



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: 3017425
Applicant Name: Jodi Patterson-O'Hare, for Shea Properties
Addresses of Proposal: 1319 Dexter Avenue N

SUMMARY OF PROPOSED ACTION

Land Use Application to allow two structures, one 7-story residential structure containing 73 units, and one 7-story mixed-use structure containing 223 residential units and 2,329 sq. ft. of retail space, in an environmentally critical area. Parking for 265 vehicles will be provided in a below-grade garage. Review includes demolition of existing buildings. Existing underground oil tank(s) to be removed (#6416606).

The following Master Use Permit components are required:

Design Review - Seattle Municipal Code Section 23.41 with Development Standard Departures

SEPA Environmental Review - Seattle Municipal Code Section 25.05

SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

SITE AND VICINITY

The development site has street frontage on Dexter Avenue N. on the east, Aurora Avenue N. on the west, Lee Street on the north, and Comstock Street on the south. Due to the steep topography between Dexter Avenue N. and Aurora Avenue N., neither Lee nor Comstock Streets, are cut through to Aurora Avenue N. on the upslope side. The existing site is currently occupied by a four-story apartment building, a three-story commercial office building and surface parking.

The “Dexter Neighborhood” along the western edge of Lake Union and abutting Queen Anne hill provides a mixture of housing and commercial office uses, with a scattering of earlier maritime support businesses. Substantial development, a mixture of commercial office and large residential and mixed-use buildings, is currently being planned or under review for the area. The area has a “Walkscore” of 86, “very walkable”, “Transitscore” of 71, “excellent transit,” and a “Bikescore” of 71, “very bikeable.” Dexter Avenue N. is an established major bike route from the northern part of the city to downtown. Recent improvements include a dedicated bike lane with bus stop islands located between the bike lane and the vehicular lanes of travel.

Aurora Avenue N., State of Washington Highway 99, has several sites scheduled for new development. The lots on the east side of the street enjoy views of Lake Union, but a lack of pedestrian-oriented retail uses, the proximity of high volume and prevailing high-speed traffic, together with a general absence of pedestrian amenities accounts for limited pedestrian traffic along that street.

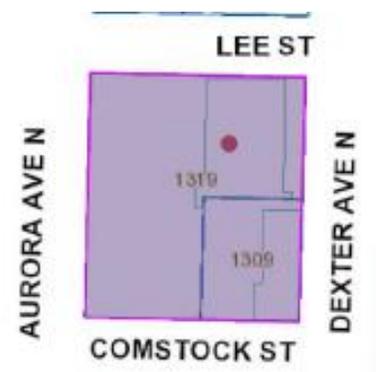
Existing vehicular circulation to the site is from Lee Street. The proposed vehicle access point of the preferred option is from Comstock Street.

There are no east-west pedestrian routes joining Westlake and Dexter between Galer Street, approximately 3 blocks to the north, and Aloha Street, approximately 3 blocks to the south.

The site slopes from a low point at the southeast corner to a point 65 feet higher at the southwest corner. Steep slopes (40% average, ECA-1) characterize approximately the western half of the development site.

The site is zoned SM 85, as are the areas north and south of the development site. West of Aurora Avenue N. the zoning is LR3RC. To the east, across Dexter Avenue N., the zoning is SM85/65-125.

The immediate vicinity, in particular the areas north and south along Dexter Avenue N., is best described as transitional, with new mixed-use development, primarily residential, being set down amidst older, smaller commercial and maritime-related structures, creating a neighborhood with a mix of uses and scales.



PROPOSAL

The applicant is proposing a full block mixed use development, with a total of 296 residential units, 2,050 SF of retail at ground level and parking below grade for 265 vehicles. Development will consist of two integrated structures, one a 7-story, 73 unit residential building and the other a 7-story mixed-use building with 223 residential units and the retail space.

Public Comments

Comments were received during the public comment period that ran from October 2, 2014 through October 15, 2014, as well as at the Design Review meetings (see below). Comments

ranged from concerns about both Aurora Avenue N. and Dexter Avenue N. becoming canyons with this and other development, actual and proposed. There was a desire noted for increased retail/commercial spaces to be implemented at street levels in order to promote and enhance desired pedestrian activity currently absent from the neighborhood.

