



City of Seattle
Edward B. Murray, Mayor

Department of Construction and Inspections
Nathan Torgelson, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Application Numbers: 3017692
3019072

Applicant Name: Emily McNichols, Group Architect

Address of Proposal: 10720 5th Avenue NE (#3017692)
10715 8th Avenue NE (#3019072)

SUMMARY OF PROPOSAL

3017692: Land Use Application to allow a 7-story, 134 unit apartment building with retail at street-level and parking for 137 vehicles located at and below grade. Existing structure to be demolished. Early Design Guidance included project 3019072.

3019072: Land Use Application to allow a 4-story apartment building with 81 units and 2 live-work units. Review includes re-striping existing surface parking lot for 41 spaces. Existing structure to be demolished. Early Design Guidance was conducted under project 3017692.

The following approvals are required:

3017692:

Design Review (SMC 23.41)

Development Standard Departure to allow a street-level, street-facing façade setbacks greater than 10' (SMC 23.47A.008.A.3.c, 23.71.008.B.4)

Development Standard Departure to allow for a planting strip along a Major Pedestrian Street (SMC 23.71.008.E.3)

Development Standard Departure to allow for less than 75% of the parking spaces to be Large stalls (SMC 23.54.030.B.2.a)

Development Standard Departure to allow for less than 15% of the lot area to be provided as Open Space (SMC 23.71.014.A.2)

Development Standard Departure to allow for a non-residential floor-to-floor height of less 13'-0 (SMC 23.47A.008.B.3)

Development Standard Departure to allow for open space without barrier free access (SMC 23.71.014.B.2.b)

3019072:

Design Review (SMC 23.41)

Development Standard Departure to allow a blank wall segment to exceed 40% of the façade length a street-level (SMC 23.47A.008.A.2.c)

Development Standard Departure to allow less than 60% of the street-facing street level façade between 2'-8' above sidewalk grade to be transparent (SMC 23.47A.008.B.2.a)

3017692 & 3019072:

SEPA – Environmental Determination (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 Early Determination of Non-Significance was published on May 4, 2015.

SITE AND VICINITY

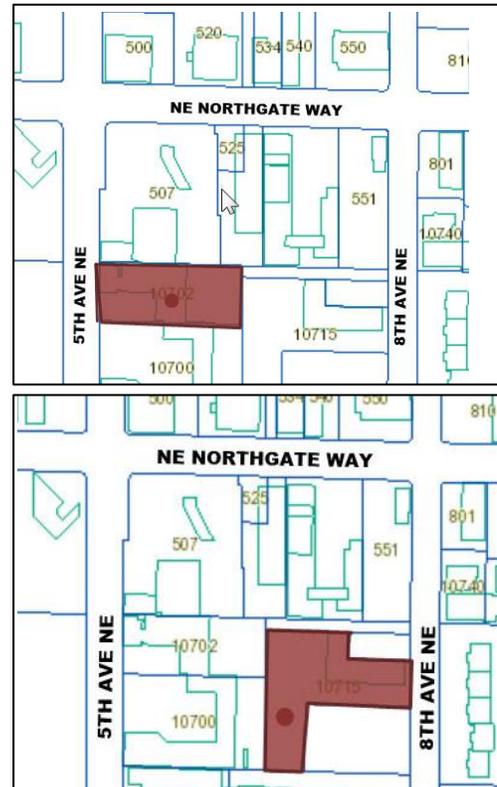
Site Zone: Neighborhood Commercial 3 with a 65' height limit* (NC3-65) (*PUDA applies to property located at 10715 8th Avenue NE)

Nearby Zones: (North) NC3-65 and NC3-40
(South) NC3-65 and NC3-40
(East) Lowrise 3 (LR3)
(West) NC3-85

Lot Area: 36,718 sq. ft. (3017692) and 56,830 sq. ft. (3019072)

Site Characteristics & Surrounding Development: The subject site is located midblock between 5th Avenue NE and 8th Avenue NE one parcel south of NE Northgate Way. The site consists of two developments, one fronting on 5th Avenue NE and the other fronting on 8th Avenue NE. Project number 3017692 is located along 5th Avenue NE. Project number 3019072 is located on 8th Avenue NE. The subject lots are split zoned Neighborhood Commercial Three with a 65 foot height limit to the west and a 40 foot height limit to the east. Surrounding properties are also zoned Neighborhood Commercial Three with height limits ranging from 40 feet to 85 feet.

The neighborhood is largely defined by the Northgate Mall, located on the west side of 5th Avenue NE, south of NE Northgate Way. 5th Avenue NE functions as a north south arterial street with primarily one and two story commercial and neighborhood service structures. 8th Avenue NE functions as a local residential street. The residential character is established by the



existing Lowrise zoning and uses developed along the east side of the street. Parcels located between 5th and 8th Avenue vary in size and shape. All of the parcels are currently limited to one street frontage and do not extend from street to street. However, parcels have been combined to create a through lot development, such as the recent development that was completed directly north of the subject lot. The parcels to the north have been developed with two multi-story mixed use buildings separated by a north/south connection pedestrian and vehicular connection to NE Northgate Way. All buildings have access by an east/west easement through the site. Parcels to the south remain largely under developed with existing one and two story commercial structures and surface parking lots.

