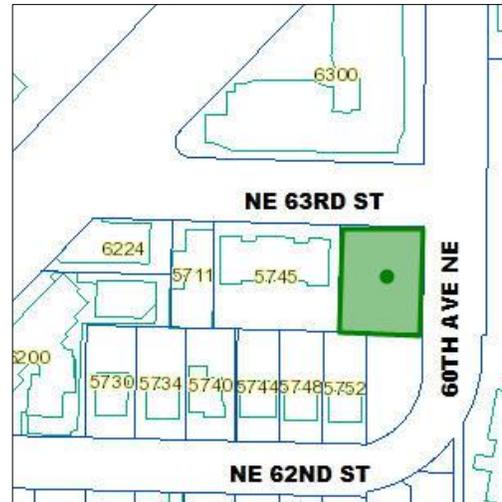
Site Zone: Neighborhood Commercial Two (NC2-40)

Nearby Zones: North: NC2-40
South: SF5000
East: SF5000
West: NC2-40

Lot Area: 8,115 sq. ft.

Current Development: Vacant

Surrounding Development and Neighborhood Character



The subject site is located on the northwest corner of NE 63rd Street and 60th Avenue NE. The subject lot and lots to the north and west are zoned Neighborhood Commercial Two (NC2-40). Lots to the south and east are zoned Single Family (SF5000). The site contains one parcel with an existing public utility use. The vacant site is surrounded by a fenced enclosure and existing mature screening vegetation including three exceptional trees, two along the south property line and one in the northwest corner. The site contains an approximately 8 foot grade change from the northwest corner, the low point, to the southeast corner, the high point. To the west and north of the subject lot are existing four story apartment buildings. To the south is an existing parking lot accessory to the Sand Point Elementary school which is located across 60th Avenue NE.

This neighborhood includes multifamily housing, community services, restaurants and shopping. One block to the northwest is Sand Point Way NE. Sand Point Way NE functions as a major vehicular and transit connector between University of Washington within the Montlake Neighborhood and the development along the west side of Lake Washington. Sand Point Way NE contains a number of multi-story multifamily structures, larger warehouse uses including the National Archives, medical service uses including Children’s Hospital and small one story commercial spaces. One block to the north is the Sand Point Magnusson Park. Sandpoint Way NE is generally zoned multifamily, with some pockets of commercial zoning. One block off of Sand Point Way NE, zoning transitions to Single Family (SF500) where the primary uses are single family homes. Within walking distance from the site services are limited but include a restaurant, school and park. Natural amenities in the area include Lake Washington and Sand Point Magnusson Park.

Metro bus routes provide limited service along Sand Point Way. The Burke Gilman Trail is located two blocks to the west providing pedestrian and bicycle service to the north and south to the University of Washington with connections to multiple locations. Sandpoint Way NE is designated as a principal arterial. NE 63rd Street and 60th Avenue NE have no special classifications.

NE 63rd Street is characterized by four story multifamily structures with generous street setbacks containing mature vegetation. The buildings maintain a uniform, multi-story street wall with balconies facing the street. 60th Avenue NE is characterized by the existing public school, accessory parking lot and single family homes. Structures are predominately wood frame construction.

Public Comments

The public comment period ended on July 23, 2014. In addition to the comments received through the Design Review process, other comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These other areas of public comment related to parking, traffic, habitat impacts, drainage, and shadows. Comments were also received that are beyond the scope of this review and analysis per SMC 25.05.

I. ANALYSIS - DESIGN REVIEW

EARLY DESIGN GUIDANCE MEETING: April 7, 2014 DESIGN PRESENTATION

The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number (3015961) at this website:

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

The EDG packet is also available to view in the project file (project number 3015961), by contacting the Public Resource Center at DPD:

Mailing Public Resource Center
Address: 700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

PUBLIC COMMENT

The following comments, issues and concerns were raised during the public comment portion of the Early Design Guidance meeting:

- Felt the proposed building will not fit within the existing neighborhood character.
- Concerned about the height of the proposed structure.
- Noted that existing trees and shrubbery are not well maintained.
- Would like to see the south wall softened with vertical landscaping.
- Noted that on street parking is limited within the neighborhood.
- Would like to see exterior materials respectful of the existing neighborhood residential material context.
- Noted there are a number of beautiful mature trees on the site in addition to the three exceptional trees identified.
- Concerned the proposed design is barren and more landscaping efforts are necessary for the building to fit within the neighborhood.
- Would like to see more open space.
- Felt live-work is not an appropriate use within the residential neighborhood.
- Felt the early design is disappointing.