ANALYSIS - DESIGN REVIEW

Design Review Board Design Guidance

EARLY DESIGN GUIDANCE MEETING - August 20, 2014

The packet includes materials presented at the 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.

The packet is also available to view in the file, 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

At the Early Design Guidance meeting, held before the Design Review Board for the West District, on August 20, 2014, it was explained by the Design Team that there currently exists an older, four-story apartment building located at the corner of Comstock Street and Dexter Avenue N. Due to a backlog of projects to review, the Landmarks Board review of this building had not taken place. It is the applicants' wish to proceed with design development of new construction on the entire block, and presented 3 options based upon a full-block buildout, with the understanding that Landmark status and controls could be placed on the existing apartment building. Optional site development with the apartment building being preserved on site was briefly shown to the Board (as is presented on pp.36-50 of the EDG packet, available on-line).

The preferred alternative, with the apartment building gone, would locate an "L"-shaped structure with its pivot point located at the northwest corner of the site and a second structure, connected by a bridge at the north end, was canted in a northwest direction so that it pulled back slightly from Dexter Avenue N. There was some discussion among the Board members weighing the values of retaining the existing apartment building. Some members of the Board encouraged the development team to continue looking for ways to incorporate the older apartment into the plans to develop the entire site, but the Board was agreed that the preferred option with the "L"-shaped structured with its back to Aurora Avenue N. and to Lee Street, separated by a courtyard from the canted smaller structure facing onto Dexter Avenue N. was the more elegant design for a full-block build-out and offered the most promise for new development of the entire site. [Subsequently, the Landmarks Board demurred at granting Landmark status to the building, and the building will be demolished to make room for the proposed new development.]

Public Comment

Public comments: 1) cautioned against planting trees on the abutting side streets (Lee & Comstock) since leaves and other by-products has been a source of safety concerns; 2) requested curtailing the height of the proposed structure to mitigate the impact on views of the lake from Queen Anne hill; 3) urged the developers to keep to a tiered shape as the building went up the hill, a more traditional form and one that would lessen the “canyon effect” along Dexter Avenue; 4) lobbied for more retail space at ground level, an element missing in much of the newer development but essential for building community; 5) opined that the size and rate of development in the immediate area was overwhelming the existing infrastructure of utilities, roads and services.

PRIORITIES & BOARD RECOMMENDATIONS: August 20, 2014

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.

Among the Board’s major issues regarding the proposal were the following:

- While the Dexter Avenue N. manipulation of parts and treatment of the massing bestowed character and interest to the proposal, the Aurora Avenue N. façade was “too monolithic.” The continuous light-well trough between sidewalk and building imparted a “moat and castle” feeling, which may have captured the prevailing Aurora character but did nothing to improve the pedestrian experience along that frontage. The moat was potentially an interesting feature, but unless it received some very special attention, through bridging and greening, for instance, it would be “a sad space.”
- It was agreed that the auto entry should be on Comstock Street, but the façade facing the hill-climb should not be blank or bleak which were the countervailing pulls of topography garage opening.
- The Lee Street façade also needed portals and penetrations, landscaping, grooved pavement, handrails....
- On Dexter Avenue N. spaces given to retail seemed too small, the amount given to leasing office too big, proportionately. The ground floor space along the south side needed to be thought about more intentionally, as did the entire distribution of ground floor spaces.
- The announced conceptual theme of earth and water was intriguing, but how specifically was this being worked out in terms of the ground floor plane? How did the conceptual impart architectural character to the proposal?
- The cant of the front structure was critical to the success of the overall design. Was it enough to impart a meaningful pedestrian experience? Consider a variety of views, from the streets, from the lake.
- Does the building celebrate as well as accommodate bicycles?
- Don’t overlook stepping as a time-honored massing gesture of structures hunkering down on the east slope of Queen Anne hill.
- How do you do garbage?

DESIGN REVIEW GUIDELINES

The priority Citywide and Neighborhood guidelines identified by the Board as Priority Guidelines are summarized below, while all guidelines remain applicable. 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-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-E Water

CS1-E-1. Natural Water Features: If the site includes any natural water features, consider ways to incorporate them into project design, where 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-A-2. Architectural Presence: Evaluate the degree of visibility or architectural presence that is appropriate or desired given the context, and design accordingly.

