



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: 3016051
Applicant Name: Ginger Garff of Johnston Architects
Address of Proposal: 3300 NE 65th Street

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow a three-story, mixed-use building with 28 residential units, eight live-work units and 4,528 sq. ft. of retail commercial space at ground level and 68 parking spaces in a below-grade garage. The existing building would be removed. Related lot boundary adjustment # 3016366.

The following approvals are required:

Design Review - Seattle Municipal Code (SMC) Section 23.41

SEPA - Environmental Determination pursuant to SMC 25.05

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions*

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

* Notice of the Early Determination of Non-significance was published on April 24, 2014.

PROJECT DESCRIPTION

The applicant proposes to design and construct a three-story mixed use building with 28 residential units, eight live/work units and 4,528 sq. ft. of commercial space at ground level and a 68 space parking garage below-grade. (13 of these parking spaces will be dedicated for the uses of the townhouses to the north of the site.)

At the first Early Design Guidance meeting, the applicant produced three schematic ideas for the southern quarter of the block bounded by NE 65th St. on the south, 32nd Ave NE on the west, 34th Ave NE on the east and NE 68th St on the north. Scheme A, a large undifferentiated block with the exception of a small step in height near the mid-point of NE 65th St., illustrates vehicle access from 34th Ave NE, a below grade garage, live-work units and commercial space fronting NE 65th St. and apartment units above and behind the two types of commercial units. The floor plan indicates a double loaded corridor along the east/west axis.

The massing of Scheme B presents a tripartite scheme along NE 65th St. with commercial spaces at the corners and a recessed court between the street and live/work units. The central portion of the mass steps up in height toward the north. Parking access, similar to the other two schemes, occurs on 34th Ave NE. Scheme C maintains the same programming with commercial spaces at the corner, the live/work units located in the central portion of the frontage and residential units behind and above the commercial. The massing, relatively undifferentiated along NE 65th St. with the exception of a narrow reveal for pedestrian entry into the residential realm, splits along the east/west axis above the ground floor to reveal a linear court for small patios and to introduce greater amounts of light into the units. The plans appear to accommodate roof top decks and patios along the north and south elevations.

As requested by the Board at the first EDG meeting, the architect provided two new massing options and a refinement of the preferred scheme. The new Scheme A splits the massing into two roughly separate east and west structures which step down in height in accordance with the grade. Building program and points of access possess similar attributes as the original schemes. Scheme B establishes two small forecourts or plazas along NE 65th St. providing relief along the long street façade. The third scheme refines an earlier option preferred by the applicant. The Board guidance below focuses on this option.

By the Recommendation meeting, the design team produced modifications to include stepped street frontage and stepped massing in response to the topography and length of the southern street frontage. The NE 65th streetscape includes active retail uses at both corners and live-work units with large storefront glazing along NE 65th St. The ground level spaces are designed to be level with the adjacent sidewalk grade, and live-work spaces can be combined with adjacent retail spaces for future flexibility. Landscaping is proposed to frame the live work spaces and delineate the area between retail and live-work. Benches are proposed at the south property line to encourage public interaction with the live-work uses. Landscaping and benches are used to define café seating opportunities adjacent to the retail spaces at both corners. Bike racks are proposed at the east and west facades in proximity to the retail spaces.

The applicant noted that in response to the Board's comments at the Second EDG meeting, the residential entry bay has been revised to create a one story volume separating the building masses on NE 65th St. Specifically since the Second EDG meeting, the elevator has been relocated from the entry bay to the building interior to further enhance the massing break and maximize visibility of the Exceptional Tree to the north.

Landscaping includes a planter at the north edge to accommodate stormwater runoff and provide a visual buffer. The north facing units include patios with planters and dense planting to create a buffer between the proposed north-facing units and the existing residences to the north. Landscaping at the street frontages is varied, including new street trees and raised steel planters.