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 of highest priority for this project.

EARLY DESIGN GUIDANCE March 19, 2014

- 1. Massing.** The Board felt Massing Option 3 provided the better design solution.
 - a) The Board preferred the massing option which maintains two exceptional trees within a 15 feet setback along the shared south property line. The Board agreed a dense landscape buffer was necessary within the setback space regardless of whether the Exceptional Trees remained (CS1-D1, CS2-D)
 - b) The Board agreed that it would be very hard to maintain the Exceptional Tree along the north property line given the ‘lean’ in the tree. The Board felt the tree should not be maintained (CS1-D1).
 - c) The Board preferred vehicle access on NE 63rd Street. NE 63rd Street provides access closer to the main arterial on Sandpoint Way NE and reduces car and pedestrian conflicts next to the elementary school. The Board also noted that 63rd is the low point of the site and generally preferred for vehicle access (PL1-B, DC1-B).
 - d) The Board noted Massing Option 3 provides vehicles parking for each unit while also breaking the mass to reduce the apparent bulk facing the single family zone (DC1-B, CS2-D).

- 2. Live Work and Townhouse Units.** The Board was concerned about the viability of live work units facing NE 63rd Street.
 - a) The Board noted that context is important for the success of the live work units, and the Board agreed that this location may not be viable (PL1-B).
 - b) The Board felt for live work units to be successful they must be designed for a viable work space, be highly transparent and face NE 63rd Street. The Board agreed commercial space must be open and inviting and read as a different language than the townhouse units (PL3-B3).
 - c) The Board stated they were open to townhouse units facing NE 63rd Street rather than live work units. The Board also noted they would be amenable to departure requests from required street level setbacks for townhouse units provided the space between the townhouse unit and the street was treated appropriately to provide a semiprivate transition space (PL3-B).
 - d) The Board noted that the applicant must demonstrate additional efforts to develop the respective streetscapes. The Board agreed the townhouse pedestrian stoops appeared too high for a successful relationship with the sidewalk. The Board felt the floor level should be as close to 4 feet above grade as possible.
 - e) The Board noted the street level treatment for townhouse units and live work units should be distinct to distinguish one from the other (PL3-B).
 - f) At the Recommendation Meeting, the Board would like to see substantial landscaping, with cues taken from the existing neighborhood context, in the rights-of-way (CS1-D1).

- 3. Vehicle Access and Incorporating a Woonerf Design.** The Board would like the applicant to investigate use of a woonerf, with shared vehicular and pedestrian spaces.

- a) The Board felt the site design could be enhanced by creating a shared woonerf space incorporating residential amenity spaces, pedestrian circulation, car access and landscaping. The Board noted that additional details for the programming of the space, paving, lighting and landscaping must be provided. The Board noted that the vehicular function of the space must be minimized for the auto court design to be successful on the site (DC1-B)
- b) The Board felt a woonerf design must include a study of how people access the space. The Board felt the access locations should include a study of communal living and provide spaces for shared life (DC1-B)
- c) At the Recommendation Meeting, the Board would like to see more information about the car movements within the court and the location of private and shared bike facilities (PL4-B).

4. Architectural Context and Materials. The Board noted the proposed building is located within a neighborhood with a well-defined material and architectural character.

- a) The Board supported the proposed architectural concept which includes a more contemporary design. The Board felt that the architectural concept should incorporate material and design cues from traditional neighborhood context in order for the building relate to the existing defined character (CS3-A, DC4-A).
- b) The Board requested a thorough analysis of the existing neighborhood architectural context. At the Recommendation Meeting, the Board would like to see how the evolution of the site design, architectural concept is responsive and complementary to the existing neighborhood context and material application. The Board suggested that an analysis of existing exemplary design case studies in the neighborhood be developed to inform the design progress. The Board noted that Radford Court provided a good example of modern architecture in a more traditional setting (CS3-A, DC4-A).
- c) The Board would like more information showing how the design parti and material application will reduce the scale of the building, particularly on the facades facing the residential use to the west and the single family zone to the south (DC2-A, B and D DC4-A).