Access is available from 5th Avenue NE and 8th Avenue NE. An existing access easement runs eastwest through both lots.

Environmentally Critical Areas: The entire portion of the site located at 10715 8th Avenue NE (#3019072) is mapped as an ECA Category 2 - Peat Settlement Prone Area. Both sites are also mapped entirely as Salmon Watershed. Some small areas of Steep Slope Critical Area are also present on site. The Applicant received a limited Steep Slope Exemption for project #3019072 on April 28, 2015 as follows:

“ECA review is required for this project. Some minor areas of Steep Slope Critical Area are present within the area of proposed construction. These areas are already developed. For this reason, the criteria described in SMC 25.09.180 B2c applies to this site, providing relief from the prohibition on development within the Steep Slope Critical Area and any buffer areas on this site. Except as described herein, other applicable ECA criteria remains. April 28, 2015; dbg.”

I. ANALYSIS – DESIGN REVIEW

DESIGN PROPOSAL

The Early Design Guidance (EDG) and Design Review Recommendation Design Proposal booklets include materials presented at the EDG and Recommendation meetings and are available online by entering the project number at this website:

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

The booklets are also available to view in the SDCI file, by contacting the Public Resource Center at SDCI:

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

Email: PRC@seattle.gov

EARLY DESIGN GUIDANCE MEETING January 12, 2015

Public Comment

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

- Noted the easement ramp under the existing building does not have sufficient clearance for truck access.
- Supported parking access from the east/west easement.
- Noted that the existing businesses along the easement will be disrupted with development.
- The developer should work with business owners.
- Expressed concern that the existing public restroom for adjacent businesses will be removed.
- Noted that 8th Avenue has a more residential character and 5th Avenue a more urban commercial character. Felt development should focus activity towards 5th Avenue.
- Noted 5th Avenue is a pedestrian street. The street should include retail with substantial glazing.
- The building developed along 8th Avenue should respect residential scale and context with building increased building modulation and landscaping.
- The vehicle existing onto 8th Avenue should be a left only to keep traffic from going south.
- Would like sidewalks on 8th Avenue to enhance pedestrian safety.
- Expressed support for the live work units on 8th Avenue.
- The development should be considered holistically with development to the north.
- Expressed support for the east/west pedestrian pathway but would also like to see a north/south connection.
- Opposed pedestrian path at the current proposed location due to safety concerns.
- The north/south connection should be located at current drive location to the north.
- The full parking lot should be improved on the adjacent property to make the parking lot a continuous whole.

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines of highest priority for this project.

EARLY DESIGN GUIDANCE MEETING January 12, 2015

1. **Massing and Site Design:** The Board unanimously supported the preferred massing alternative C which angles the east building to provide more open space around the pool area. The Board felt the preferred massing alternative should be developed with the following guidance.
 - a) The Board agreed that the 5th Avenue retail space should include an entry courtyard consistent with massing option B (PL3-C).

- b) The Board noted that the 5th Avenue façade should be developed as a commercial streetscape with minimum floor to floor heights as specified by code, transparency, overhead weather projection, lighting and signage (PL3, PL3-III).
- c) The Board supported the east/west pedestrian connection Option 1 provided on Page 28 of the EDG packet. The Board felt a pedestrian connection located adjacent to the easement, without stairs, provided the best design solution for a variety of users. The Board agreed that the pedestrian walkway should be located on the proposed development site to the north of the existing colonnade to maintain the existing drive aisle width (PL2-III).
- d) The Board felt strongly that site and building design should include a north/south pedestrian connection aligned with the existing access drive to the north. The Board agreed that the connection could be accomplished in a variety of ways and they did not specify how the pedestrian connection should be located within the site design and building massing. The Board agreed that barrier free access was unlikely given the existing topography changes. The Board went on to state that they would support departures to facilitate the new north/south connection (PL1-II, PL2-III, DC1-II).

2. Parking and Access. The Board agreed that the preferred massing alternative C, which locates parking access from the east/west access easement, provided the best solution for the site.

- a) The Board supported the retail parking location provided on preferred massing option C but felt that the residential lobby should be located to the west side of the drive aisle so that it is visible and easily accessible from 5th Avenue NE (DC1-B, PL3-A and PL3-V).
- b) The Board felt it was important to locate the parking entry within the easement so that it is offset from the existing business located along the easement (DC1-B).

3. Entries and Access. The Board noted that the site design lacked clearly delineated access routes and residential entries. The location on two streets and a through block access easement requires significant efforts to demark entries and provide way finding for users of the site.