CS2-B Adjacent Sites, Streets, and Open Spaces

CS2-B-1. Site Characteristics: Allow characteristics of sites to inform the design, especially where the street grid and topography create unusually shaped lots that can add distinction to the building massing.

CS2-C Relationship to the Block

CS2-C-3. Full Block Sites: Break up long facades of full-block buildings to avoid a monolithic presence. Provide detail and human scale at street-level, and include repeating elements to add variety and rhythm to the façade and overall building design.

CS2-D Height, Bulk, and Scale

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.

South Lake Union Supplemental Guidance:

CS2-I Responding to Site Characteristics

CS2-I-i. Views: Encourage provision of “outlooks and overlooks” for the public to view the lake and cityscapes. Examples include provision of public plazas and/or other public open spaces and changing the form or facade setbacks of the building to enhance opportunities for views.

CS2-II Height, Bulk, and Scale Compatibility

CS2-II-ii. Upper-level Setbacks: Encourage stepping back an elevation at upper levels for development taller than 55 feet to take advantage of views and increase sunlight at street level. Where stepping back upper floors is not practical or appropriate other design considerations may be considered, such as modulations or separations between structures.

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

CS3-A Emphasizing Positive Neighborhood Attributes

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.

South Lake Union Supplemental Guidance:

CS3-I Height, Bulk, and Scale Compatibility

CS3-I-i. Facade Articulation: Articulate the building facades vertically or horizontally in intervals that relate to the existing structures or existing pattern of development in the vicinity.

CS3-I-ii. Reduce Visual Bulk: Consider using architectural features to reduce building scale such as:

- a. landscaping;
- b. trellis;
- c. complementary materials;
- d. detailing;
- e. accent trim.

CS3-II Architectural Context

CS3-II-ii. Preservation: Re-use and preserve important buildings and landmarks when possible.

CS3-II-v. Industrial Character: Respond to the working class, maritime, commercial and industrial character of the Waterfront and Westlake areas. Examples of elements to consider include:

- a. window detail patterns;
- b. open bay doors;
- c. sloped roofs.

PUBLIC LIFE

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

PL1-C Outdoor Uses and Activities

PL1-C-1. Selecting Activity Areas: Concentrate activity areas in places with sunny exposure, views across spaces, and in direct line with pedestrian routes.

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

PL3-C Retail Edges

PL3-C-1. Porous Edge: Engage passersby with opportunities to interact visually with the building interior using glazing and transparency. Create multiple entries where possible and make a physical and visual connection between people on the sidewalk and retail activities in the building.

South Lake Union Supplemental Guidance:

PL3-I Streetscape Compatibility

PL3-I-i. Retail Location: Where appropriate, consider a reduction in the required amount of commercial and retail space at the ground level, such as in transition zones between commercial and residential areas. Place retail in areas that are conducive to the use and will be successful.

PL3-II Human Activity

PL3-II-i. Public/Private Transition: Create graceful transitions at the streetscape level between the public and private uses.

PL3-II-ii. Active Facades: Design facades to encourage activity to spill out from business onto the sidewalk, and vice-versa.

PL3-II-iii. Coordinate Retail/Pedestrian Activity: Reinforce retail concentrations with compatible spaces that encourage pedestrian activity.

PL3-III Transition Between Residence and Street

PL3-III-i. Residential Entries: Consider designing the entries of residential buildings to enhance the character of the streetscape through the use of small gardens, stoops and other elements to create a transition between the public and private areas. Consider design options to accommodate various residential uses, i.e., townhouse, live-work, apartment and senior-assisted housing.

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

PL4-A Entry Locations and Relationships

PL4-A-1. Serving all Modes of Travel: Provide safe and convenient access points for all modes of travel.

PL4-A-2. Connections to All Modes: Site the primary entry in a location that logically relates to building uses and clearly connects all major points of access.

PL4-B Planning Ahead for Bicyclists

PL4-B-1. Early Planning: Consider existing and future bicycle traffic to and through the site early in the process so that access and connections are integrated into the project along with other modes of travel.

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.

PL4-B-3. Bike Connections: Facilitate connections to bicycle trails and infrastructure around and beyond the project.