5. Maximize Privacy. The development should provide privacy for the adjacent structures.

- a) The Board requested a privacy study in elevation views documenting existing windows whose privacy will be impacted by proposed development. The location of existing windows should inform the location of proposed windows. (CS2-D5).

FINAL RECOMMENDATION MEETING: January 12, 2015

The packet includes materials presented at the Recommendation meeting, and is available online by entering the project number at this website:

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

or contacting the Public Resource Center at DPD:

Address: Public Resource Center
700 Fifth Ave., Suite 2000
Seattle, WA 98124
Email: PRC@seattle.gov

DESIGN DEVELOPMENT

At the Final Recommendation Meeting, the applicant presented the Board's preferred massing option, developed in response to the Early Design Guidance, and described the massing, pedestrian experience and material refinement.

The applicant presented a revised project proposal that locates townhouse units along NE 60th Street rather than live work units, as presented at the Early Design Guidance Meeting. The applicant explained that the townhouse units have been stepped to respond to sloping street topography. The stepped massing visually identifies each unit while reducing the scale of the structure at the corner. The corner unit rooftop deck has been recessed to remove the parapet at the street corner further reducing the scale of the structure at the corner.

The right-of-way will include substantial landscaping to provide continuity with adjacent residential developments. Cross over pavers will be located within the right-of-way to allow pedestrian connection between the sidewalk and the street while maintaining the viability of the landscaping.

The woonerf will include two types of pavers to add pedestrian scale while also highlighting the pedestrian entry points. The entrance to the woonerf has been reduced to the minimum necessary flanked by dense landscaping and the Accessory Dwelling Unit entries on either side. The reduced width is intended to slow vehicle entry and announce the space as shared by pedestrians and cars. The applicant has added metal and glass garage doors to the woonerf space to allow additional light to spill into the space while proving a quality material application at ground level. Shared bike facilities and a bench have been added to the woonerf.

Along the south property line the two Exceptional Trees have been maintained. The area adjacent to the trees will include a variety of landscaping to further buffer the adjacent single family home from the new development.

PUBLIC COMMENTS

There were no member of the public were in attendance at the Recommendation meeting held January 26, 2015.

PRIORITIES & BOARD RECOMMENDATIONS

At the Recommendation meeting, the Board discussed the response to the EDG and offered the following recommendations for the proposal to meet the applicable Design Review Guidelines identified at the EDG meeting.

1. **Architectural Concept and Materials.** The design includes a combination of grey and black cement panel siding and tongue and groove wood siding applied on the façade above the primary street facing entries and along the bays within the woonerf space. The design also includes black vinyl windows and blank anodized with satin etched glass garage doors.
 - a) The Board was supportive of the massing which includes units stepping down along the street to follow the sloping topography (CS1-C).
 - b) The Board felt the changes to the corner massing, including the recessed deck and removed parapet, provided a successful massing response to the corner DC2-A2).

- c) The Board agreed the material palette successfully balanced form and color, noting the black windows were important to the overall composition (DC4-A1).
 - d) The Board felt that the green wall provided on the north façade facing the street should be modified to provide a better proportion to align with the height of the railing deck railing and the width of the window. The Board also agreed that the overall composition would be more successful if the green wall structure was painted to match the trim of the building (DC2-B2).
- 2. Woonerf.** The Board was pleased with the design of the woonerf space.
- a) The Board felt the applicant clearly demonstrated how the woonerf space would function with both cars and pedestrians (DC1-C3).
 - b) The Board noted that the woonerf space will be successful due to the reduced driveway width, choice of two pavers, the garage doors and the primary entry points within the space. The Board felt strongly that each element was integral to the overall design and must be maintained at building permit and construction (DC1-C, DC4-A1).
- 3. Streetscape and Entry Stoops on 60th Avenue NE.** The design locates the residential entries approximately 3.5 feet from the street property line. The finished floor of the entries is currently located approximately 4 feet above sidewalk grade. The street facing window is located at 5 feet above sidewalk grade.
- a) The Board felt the streetscape, with residential windows at 5 feet above the sidewalk, provided a successful balance between privacy and eyes on the street. The Board agreed that stoops located at approximately 4 feet above sidewalk grade were preferable (PL3-B).
 - b) The Board was amenable to slight modifications to the stoop height as necessary to accommodate the grading on the site. The Board agreed that the stoops must be located a minimum of 3 feet above the sidewalk (PL3-B).