The material palette included steel awnings with wood soffits, clear vertical cedar siding sealed with Australian Timber Oil (to preserve the warm color), wood composite siding (Parklex or similar manufacturer), brick, cable rail balconies, a steel reed fence wrapping the stairs at the east and west edges, and a glazed garage door. The intent of the palette is to present a subtle building that responds to the neighborhood context.

SITE & VICINITY

The 31,930 sq. ft. rectilinear site fronts onto Northeast 65th Street extending from 32nd Ave NE to 34th Ave NE. With a declension of approximately 12 feet, the high point occurs at 32nd Ave and slopes toward the east. The property does not contain a mapped environmental critical area.

The project site lies within the Bryant/Ravenna neighborhood in Seattle's northeast quadrant. The neighborhood possesses a mix of mostly single family homes, a small amount of townhouses between 34th and 35th Ave NE and an assortment of institutional and small scale commercial uses facing NE 65th St. and 35th Ave NE. The homes in the area represent common architectural styles built throughout the 20th century. The nearby institutional buildings, including the NE Branch Library, Assumption – St. Bridget School and Church, the Theodora Apartments, Wedgwood Unitarian Church and Beth Shalom Congregation, were for the most part constructed in the mid-20th century embodying a Pacific Northwest inflection to modernist architecture. NE 65th St. and 35th Ave NE, significant arterials, connect Magnuson Park to Green Lake in the east west direction and University Village/University Washington to the Lake City neighborhood

The site possesses a zoning classification of Neighborhood Commercial One with a 30 foot height limit (NC1 30). NC1 30 zoning extends along NE 65th St from just east of 35th Ave NE to west of 32nd Ave NE. The multifamily Lowrise Two (LR2) lies to the north and to the northeast of the subject site encompassing a corridor along 35th Ave NE. Single Family 5000 (SF5000), the predominant zoning classification in the vicinity, surrounds the small node of NC1 30 and LR2 zoning.

ANALYSIS - DESIGN REVIEW

Public Comments

Approximately 33 members of the public affixed their names to the Early Design Guidance meeting sign-in sheet. Speakers raised the following issues:

Massing

- Supports the idea of reducing the building mass into three parts along NE 65th St.
- Emphasize the individuality of each of the three masses along NE 65th St.
- Modulate the interior units facing the court or light well.
- Hold back or set back the structure from the street. (Mentioned by several speakers.)
- One long façade on NE 65th St. is too much. Individualize the building masses.

Streetscape

- Take into account that 32nd Ave NE is proposed as a greenway.
- The proposed bike lanes on 65th St. are still under consideration.

- 35th Ave NE would have cycle tracks.
- Preserve the trees in the parking strip on 32nd Ave NE.
- Ensure that there is adequate access for fire trucks.
- Widen NE 65th St. The street needs to be safe for the Assumption school kids. Widening the frontage along 65th will help.
- Dangerous exiting occurs onto NE 65th St. The developer must account for the inherent lack of safety.
- The goal is to emphasize or support the neighborhood's pedestrian character.
- Replace the sidewalks on the east and south side of the project. The sidewalks should be wider. The building should be set back from the rights of way by ten to 15 feet.

Open space

- The courtyard is relatively narrow.
- Add more open space at grade.
- Ensure that the courtyard is open to the public.

Aesthetics

- The style of the building should relate to the Tudor style houses in the neighborhood.

Programming

- How do the live/work units give back to the neighborhood?
- The intent to activate NE 65th St. is supported.

Parking

- Add extra parking spaces in the garage.
- Surplus parking should be available for the live/work units.

Amenities

- Consider access and storage of bikes in the new complex.

Other

- The project needs to be attractive to families.
- The development team has worked well with the Ravenna/Bryant community.

DPD received numerous emails and phone calls addressing parking and traffic congestion in the immediate neighborhood. With the number of townhouse units, single family homes and commercial uses proposed for the block, the neighbors and nearby property owners emphatically expressed their concern for congestion, safety (particularly turning onto NE 65th St), the adequacy of access for emergency vehicles, and the lack of enough on-site parking to accommodate the townhouses. Other correspondence reiterated many of the issues raised at the EDG meeting.