DESIGN CONCEPT

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

DC1-A Arrangement of Interior Uses

DC1-A-1. Visibility: Locate uses and services frequently used by the public in visible or prominent areas, such as at entries or along the street front.

DC1-A-2. Gathering Places: Maximize the use of any interior or exterior gathering spaces.

DC1-A-3. Flexibility: Build in flexibility so the building can adapt over time to evolving needs, such as the ability to change residential space to commercial space as needed.

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-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 façades—including alleys and visible roofs— considering the composition and architectural expression of the building as a whole. Ensure that all façades 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 façades 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.

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-B Signage

DC4-B-1. Scale and Character: Add interest to the streetscape with exterior signs and attachments that are appropriate in scale and character to the project and its environs.

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.

DEVELOPMENT STANDARD DEPARTURES

At the time of the Early Design Guidance no departures were requested:

BOARD DIRECTION

At the conclusion of the EARLY DESIGN GUIDANCE meeting, the Board recommended moving forward to MUP application.

RECOMMENDATION MEETING—MARCH 4, 2015

The applicant’s Recommendation Meeting Design Review packet presented at the meeting is available online by entering the project number (3017425) at this website:

[http://www.seattle.gov/dpd/Planning/Design Review Program/Project Reviews/Reports/default.asp](http://www.seattle.gov/dpd/Planning/Design%20Review%20Program/Project%20Reviews/Reports/default.asp)

APPLICANTS’ PRESENTATION

At the time of the Early Design Guidance meeting, held on August 20, 2014, Landmarks review of an older four-story apartment building located at the corner of Comstock Street and Dexter Avenue N. had not been completed. At that time it was the applicants’ wish to proceed with design development of new construction on the entire block, and they presented 3 options based upon a full-block buildout. Understanding that Landmark status and controls could be placed on

the existing apartment building, optional site development with the apartment building being preserved on site was briefly shown to the Board. Subsequent to the meeting, it was determined that the structure in question would not qualify for Landmark status. While some members of the Board had encouraged the development team to continue looking for ways to incorporate the older apartment into the plans to develop the entire site, the Board nonetheless agreed that the preferred option shown, an “L”-shaped structure rectilinearly aligned with Aurora Avenue N. and Lee Street and separated by a courtyard from the canted smaller structure facing onto Dexter Avenue N., which would replace the current apartment building, was the more elegant design for a full-block build-out on the site and the one that offered the most promise for new development of the entire site.

This preferred alternative, with the apartment building gone, and consisting of an “L”-shaped structure with its pivot point located at the northwest corner of the site, together with a “second,” smaller structure, connected to the larger mass by a bridge at the north end, and canted in a northwest direction so that it pulled back slightly from Dexter Avenue N., was further developed and in detailed forms was the subject of the Recommendation Meeting presentation.

For the full presentation, please visit the [Design Review website](#) and search for the Recommendation Meeting packet under the project number 3017425.

Public Comment

Public comments came from individuals living uphill of the site, west of Aurora Avenue N. They noted that decisions regarding the number, location, height, design and treatment of elevator and stair penthouses as well as assorted mechanical equipment would affect the views of uphill neighbors. They also noted that noises associated from boisterous activities and emanating from the rooftop amenity areas would be directed uphill and made more noticeable there.

BOARD DELIBERATIONS

Among the Board’s major issues regarding the proposal voiced at the August 20, 2014 EDG meeting were the following:

- While the Dexter Avenue N. manipulation of parts and treatment of the massing bestowed character and interest to the proposal, the Aurora Avenue N. façade was “too monolithic.” The continuous light-well trough between sidewalk and building imparted a “moat and castle” feeling, which may have captured the prevailing Aurora character but did nothing to improve the pedestrian experience along that frontage. The moat was potentially an interesting feature, but unless it received some very special attention, through bridging and greening, for instance, it would be “a sad space.”
- It was agreed that the auto entry should be on Comstock Street, but the façade facing the hill-climb should not be blank or bleak which were the countervailing pulls of topography garage opening.
- The Lee Street façade also needed portals and penetrations, landscaping, grooved pavement and handrails.
- On Dexter Avenue N., the spaces given to retail seemed too small and the amount given to leasing office too big, proportionately. The ground floor space along the south side was in need of more intentional thought, as was the entire distribution of ground floor space.