DESIGN REVIEW GUIDELINES

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

CONTEXT & SITE

CS1 Natural Systems and Site Features: Use natural systems/features of the site and its surroundings as a starting point for project design.

CS1-B Sunlight and Natural Ventilation

CS1-B-1. Sun and Wind: Take advantage of solar exposure and natural ventilation. Use local wind patterns and solar gain to reduce the need for mechanical ventilation and heating where possible.

CS1-B-2. Daylight and Shading: Maximize daylight for interior and exterior spaces and minimize shading on adjacent sites through the placement and/or design of structures on site.

CS1-B-3. Managing Solar Gain: Manage direct sunlight falling on south and west facing facades through shading devices and existing or newly planted trees.

CS1-C Topography

CS1-C-1. Land Form: Use natural topography and desirable landforms to inform project design.

CS1-C-2. Elevation Changes: Use the existing site topography when locating structures and open spaces on the site.

CS1-D Plants and Habitat

CS1-D-1. On-Site Features: Incorporate on-site natural habitats and landscape elements into project design and connect those features to existing networks of open spaces and natural habitats wherever possible. Consider relocating significant trees and vegetation if retention is not feasible.

CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

CS2-B Adjacent Sites, Streets, and Open Spaces

CS2-B-2. Connection to the Street: Identify opportunities for the project to make a strong connection to the street and public realm.

CS2-D Height, Bulk, and Scale

CS2-D-1. Existing Development and Zoning: Review the height, bulk, and scale of neighboring buildings as well as the scale of development anticipated by zoning for the area to determine an appropriate complement and/or transition.

CS2-D-2. Existing Site Features: Use changes in topography, site shape, and vegetation or structures to help make a successful fit with adjacent properties.

CS2-D-3. Zone Transitions: For projects located at the edge of different zones, provide an appropriate transition or complement to the adjacent zone(s). Projects should create a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zone and the proposed development.

CS2-D-4. Massing Choices: Strive for a successful transition between zones where a project abuts a less intense zone.

CS2-D-5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy of residents in adjacent buildings.

CS3 Architectural Context and Character: Contribute to the architectural character of the neighborhood.

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-1. Fitting Old and New Together: Create compatibility between new projects, and existing architectural context, including historic and modern designs, through building articulation, scale and proportion, roof forms, detailing, fenestration, and/or the use of complementary materials.

CS3-A-2. Contemporary Design: Explore how contemporary designs can contribute to the development of attractive new forms and architectural styles; as expressed through use of new materials or other means.

CS3-A-3. Established Neighborhoods: In existing neighborhoods with a well-defined architectural character, site and design new structures to complement or be compatible with the architectural style and siting patterns of neighborhood buildings.

CS3-A-4. Evolving Neighborhoods: In neighborhoods where architectural character is evolving or otherwise in transition, explore ways for new development to establish a positive and desirable context for others to build upon in the future.

PUBLIC LIFE

PL1 Connectivity: Complement and contribute to the network of open spaces around the site and the connections among them.

PL1-B Walkways and Connections

PL1-B-1. Pedestrian Infrastructure: Connect on-site pedestrian walkways with existing public and private pedestrian infrastructure, thereby supporting pedestrian connections within and outside the project.

PL1-B-2. Pedestrian Volumes: Provide ample space for pedestrian flow and circulation, particularly in areas where there is already heavy pedestrian traffic or where the project is expected to add or attract pedestrians to the area.

PL1-B-3. Pedestrian Amenities: Opportunities for creating lively, pedestrian oriented open spaces to enliven the area and attract interest and interaction with the site and building should be considered.

PL2 Walkability: Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.

PL2-B Safety and Security

PL2-B-1. Eyes on the Street: Create a safe environment by providing lines of sight and encouraging natural surveillance.

PL2-B-2. Lighting for Safety: Provide lighting at sufficient lumen intensities and scales, including pathway illumination, pedestrian and entry lighting, and/or security lights.

PL2-B-3. Street-Level Transparency: Ensure transparency of street-level uses (for uses such as nonresidential uses or residential lobbies), where appropriate, by keeping views open into spaces behind walls or plantings, at corners, or along narrow passageways.

PL2-C Weather Protection

PL2-C-1. Locations and Coverage: Overhead weather protection is encouraged and should be located at or near uses that generate pedestrian activity such as entries, retail uses, and transit stops.