At the second EDG meeting, nine members of the public recorded their names on the sign-in sheet. Speakers commented upon the following:

- Install solar panels and a rain catchment system.
- Plant mature street trees.
- The project has evolved nicely.
- The setbacks from the streets are improved.
- Approves of access to the garage from the central elevator.
- The third option is the most sensitive to the neighborhood.
- Prefers a corner that is reserved and not overly elaborated.

DPD received additional letters including a petition (and photos) from neighbors encouraging 1) employment of a craftsman or Tudor style design for the structure that matches the neighborhood, 2) preservation of open spaces, 3) widening 34th Ave NE, 4) creation of 15 foot setbacks, and 5) installation of adequate parking for all residents.

GUIDELINES

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

PRIORITIES

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

EDG Meeting #1: Maintaining the site’s wooded character represents an important consideration. The Board encouraged the preservation of the cluster of mature trees that borders this project’s northeast corner along 34th Ave NE.

The project should provide much greater transparency through the site to allow pedestrians and residents enjoyment of the site’s mature trees.

EDG Meeting # 2: The applicant has responded by showing the preservation of several trees along 32nd Ave. and a cluster of trees along 34th Ave NE near the edge of the site.

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

EDG Meeting #1: The preliminary work by the architect conveys a respect for the streetscape. The Board, however, dismissed the architect’s idea of placing planters and gates between the street and the live/work units, preferring direct access from the sidewalk to the commercial operations that occur at street level.

EDG Meeting # 2: The Board reiterated its expectation that the live/work units facing NE 65th St. have the same streetscape attributes as the corner commercial spaces. Units should have direct access to the sidewalk without gates, steps or planters encumbering movement.

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

EDG Meeting #1: The Board requested further elaboration of the various commercial and residential entrances along the three streets. At the follow-up EDG meeting, the development team must place greater emphasis on identifying and illustrating the entrances.

EDG Meeting # 2: The live/work units should possess the same extensive storefront window system as the corner commercial spaces to ensure a generous amount of transparency.

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

EDG Meeting #1: Other than the expansion of the NE branch library and the addition of townhouses, the neighborhood has not witnessed significant redevelopment for several years. The proposed project has an opportunity to create a special sense of place for the neighborhood by focusing on small scale retail along NE 65th St. and providing quality open space along it.

EDG Meeting # 2: Compliance with the guidance provided for A-2, A-3, C-2, and D-1 will help ensure an active streetscape.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

EDG Meeting #1: The lack of information provided about the adjacent proposed townhouse development (Lowrise zone) to the north unsettled the Board as the relationship between the proposed mixed use structure and the townhouses is an important consideration. Is the intention to develop a fluid landscape between the separate projects? Does the larger building turn its back to the townhouses? Are there fences or other landscape features that separate them? The two development sites share 273 linear feet of border.

EDG Meeting # 2: The 15 foot setback on the north side met expectations for this guideline. At the Recommendation meeting, provide landscape plans for the patio areas.

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

EDG Meeting #1: Much of the project's success hinges on the quality of its open space. Only one design scenario addressed open space in a direct manner. In scheme C, the Board found the central open space too narrow, serving mostly as light well. The applicant will need to produce alternative massing options that reconsider the open space(s) as a key element to the parti. The Board conveyed its strong interest in visually connecting the exceptional trees behind the subject site in the LR2 zone with the sidewalk along NE 65th St. This would create a larger break in the building allowing opportunities for open space in the north/south direction. An open space on 65th would provide a plaza mixing both residential tenants and commercial users. An open space on the north side would embrace the green vista through the center of the lowrise zone with its proposed townhouses.