- The announced conceptual theme of earth and water was intriguing, but how specifically was this to be worked out in terms of the ground floor plane? How did the conceptually intriguing impart architectural character to the proposal?
- The cant of the front structure was critical to the success of the overall design, but was it enough of a cant to impart a meaningful pedestrian experience. Explore a variety of views of this gesture, from the streets, from the lake.
- Does the building celebrate as well as accommodate bicycles?
- Don't overlook stepping as a time-honored massing gesture for structures hunkering down on the east slope of Queen Anne hill.
- How do you do garbage?

"How do you do garbage?" was the first of the Board's several clarifying questions following the applicants' presentation at the Recommendation Meeting.

At the recommendation meeting the Board chair identified a number of issues, some overlapping the list of concerns from the EDG meeting, in need of additional discussion by members of the Board. These included:

- The streetscape along Dexter Avenue N.
- The character of the proposed retail space
- Lighting, in particular the lights in the handrail of the pedestrian bridge
- Color accents, especially at the entry on Aurora Avenue N.
- The appearance and tactile experience of the concrete base on Comstock Street
- Trash storage and accessibility; bike storage and accessibility
- Treatment and textures of the hill climb
- Signage
- The requested departure

The Board's response was generally favorable to the treatment of the stoops in front of units along Dexter Avenue N. Discussion was centered on the screens perpendicular to the façade which separated the units. They contributed to the privacy of individual units and improved the quality of the individual entries and introduced an interesting dynamic as one moved down the adjacent sidewalk, but perhaps these were achieved at the cost of lessening the visibility of the retail space at the end of the sequence. The Board's recommendation was to impart a better human scale to the screens, limiting their height to 48-52 inches.

The retail space appeared to be down-played and lacked pizzazz. It could use some further assistance from color and materials choices.

The use of glass to diffuse light from the pedestrian bridge was a fine gesture, but care was needed to ensure that the lighting in the handrails did not produce a counteractive glare.

The Board thought that the colored accent bands on the Aurora façade should be carried to the entry. More variety of plant heights and flora species was needed in the plantings along Aurora.

Add more interest to the finish of the concrete wall on the south façade adjacent the sidewalk and provide additional way-finding signage to the hill climb, either freestanding or attached to the building. For bicyclists, more convenient and safer access to bike storage needs to be provided.

DEVELOPMENT STANDARD DEPARTURE

The proposed drive entry and exit for vehicles is located at the flattened cul-de-sac on Comstock Street. The primary pedestrian pathway is on the opposite (south) side of the street. Since the roadway is not a through street, there will be no vehicular traffic coming from the west, the side of the drive from which vehicles will exist the building. SMC 23.54.030.G.2 would require a 10-foot sight triangle at the intersection of the drive and the right-of-way. The applicant is seeking a departure from this requirement. The proposal would mitigate any potential for impaired safety of pedestrians by placing mirrors at the exit. *The five Board members recommended approval of the requested departure, provided the mirror(s) and signage for pedestrians externally and internally for drivers were provided.*

BOARD DIRECTION

Having weighed and discussed the concerns noted above, the Board unanimously recommended approval of the project, with the following conditions.

1. Provide safe and convenient access to bicycle parking, per guidelines PL4-A-1 and PL4-B-2. Providing access via the retail court would keep cyclists from needing to ascend the steep slopes of either Lee or Comstock streets.
2. Provide access to trash/recycle pick up on site per DC1-C-4, to avoid conflict with pedestrian access at the hill climb and vehicle maneuvering within the cul-de-sac.
3. Provide way-finding signage at the Comstock/Dexter intersection for access to the hill climb to Aurora, per PL-4.
4. The glass railings at the bridge element of the L-shaped building and at the single bay on the southeast building are important components of the buildings' massing and for providing a human scale per DC2-A-2. They should be retained as design development continues.
5. Incorporate board-formed concrete to enhance the concrete blank wall between the lobby and the parking entry on Comstock Street, in keeping with guideline DC2-B-2.
6. Reduce the visual impact of the privacy screens between unit entries along Dexter Avenue N. by reducing their height to 42"-48", per DC2-D-1.
7. Reduce potential glare from the handrail-mounted lighting at the bridge element when viewed from the sidewalk, per D5-1-c. Acceptable design solutions would include glare shield or frosted guardrail glazing.
8. Strongly consider street furnishings within the retail overhang facing Dexter Avenue N. to further activate this façade, per PL3-ii-iii and DC1-A-2.
9. Incorporate the "Orange" accent color into the Aurora Avenue N. pedestrian entry and into the soffit areas along Aurora Avenue N. created by the exterior wall plane shift between level 7 and 8 (or, as viewed from Aurora, between level 1 and 2), to be consistent with the treatment of the entry on Lee Street and material plane changes of the L-shaped building, per CS3-I-ii, DC2-B-1, and DC2-D-1.
10. Provide added landscaping material variety for pedestrian interest along Aurora Avenue N., per DC4-D-1.
11. Submit revised material and signage sheets as presented at the Design Review Recommendation Meeting on March 4, 2015, to complete the official record of the meeting.