PL2-C-2. Design Integration: Integrate weather protection, gutters and downspouts into the design of the structure as a whole, and ensure that it also relates well to neighboring buildings in design, coverage, or other features.

PL2-C-3. People-Friendly Spaces: Create an artful and people-friendly space beneath building.

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-1. Design Objectives: Design primary entries to be obvious, identifiable, and distinctive with clear lines of sight and lobbies visually connected to the street.

PL3-A-2. Common Entries: Multi-story residential buildings need to provide privacy and security for residents but also be welcoming and identifiable to visitors.

PL3-A-3. Individual Entries: Ground-related housing should be scaled and detailed appropriately to provide for a more intimate type of entry.

PL3-A-4. Ensemble of Elements: Design the entry as a collection of coordinated elements including the door(s), overhead features, ground surface, landscaping, lighting, and other features.

PL3-B Residential Edges

PL3-B-1. Security and Privacy: Provide security and privacy for residential buildings through the use of a buffer or semi-private space between the development and the street or neighboring buildings.

PL3-B-2. Ground-level Residential: Privacy and security issues are particularly important in buildings with ground-level housing, both at entries and where windows are located overlooking the street.

PL3-B-3. Buildings with Live/Work Uses: Maintain active and transparent facades in the design of live/work residences. Design the first floor so it can be adapted to other commercial use as needed in the future.

PL3-B-4. Interaction: Provide opportunities for interaction among residents and neighbors.

PL4 Active Transportation: Incorporate design features that facilitate active forms of transportation such as walking, bicycling, and use of transit.

PL4-B Planning Ahead for Bicyclists

PL4-B-2. Bike Facilities: Facilities such as bike racks and storage, bike share stations, shower facilities and lockers for bicyclists should be located to maximize convenience, security, and safety.

DESIGN CONCEPT

DC1 Project Uses and Activities: Optimize the arrangement of uses and activities on site.

DC1-B Vehicular Access and Circulation

DC1-B-1. Access Location and Design: Choose locations for vehicular access, service uses, and delivery areas that minimize conflict between vehicles and non-motorists wherever possible. Emphasize use of the sidewalk for pedestrians, and create safe and attractive conditions for pedestrians, bicyclists, and drivers.

DC1-C Parking and Service Uses

DC1-C-2. Visual Impacts: Reduce the visual impacts of parking lots, parking structures, entrances, and related signs and equipment as much as possible.

DC1-C-3. Multiple Uses: Design parking areas to serve multiple uses such as children's play space, outdoor gathering areas, sports courts, woonerf, or common space in multifamily projects.

DC1-C-4. Service Uses: Locate and design service entries, loading docks, and trash receptacles away from pedestrian areas or to a less visible portion of the site to reduce possible impacts of these facilities on building aesthetics and pedestrian circulation.

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-A Massing

DC2-A-1. Site Characteristics and Uses: Arrange the mass of the building taking into consideration the characteristics of the site and the proposed uses of the building and its open space.

DC2-A-2. Reducing Perceived Mass: Use secondary architectural elements to reduce the perceived mass of larger projects.

DC2-B Architectural and Facade Composition

DC2-B-1. Façade Composition: Design all building facades—including alleys and visible roofs— considering the composition and architectural expression of the building as a whole. Ensure that all facades are attractive and well-proportioned.

DC2-B-2. Blank Walls: Avoid large blank walls along visible façades wherever possible. Where expanses of blank walls, retaining walls, or garage facades are unavoidable, include uses or design treatments at the street level that have human scale and are designed for pedestrians.

DC2-D Scale and Texture

DC2-D-1. Human Scale: Incorporate architectural features, elements, and details that are of human scale into the building facades, entries, retaining walls, courtyards, and exterior spaces in a manner that is consistent with the overall architectural concept

DC2-D-2. Texture: Design the character of the building, as expressed in the form, scale, and materials, to strive for a fine-grained scale, or “texture,” particularly at the street level and other areas where pedestrians predominate.

DC2-E Form and Function

DC2-E-1. Legibility and Flexibility: Strive for a balance between building use legibility and flexibility. Design buildings such that their primary functions and uses can be readily determined from the exterior, making the building easy to access and understand. At the same time, design flexibility into the building so that it may remain useful over time even as specific programmatic needs evolve.

DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.

DC4-A Exterior Elements and Finishes

DC4-A-1. 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.