EDG Meeting # 2: The north/south passage from NE 65th St. into the residential entry is also an important visual connection between the streetscape and the townhouse project to the north. At the second EDG meeting, the passage lacked the scale appropriate to the overall mass. The residential entrance with its elevator and stairs blocked the sightlines to the rear. A much more capacious width, perhaps even doubling it, will satisfy the Board's expectations for this important space.

After refinements to the upper level open space, in essence a corridor for access to the dwelling units, the Board accepted the proportions of the space.

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

EDG Meeting #1: At this point in time, the Board supported the logic of locating the garage entrance on 34th Ave. NE.

Staff note: a traffic study will most likely evaluate the safety and functional aspects of placing access on 34th Ave. NE.

Clarify the location of bike storage for the complex for the next meeting.

EDG Meeting #2: The Board did not further elaborate on 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.

EDG Meeting #1: The building's corners, particularly the ground level at 32nd and 34th Avenues, represent a key element in the design. Generous glazing at the corners and space for a sidewalk café would enhance the commercial uses. The corner open spaces would not substitute for true residential open space as the structure should anchor the two intersections.

EDG Meeting # 2: Differentiate or mark the corners from other portions of the elevations with subtle gestures in the detailing of materials, fenestration, and canopies to distinguish the corners from the longer 65th St. facade. The Board agrees that the corners do not warrant an obvious gesture marking a gateway or establishing a visual landmark.

B. Height, Bulk and Scale

B-1 Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.

EDG Meeting #1: The Board supports the clear articulation of a tripartite massing along NE 65th St. The division should assist, along with quality detailing, in reducing the apparent mass along the street.

Parts of the subject site lie across from both single family and lowrise zoned properties. The architect should consider this proximity when reconsidering the massing and uses during the development of the design.

EDG Meeting # 2: The evolution of the massing with its tripartite composition along N. 65th met with acceptance. The location of the north/south gap splitting the mass received endorsement; however, as stated in Board guidance for A-7, this gap will need to be widened to ensure a more expansive view toward the exceptional trees.

C. Architectural Elements and Materials

- C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.**

EDG Meeting #1: Discussion focused on the character of the neighborhood with its Tudor style houses, craftsman bungalows and its refined mid-century institutions and apartments. The later provides a strong design antecedent that could be incorporated into the design.

EDG Meeting # 2: The Board chose not to provide additional guidance at this point in time.

- C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.**

EDG Meeting #1: The ground plane should reflect the building's uses. Rather than allowing the live/work units to spill over into the two flanking masses along 65th St., confine the units to the central block. Treat the live/work units as true commercial spaces by removing planters and gates between the unit and the sidewalk.

EDG Meeting # 2: The refined Option # 3 did not actually comply with the earlier guidance as the spaces designated for live/work units slipped into the two flanking masses. The Board conveyed its strong interest in the seamless appearance of the commercial spaces and the live/work units. The storefronts of the latter should closely resemble those of the larger commercial spaces.

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

EDG Meeting #1: The sketches presented at the public meeting begin to convey the architect's appreciation of the nuances of designing at a fine grain.

EDG Meeting # 2: Given the low rise nature of the neighborhood, good detailing of the large three-story building form and its materials will serve to provide a scale in keeping with the surroundings.

- C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.**

EDG Meeting #1: By the next EDG meeting, the development team should illustrate its exploration of material choices through character sketches.

EDG Meeting # 2: The quality and detailing of the finish materials remains an important issue for the Board's evaluation.

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

D. Pedestrian Environment

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

EDG Meeting #1: How does the design team articulate the NE 65th St. edge in the design of its open space and entrances? The Board endorsed the notion of extending the commercial street front along this portion of NE 65th. Nuanced pedestrian oriented spaces at the corners and along the frontage of the building should complement the commercial storefronts.

EDG Meeting # 2: The paving in front of the live/work units must reinforce the commercial attributes of the live/work units. The success of the live/work units depends upon these units being recognized by pedestrians and clients as commercial enterprises. Treat the entrances with same intention as any successful commercial storefront.