The packet for the Recommendation Meeting includes materials presented at the meeting, and is available online by entering the project number (3017425) at this website:

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

The packet is also available to view in the file, 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

ANALYSIS & DECISION- DESIGN REVIEW

The design review process prescribed in Section 23.41.014F 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 recommendation:

- a. Reflects inconsistent applications 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*
- e. Conflicts with the requirements of state or federal law.*

Director's Analysis and Decision

The five members of the West Design Review Board attending the Final Recommendation meeting on March 4, 2015 provided recommendations (listed above) to the Director, having previously identified elements of the Design Guidelines which were critical to the project's overall success. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made at the Recommendation meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings and the South Lake Union supplemental guidance. The Director agrees with the Design Review Board's conclusion that the proposed project as presented at the March 4, 2015 meeting, with the recommended conditions of approval, would result in a design that meets the intent of the applicable Design Guidelines. Therefore, the Director accepts the Design Review Board's recommendations and **APPROVES THE PROPOSED DESIGN, THE REQUESTED DEPARTURE, AND CONDITIONS OF APPROVAL.**

ANALYSIS - SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) because the proposed project exceeds the 12,000 square feet size threshold.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant, dated September 9, 2014. The information in the checklist and accompanying technical reports, pertinent public comment, 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 the environmental checklist which was submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in 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 (SM C 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 and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,*" subject to some limitations.

Short-Term Impacts

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities. Most short-term impacts are expected to be minor, and compliance with existing applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. For example, the Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes, and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and nonrenewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates approximately 50,000 cubic yards of excavation for construction to be removed from the site, with approximately 100 cubic yards of fill. Excess material to be disposed of must be deposited in an approved site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, and removal of debris and regulates obstruction of the pedestrian right-of-way.
- PSCAA regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of drainage, grading, traffic, circulation and parking, noise, and greenhouse gases is warranted.

Drainage

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 current proposal involves excavation of approximately 25,100 cubic yards of material. 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.

Earth - Grading

The Master Use Permit plans have been reviewed by DPD's Environmentally Critical Areas reviewer since DPD records show the western portion of the overall development site to contain a portion of 40% Steep Slope and previous landslide events. The sloped areas on the site, while part of the larger topographical steep-slope condition where the east slope of Queen Anne hill meets the west shore line of Lake Union, were determined to have been created by prior legal grading. A Request for Relief from Prohibition on Steep Slope Development was granted by the Department of Planning and Development on September 30, 2014 (ECA Exemption #6436709). ECA review of the proposed development will be required, but no steep slope area variance is required due to the granting of the request. ECA General and Landslide Hazard Development Standards and criteria will apply to ECA review. That approval has been further conditioned upon the approval of a building/grading permit that demonstrates the proposed site activities are completely stabilized in accordance with provisions of the ECA Code. All other ECA Submittal, General and Landslide-Hazard, and development standards still apply for development on the site. A Civil Engineer will prepare a site-specific erosion control plan for review by the City of Seattle.

Traffic, Circulation and Parking

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SM C 25.05.665) and the SEPA Construction Impacts Policy (SM C 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during demolition and construction. The construction activities, which will include removal from the site of 50,000 cu. yds. of earth, is expected to generate a substantial number of truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which impact is unmitigated by existing codes and regulations.

During demolition and construction, the existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This general area is subject to traffic congestion during the PM peak hour, and large construction trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

For the removal and disposal of the spoil materials, the 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 to minimize the amount of spilled material and dust from the truck bed en route to or from a site.