DC4-A-2. Climate Appropriateness: Select durable and attractive materials that will age well in Seattle’s climate, taking special care to detail corners, edges, and transitions.

DC4-C Lighting

DC4-C-1. Functions: Use lighting both to increase site safety in all locations used by pedestrians and to highlight architectural or landscape details and features such as entries, signs, canopies, plantings, and art.

DC4-C-2. Avoiding Glare: Design project lighting based upon the uses on and off site, taking care to provide illumination to serve building needs while avoiding off-site night glare and light pollution.

DC4-D Trees, Landscape, and Hardscape Materials

DC4-D-1. Choice of Plant Materials: Reinforce the overall architectural and open space design concepts through the selection of landscape materials.

DC4-D-2. Hardscape Materials: Use exterior courtyards, plazas, and other hard surfaced areas as an opportunity to add color, texture, and/or pattern and enliven public areas through the use of distinctive and durable paving materials. Use permeable materials wherever possible.

DC4-D-3. Long Range Planning: Select plants that upon maturity will be of appropriate size, scale, and shape to contribute to the site as intended.

DC4-D-4. Place Making: Create a landscape design that helps define spaces with significant elements such as trees.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendations on departures are 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.

1. **Street Level Development Standards (SMC 23.47A.008 D2):** The Code requires residential use to be setback 10 feet from the street property line or be located 4 feet below or above sidewalk grade. The applicant proposes a setback less than 10 feet for units that are less than 4 feet above grade.

The Board unanimously approved the proposed departure request to allow the residential entry to be located less than four feet above sidewalk grade. The current design meets the land use code requirement, but the applicant anticipates once the final grading design for the site is determined that a minor departure may be necessary. The Board agreed that the design which locates the residential windows approximately 5 feet above the sidewalk elevation balances privacy with keeping eyes on the street. The Board was amenable to a departure provided the stoop is located a minimum of 3 feet above sidewalk grade. The proposed departure request and associated street level residential design better meets the intent of Design Guideline PL3-B Ground Level Residential Uses.

2. **Vehicle Access (SMC 23.47A.032 A1c and C):** The Code requires access from 60th Avenue NE. The applicant has requested a departure to allow access from NE 63rd Street consistent with the Board's guidance at EDG.

The Board unanimously approved the proposed departure request to allow access from NE 63rd Street. The Board agreed that access should be located so that it away from the pedestrian sidewalk adjacent to the school. The proposed departure request to allow access from NE 63rd Street better meets the intent of Design Review Guideline DC1-B Access Location and Design.

3. **Blank Facades (SMC 23.47A.008 A2c):** The Code allows a maximum of 40% blank façade at the street level street facing façade. The applicant requests more than 100% on the north elevation of building 1.

The Board unanimously approved the departure request for the blank façade along the north façade. The Board agreed that overall streetscape design with the proposed green wall better meets the intent of adopted Design Guideline PL3-B Ground Level Residential Uses.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated January 12, 2015, and the materials shown and verbally described by the applicant at the January 12, 2015 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, four of the four Design Review Board members recommended APPROVAL of the subject design with no conditions.

ANALYSIS & DECISION – DESIGN REVIEW

Director’s Analysis

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

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

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

Subject to the following conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

At the conclusion of the Recommendation meeting held on January 12, 2015, the Board recommended approval of the project with no conditions.

Four 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 the Design Review Board’s conclusion that the proposed project design results in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

Director’s Decision

The Director accepts the Design Review Board’s recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departure with the conditions summarized at the end of this Decision.

II. ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant and dated May 15, 2015. The information in the checklist and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans, including site survey, and any additional information in the file. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, “*Where City regulations have*

been adopted to address environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

Codes and development regulation applicable to this proposed project will provide sufficient mitigation from short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC22.800-808), the Grading Code (SMC22.170), the Street Use Ordinance (SMC Title 15), the Building Code, and Noise Control Ordinance (SMC 25.08).

Short Term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

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.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Construction Traffic

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The immediate area is subject to significant traffic congestion during drop off and pickup times for the nearby school and during the PM peak hours on nearby arterials. Large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted.

To mitigate construction truck trip impacts, the applicant shall submit a Construction Haul Route for approval by Seattle Department of Transportation. This plan may include a restriction in the hours of truck trips to mitigate traffic impacts on nearby arterials and intersections. Evidence of the approved plan shall be provided to DPD prior to the issuance of demolition, grading, and building permits.