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

EDG Meeting #1: By the next EDG meeting, the plans should clearly demonstrate the location of solid waste / recycling storage and how transference of material occurs.

EDG Meeting # 2: The applicant needs to indicate the location of solid waste / recycling storage and explain how transference of material occurs.

The location and ease of access to the bike parking area represents a special concern. Will residents likely store their bikes in the second floor open air corridor or in the basement storage areas?

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

EDG Meeting #1: Consider the quality and width of the sidewalks surrounding the project site. The design of the setbacks and the landscaping near and in the right of way should emphasize the neighborhood's pedestrian character.

EDG Meeting # 2: The Board did not provide additional comments.

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

EDG Meeting #1: At the Recommendation meeting stage, create a commercial signage plan for Board review.

EDG Meeting # 2: See meeting # 1 guidance.

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

EDG Meeting #1: By the Recommendation meeting produce a lighting concept plan for Board review.

EDG Meeting # 2: See meeting # 1 guidance.

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

EDG Meeting #1: In addition to generous amounts of glazing at the commercial spaces, proposed live/work units should resemble in the amount of glazing and character of detail the larger commercial spaces.

EDG Meeting # 2: The Board reiterated its earlier guidance.

- D-12 Residential Entries and Transitions. For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and be visually interesting for pedestrians.**

E. Landscaping

- E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.**

EDG Meeting #1: With a city designated exceptional tree close to the dividing line between the LR2 and NC1 zones, the Board seeks to ensure that the proposal preserves the tree's longevity by setting back an appropriate distance. Preserving a sightline from NE 65th St to the tree also interested the board members.

The relationship between the mixed use project and the townhouses as discussed in A-5 above serves as an important key as to how the block maintains its open and wooded character.

EDG Meeting # 2: In order to reinforce the design continuity with the adjacent townhouse development to the north, the Board requires a wider passage through the complex to allow improved sightlines to the exceptional trees behind the project.

- 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.**

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

EDG Meeting #1: As mentioned in A-1, preserving the tree cluster to the northwest of the subject development site represents a priority.

EDG Meeting # 2: The applicant presented drawings preserving the cluster of trees near the edge of the site.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a Design Review and SEPA components on April 9, 2014.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on December 1, 2014 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meetings, site plans, elevations, floor plans, landscaping plans, and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

Public Comment

The following comments were offered at the Final Recommendation meeting:

- The neighborhood has been working on a business plan to expand the retail uses from 35th Ave NE further to the east along NE 65th St. The proposed development is consistent with the neighborhood's intended business plan.
- The proposed development mix of uses, size of units, and quality of design is a good response to the intent for the area. The neighborhood supports the potential for restaurant uses at this site.
- Appreciated the use of brick and the overall design concept.
- The bike racks should be designed to accommodate bike trailers, tandem bikes, and other large bikes frequently used by families in the neighborhood.

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

The Board didn't offer additional comments about the tree preservation plan, but recommended approval of the proposed development and landscaping.

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

The Board noted that the plantings at NE 65th help to transition the grade changes along the street frontage, so the planters seem appropriate as proposed. The Board specifically noted that positive aspects of the proposed live-work design included large glazed areas,

landscaping to frame the live-work units, floor plans that provide usable living space apart from the ‘storefront’ area of the units, and flexibility to combine the live-work units with adjacent retail spaces.

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

The Board approved the proposed large glazed areas at the live-work units and the landscaping strategy to treat the units similar to commercial spaces, rather than screen the front windows with landscaping.

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

Recommendations reflect the responses to Guidelines A-2, A-3, C-2, and D-1.

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.

The Board did not offer additional comments about the north property line and north patio landscaping, but recommended approval of the proposed development and landscaping.

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

The Board approved of the design response to EDG and recommended approval of the design of the entry bay and interior open space. Critical aspects of the design approval included the transparency of the mews rail, the significant increase in transparency, and the 2-story height and 14’-18’ width of the second level exterior passage.