For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays. This condition will assure that construction truck trips do not interfere with daily PM peak traffic in the vicinity. This condition shall be part of a required Construction Management Plan to be reviewed by Seattle Department of Transportation (SDOT) and the Department of Planning and Development (DPD). As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of existing City Code (SMC 11.62).

On-street parking in the neighborhood is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site or on a dedicated site within 800 feet for the term of the construction, whenever possible.

To facilitate these efforts, the Construction Management Plan, required as a condition of approval, shall identify construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures. Changes in hours of construction may also be proposed which may override restrictions otherwise imposed by noise-impact considerations.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires and removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for these construction transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Noise

All construction activities are subject to the limitations of the Noise Ordinance. However, given the proximity of the site to existing residential uses, additional restrictions are warranted. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7 a.m. to 6 p.m. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9 a.m. and 6 p.m. once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, and weather protection shall not be limited by this condition. Hours of construction outside of the indicated hours may be permitted under special circumstances and if anticipated and indicated in an approved Construction Management Plan submitted by the contractor.

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.

Long-Term Impacts — Use-Related Impacts

Air Quality

HVAC systems will be designed to the appropriate standards and recommendations of the ASHRE (American Handbook for Heating, Ventilation, and Air-Conditioning Engineers) and ASHRAE.1. Review of mechanical systems will be conducted by the Department of Planning and Development as part of building and mechanical permit review.

Height, Bulk and Scale

The SEPA Height, Bulk and Scale Policy (25.05.675.G) states that:

“...the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies...for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.”

In addition, the Policy states that:

“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.”

The proposed development would proceed according to Land Use Code standards for the proposed zone. The development as a whole will be in keeping with the scale of development anticipated by the goals and policies for the existing zoning and the Comprehensive Plan. In addition, in approving the project, the Design Review Board gave particular attention to the height, bulk and scale relationship of the proposal to its surroundings. There is no evidence that height, bulk and scale impacts have been inadequately mitigated through the Design Review Board process. Therefore, no mitigation of height, bulk and scale impacts is warranted pursuant to SEPA.

Housing

A four-story apartment building located at 1309 Dexter Avenue, currently vacant, will be demolished to make room for the proposed development. Of the 282 proposed units, 5 are proposed as units qualifying for designation as low-income housing, set aside for those earning 50 percent of median income.

Historic and Cultural Preservation

The apartment building at 1309 Dexter Avenue N. was self-nominated to the City of Seattle Department of Neighborhood's Landmarks Board. Nomination review by the Landmarks Board resulted in a decision that the building did not qualify for Landmark status.

Public View Protection

The SEPA Public View Protection policy allows the reviewing agency to mitigate impacts to public views of significant natural and human-made features from public places consisting of specified viewpoints, parks, scenic routes, and view corridors as identified in Attachment 1 to the Environmental Policies and Procedures Ordinance Of the City's 87 officially-designated public viewpoints, there is only one that could be affected by the

Proposed Action, and this lies within Gas Works Park. The continuity of street trees and built structures along the east side of Dexter Avenue N., currently combines with topography and the curvature of the right-of-way to prevent views of the specified viewpoint within Gasworks Park from anywhere south of the development site all the way to the Fremont Bridge. The proposed project, therefore, would not result in any significant impacts to the designated scenic view.

Aurora Avenue N. and Dexter Avenue N. are City-designated Scenic Routes. The project is located on the west side of Dexter Avenue N. and would not affect views toward Lake Union to the east from Dexter Avenue N. Aurora Avenue N. is located west and uphill of the project site. Currently, street-level, east-west views toward Lake Union and the Cascade Mountains from this State Route 99 is limited due to existing buildings and mature vegetation. Any North-south views of the downtown skyline are already largely obscured by building development and mature trees that border the arterial, but some partial south-looking views of the city skyline would remain unaffected by the proposed development.