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; obstruction of private views, 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 will reduce or eliminate most adverse long-term impacts to the environment.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project. No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Height, Bulk, and Scale

The proposal has gone through the design review process described in SMC 23.41. Design review considers mitigation for height, bulk and scale through modulation, articulation, landscaping, and façade treatment.

Section 25.05.675.G.2.c of the Seattle SEPA Ordinance provides the following: "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 shall be presumed to comply with these 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 on projects that have undergone Design Review shall comply with design guidelines applicable to the project." The height, bulk and scale of the proposed development and relationship to nearby context have been addressed during the Design Review process for any new project proposed on the site. Additional mitigation is not warranted under SEPA.

Parking

The proposed development includes 8 townhouse units and 8 parking spaces. The Institute of Transportation Engineers (ITE) Parking Manual indicates that the estimated demand for this use is between 8 and 17 parking spaces (8 units x 1.04 to 1.96 parking spaces per unit).

The ITE Parking Manual is based on suburban assumptions that often do not include nearby on-street parking, pedestrian-oriented environments, bicycle facilities, or mass transportation. Transit options and some services are within blocks of the proposed development, and it is reasonable to expect that the residents, employees and visitors of the proposed project would likely incorporate walking, cycling, or transit in their transportation options. For the remaining spillover parking demand of people driving to the site for these uses, there are numerous on-street parking spaces in the immediate vicinity of the site.

The proposed parking (8 spaces) will likely accommodate most or all of the anticipated parking demand, and no mitigation is warranted under SEPA.

Traffic

The ITE indicates that the number of trips anticipated by this development is 4 trips per peak hour and 46 total daily trips.

The ITE Manual is based on suburban assumptions that often do not include nearby on-street parking, pedestrian-oriented environments, bicycle facilities, or mass transportation. Transit options and some services are within blocks of the proposed development, and it is reasonable to expect that the residents, employees and visitors of the proposed project would likely incorporate walking, cycling, or transit in their transportation options. Therefore, the anticipated number of vehicle trips will likely be lower than the amount shown in the ITE Manual.

In consultation with DPD's Transportation Planner it was determined that the anticipated number of vehicle trips has been determined not to have a significant adverse impact on the existing traffic patterns in this area. Thus, the noted traffic-related impacts of the proposed completed project are not considered significant and no further mitigation is warranted under SEPA policies.

Plants and Animals

Mature vegetation is located on the site, including 15 trees, three of which qualify as Exceptional Trees. The applicant submitted an Arborist report (Tree Solutions Inc., dated November 18, 2013), which described the trees. This report was reviewed by the DPD Arborist.

Three Exceptional Trees were identified on site (Alaska cedars). Two are located on the south edge of the site (13" and 13.9" DBH) and one is located near the northwest corner of the site (15.7" DBH). The Arborist report notes that all three trees shown signs of Boring Beetle infestation and adjacent construction may cause additional stress and affect long term viability of these trees.

The proposed development includes retention of the two Exceptional Trees near the south property line, and removal of the Exceptional Tree in the north portion of the site. The proposal includes retention of several other trees near the south property line.

Removal of the Exceptional Tree as related to the proposed design is discussed in the Design Review section earlier in this decision. The Design Review Board recommended that the proposed building and landscape design meets the Design Review Guidelines better than a design that retains the existing exceptional tree.

The landscape plan for the site includes the proposal for new trees that will replace and exceed the canopy of the existing tree at maturity, in addition to existing trees retained on site. No mitigation beyond the Code-required landscaping is warranted.

DECISION - SEPA

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

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

CONDITIONS – Design Review

Prior to Building Final

1. 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 (Lindsay King (206) 684-9218 or lindsay.king@seattle.gov).
2. 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 (Lindsay King (206) 684-9218 or lindsay.king@seattle.gov).

For the Life of the Project

3. 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 (Lindsay King (206) 684-9218 or lindsay.king@seattle.gov).

CONDITIONS - SEPA

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

4. The applicant shall provide a copy of a Construction Haul Route, approved by Seattle Department of Transportation.

Signature: retagonzales-cumneutabby for _____ Date: August 17, 2015
Shelley Bolser, AICP, LEED AP
Land Use Planning Supervisor
Department of Planning and Development

SB:rgc
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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.