The Board acknowledged that the size and mix of residential units is beyond Design Review purview, but they supported the 2-3 bedroom units and noted that the mews will provide usable access and open space for families living in these units

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.

The Board approved the design response to EDG and recommended approval of the design of the parking access and driveway.

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.

The Board recommended approval of the proposed design concept and material palette. The Board specifically noted the subtle use of modern forms and brick materials as a successful design response to the nearby mid-century modern and Tudor residential context.

B. Height, Bulk and Scale

- B-1 Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.**

The Board approved the design response to EDG and recommended approval of the design modifications to the entry bay, including relocation of the elevator, a large increase in transparency in this bay, and the transparency of the mews rail.

C. Architectural Elements and Materials

- C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.**

As noted in response to Guideline A-10, the Board recommended approval of the subtle use of modern forms and brick materials as a successful design response to the nearby mid-century modern and Tudor residential context.

- 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.**

The Board approved the commercial appearance of the live-work units and the potential for future flexibility of space between live-work and retail spaces.

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

As noted in response to Guideline A-10, the Board recommended approval of the proposed design concept and material palette. The Board specifically noted the subtle use of modern forms and brick materials as a successful design response to the nearby mid-century modern and Tudor residential context.

- 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.**

As noted in response to Guideline A-10, the Board recommended approval of the proposed design concept and material palette. The Board specifically noted the subtle use of modern forms and brick materials as a successful design response to the nearby mid-century modern and Tudor residential context.

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

As noted in response to Guideline A-8, the Board approved of the design response to EDG and recommended approval of the design of the parking access and driveway.

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.**

As noted in response to Guideline C-2, the Board approved the commercial appearance of the live-work units and the potential for future flexibility of space between live-work and retail spaces.

- 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.**

The Board recommended approval of the solid waste storage and staging area near the driveway.

The Board also acknowledged public comment regarding the need for public bicycle storage for longer or larger family bicycles. Public bike parking is proposed at the east and west street frontages, and inside the garage, but is lacking at the NE 65th Street frontage. The Board therefore recommended a condition to add bicycle racks at NE 65th St, closer to the center of the site. The Board suggested that a longer or more linear bike rack might better accommodate the longer family bicycles.

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

The Board was concerned that some of the benches at the retail spaces were oriented to face into the site or were designed with blind corners that could encourage illegal behavior. The Board suggested that the applicant design the benches to face the sidewalk where the grade allows, and design the seating areas for clear sight lines, but declined to recommend a condition for this item.

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

The Board didn't offer specific comment on the signage plan at the Recommendation meeting, but recommended approval of the overall design concept and palette.

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

The Board didn't offer specific comment on the lighting plan at the Recommendation meeting, but recommended approval of the overall design concept and palette.

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

The Board's recommendations are summarized in the response to Guideline C-2.

D-12 Residential Entries and Transitions. For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and be visually interesting for pedestrians.

The Board's recommendations are summarized in the response to Guideline B-1.

E. Landscaping

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

The Board's recommendations regarding the design of second level pedestrian passage through the complex) are summarized in the response to Guideline A-7.

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.

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

As noted in response to Guideline A-1, the Board didn't offer additional comments about the tree preservation plan, but recommended approval of the proposed development and landscaping.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the December 1st, 2014 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the December 1st public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the three Design Review Board members present unanimously recommended approval of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed below).