Additional scenic obscuration of existing views of Lake Union might be attributable to the project. Existing views from Aurora Avenue N., admittedly partial, scattered and fleeting through the existing trees and lower foliage, would be replaced by views of the new structure spanning between Comstock and Lee Streets. Loss of these view opportunities would not be considered significantly adverse, however, since similar territorial views of Lake Union would remain, including those from the east-west right-of-ways of Galer Street, Garfield Street and Highland Drive. Additionally, the proposed project could improve public views from Aurora Avenue N. by removing existing noxious and view-obscuring vegetation and trimming trees along both Comstock Street and Lee Street, thus improving the potential for some enhanced views of Lake Union. No further mitigation appears warranted.

Traffic and Transportation

A Transportation Impact Study was prepared by TranspoGroup, dated September 2014, to determine the traffic impacts of the proposal. According to the Transportation Impact Study, the proposed development is estimated to generate approximately 865 net new vehicle trips, with 54 net new vehicle trips occurring during the weekday AM peak hour and 72 net new trips during the weekday PM peak hour. In terms of intersection Level of Service (LOS), the Study analyzed existing, 2014, as well as 2016 future conditions. The intersection LOS analyses were conducted at two study intersections in the project vicinity: both of the off-site study intersections would continue to operate at Level of Service (LOS) C or better with the project.

Transportation concurrency was evaluated in the Transportation Impact study. The calculated volume to capacity ratios for the proposed project was based on City guidelines outlined in Director's Rule 2009-5. The calculated v/c ratios for the tested screenlines were determined to remain below the adopted LOS standards with the proposed development. Therefore, the proposed development was determined to meet the City's concurrency requirements.

Transportation Mitigation Payments

The City of Seattle has established a transportation mitigations system for development in and around the South Lake Union neighborhood. Mitigation payments help fund planned transportation improvements, for automobile infrastructure, bicycle facilities, pedestrian

walkways, and transit facilities, identified in the South Lake Union Transportation Plan. The mitigation payment system requests the voluntary payment of a pro-rata fee based on either the established rates for the proposed land uses or the assignment of project traffic to the future street system with the identified transportation projects in place. A pro-rata share was calculated for the transportation projects that would be affected by and benefit the proposed project. According to calculations presented in the TranspoGroup study, the projects pro-rata share was estimated to be \$175,275. No other specific mitigation measures related to traffic, therefore, would be needed to accommodate the proposed project. Assessment of the pro-rata share has triggered the Department's determination of a Mitigated Determination of Non-Significance (MDNS).

Parking

The anticipated supply for the project is 296 vehicle parking stalls which falls within the demand range of 200 to 261 vehicles. It is noted that as a matter of adopted City policy, however, there is no City authority for the City to require additional parking within the South Lake Union Urban Center (see SMC 25.05.675.M). The surrounding area has more than enough available parking to accommodate the highest estimated parking impacts of the project.

Greenhouse Gas

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. The total project lifetime emissions are estimated to be 344,512 MTCO_{2e}. While these impacts are adverse, they are not expected to be significant.

DECISION — STATE ENVIRONMENTAL POLICY ACT (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. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21 C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Mitigated Determination of Non-Significance. Provided the applicant pays the South Lake Union assessment of \$175,275 for planned transportation improvements, this proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21 C.030(2)(c).

CONDITIONS – SEPA

Prior to issuance of any Demolition, Construction, Shoring or Grading Permits

1. The applicant shall submit for review and approval a Construction Impact Management Plan to the Department of Planning and Development (DPD) for concurrent review and approval with Seattle Department of Transportation (SDOT). The plan shall identify management of construction activities and noise and shall include construction hours, parking, traffic and designate street and sidewalk closures. It shall contain a plan for routes for all excavated materials, including the destination of all contaminated soils and other materials to be removed from the site.

Prior to any permits to construct

2. The applicant shall be liable for payment to SDOT of a transportation mitigation fee of \$175,275, which is the final cost share figure developed by the TranspoGroup Transportation Impact Analysis dated September, 2014.

CONDITIONS – DESIGN REVIEW

Prior to Issuance of the Master Use Permit

3. The applicants shall incorporate into the MUP plan sets any and all changes required to address the Design Review Board’s list of 11 conditions compiled at the Recommendation meeting on March 4, 2015 (and listed on page 12 of this decision).

Signature: retagonzales-cunneutabby for _____ Date: July 23, 2015
Michael Dorcy, Senior Land Use Planner
Department of Planning and Development

MMD:rgc
K:\Decisions-Signed\3017425.docx

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.