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION	RECOMMEND-ATION
1. Residential Uses at Street Level SMC 23.47A.005C.1.e.	A maximum of 20% of street facing facades shall be for residential use.	The applicant proposes to allow 47% residential uses at the 34 th Ave frontage to allow for the garage entry and residential exit and 50% at the 32 nd Ave frontage for a residential transition to the townhouse development.	This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-2 and A-8 by locating the garage entry on the less commercially oriented street frontage, maintaining a continuous sidewalk on the more heavily traveled pedestrian corridor of NE 65 th St, and by providing commercial parking within the garage.	Approved
2. Screening of Parking SMC 23.47A.016	Parking garage occupying any portion of the street-level, street-facing façade between 5 and 8 feet above sidewalk grade.	Provide a garage facing 34 th Ave NE	Landscaping would inhibit access to the garage since there is no alternative access.	Approved

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

- 1) Add bicycle racks at NE 65th St, closer to the center of the site. (D-6)

DIRECTOR’S ANALYSIS - DESIGN REVIEW

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

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated April 23, 2014. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

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

Short-term Impacts

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

Noise

Noise associated with construction of the mixed use building and future phases could affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Although there is adjacency to residential uses, the Noise Ordinance is found to be adequate to mitigate the potential noise impacts.

Air Quality

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

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. In order to ensure that PSCAA will be notified of the proposed demolition, pursuant to SEPA

authority under SMC 25.05.675A, a copy of the PSCAA permit shall be attached to the demolition permit. This will assure proper handling and disposal of asbestos.

Earth

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

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

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

Grading

Excavation to construct the mixed use structure will be necessary. Excavation will consist of an estimated 15,000 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Impacts

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

Traffic and Parking

Duration of construction of the apartment building may last approximately 16 months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675 B and M).

The construction of the project will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 15,000 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 1,500 round trips with 10-yard hauling trucks or 750 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site between 3:30 and 6:00 PM.

Due to the multiple development projects on this city block, DPD and SDOT will need to review potential sidewalk and street closures in order to ensure pedestrian and vehicular safety during project construction. A transportation route plan shall be provided to DPD and SDOT; this plan shall document proposed truck access to and from the site, and shall indicate how pedestrian connections around the site will be maintained during the construction period.

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

Long-term Impacts

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

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, greenhouse gas emissions, traffic and parking impacts warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Traffic and Transportation

Transpo Group, the applicant's transportation consultant, estimates that the proposed development in the NC zone would generate approximately 358 net new vehicular weekday trips including 28 net new PM peak hour trips. The total project including townhouses and single

family structures would represent approximately four percent or less of the 2016 weekday PM peak hour traffic volumes at all off-site study intersections. These intersections would operate at the same level of service (LOS) as future without project conditions with minimal increases in average vehicle delay caused by adding projected related trips to the roadway network.

No SEPA mitigation of traffic impacts to the nearby intersections is warranted.

Parking

The project will have a parking supply of 66 spaces in a below-grade garage. This will include 13 spaces for the townhouses in the adjacent development to the north. The proposed shared parking garage and additional individual attached parking units (in the single family and lowrise zones) are not anticipated to fully meet the peak parking demands of the project which will occur during the overnight hours. Approximately seven vehicles are likely to spill over into the neighborhood streets during the overnight period. A survey of on-street parking availability shows that approximately 59 spaces are available on the blocks immediately adjacent to the project site. With the addition of project related vehicles, the overall utilization on these blocks is anticipated to be 49 percent. The adjacent streets would be able to accommodate the potential parking spillover.

No SEPA mitigation of parking impacts is warranted.

Summary

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

DECISION - SEPA

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

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

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance

Revise plans sets to show:

1. Add bicycle racks at NE 65th St, closer to the center of the site.

Prior to Commencement of Construction

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

Prior to Issuance of a Certificate of Occupancy

3. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 206.615-1392). An appointment with the assigned Land Use Planner must be made at least three (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

For the Life of the Project

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

CONDITIONS – SEPA

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

5. A transportation route plan shall be provided to DPD and SDOT; this plan shall document proposed truck access to and from the site, and shall indicate how pedestrian connections around the site will be maintained during the construction period.

During Construction

6. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 and 6:00 PM.

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

Signature: Denise R. Minnerly for Date: April 16, 2015
Bruce P. Rips, AAIA, AICP, Land Use Planner IV
Department of Planning and Development

BPR:drm

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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.