- a) The Board discussed the residential entries at length. The proposed design locates the primary entries at the center of the site off the access drive. The Board felt that the 5th Avenue and 8th Avenue entries should be treated as primary entries. Alternatively, the applicant will need to demonstrate the rationale for the main entry location and show how the treatment of the primary entry will be completed so that it is clear to all users of the site how to access the residential units (PL3-A, PL3-V, PL2-D).
- b) The Board noted the easement should be treated as a private street with signage, street lamps and pedestrian walkways. (PL2-III, PL2-D, DC1-II).
- c) The Board agreed that wayfinding would be a very important part of site development, pedestrian connections and easements. At the Recommendation Meeting, the Board requested a comprehensive plan for movement of pedestrians including visitors and residents, bikes, cars, trucks, solid waste vehicles. Each user and mode of travel should be considered when developing the way finding signage plan throughout the site (PL4-A, PL2-III, PL2-D)
- d) At the Recommendation Meeting, the Board requested additional detail on how solid waste and recycling would be collected on site (DC1-C4).

4. **8th Avenue NE.** The Board felt the design of the façade facing 8th Ave NE should be developed in response to the existing context of the lower scale buildings and decreased density.
 - a) The Board agreed that live work use was appropriate within a commercial zone along an undeveloped street where the existing context has yet to be developed (PL3-B3).
 - b) The Board noted that the live work use should be developed with a separate commercial space and character at ground level (PL3-B3)
 - c) The Board felt that the residential entry along 8th Avenue should be defined separately from the live work unit entries, but that all entries should integrate into an overall composition (PL3-A).
 - d) The Board noted that a landscape buffer should be included between the new sidewalk and the live work unit. The setback design must balance a soft landscape edge while still providing successful commercial spaces with eyes on the street (PL3-B).

RECOMMENDATION MEETING October 19, 2015

Public Comment

The following comment was provided during the public comment portion of the Recommendation meeting:

- The retail space abutting 5th Ave NE should remain transparent with no visual obstructions into the space for the life of the project.

RECOMMENDATION MEETING: October 19, 2015

1. **5th Avenue NE, Entries, Composition & Wayfinding:**
 - a) The Board generally agreed the primary façade composition of the 5th Ave façade was heading in the right direction but encouraged further simplification of the materials and secondary elements, as well as the use of higher quality materials with the goal of making the uses distinct and legible along this frontage. (DC2-B-1, DC2-C-1, DC4-A-1)
 - b) The Board stated that the retail volume should have a consistent material expression, matching the form and function, and recommended a condition to remove the metal siding on the commercial portion and make the entire retail volume concrete. (DC4-A-1, PL3-A-1, PL3-V-i)
 - c) The Board noted that the residential lobby entry on 5th Ave NE was not easily identifiable and needed to be further developed, noting that the space could be taller, the lobby and leasing area could be combined, the residential mass could be brought up closer to the street while still maintaining the small plaza/setback, and/or further recessed to make a stronger statement and distinction for the importance of that entry. The Board recommended a condition that the residential entry on 5th be further developed to be distinct and more prominent with the intent of wayfinding and defining the hierarchy of that mass. (PL3-A-2, PL3-A-4, PL2-D-1)
 - d) The Board noted that the entry to the mid-block easement should be easily identifiable and recommended a condition that the art on the plaza be a large, iconic sculptural element, scaled for and easily identified by cars at all times of day and be dramatically lit with the intent of denoting the entry. (PL2-D-1, PL1-B-3)

- e) The Board recommended a condition that the signage on 5th Ave NE be visible from the northwest and suggested the signage wrap the corner from the south to the west facing façade or that the sign be a blade sign located on the west façade. The Board also noted that the project name presented at the time of the Recommendation meeting, “Lane on 5th,” would be confusing for the portion of the project that fronts 8th Ave NE and suggested considering a name that did not include the street name for this reason. (DC4-B-1, DC4-B-2, DC4-I-i)

2. 8th Avenue NE:

- a) The Board generally supported the live-work design and 8th Ave NE façade composition, noting that the requested departures related to blank walls and transparency resulted in better proportions. (DC2-B-1, PL3-B-3)
- b) The Board supported the landscaping along the 8th Ave frontage noting it was a successful transition between the street frontage and the live-work units. (DC3-A-1, DC4-D-1)

3. Easement & Façade Composition:

- a) The Board generally supported the materials concept, colors, and fenestration on the north, south, and east facades but suggested a lighter metal of finish, such as white or galvanized, be used on the Juliet balcony railings so that they would better blend into the overall composition and not stand out. (DC2-B-1, DC2-C-1)
- b) The Board noted that plants would be very difficult to grow along the easement due to lack of light and therefore recommended a condition that the greenscreens be high quality and ornamental, as shown on page 20 of the Recommendation packet. (DC2-C-1, DC2-C-2)

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

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-C Relationship to the Block

CS2-C-2. Mid-Block Sites: Look to the uses and scales of adjacent buildings for clues about how to design a mid-block building. Continue a strong street-edge and respond to datum lines of adjacent buildings at the first three floors.

CS2-D Height, Bulk, and Scale

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

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

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

Northgate Supplemental Guidance:

CS2-III-ii. NC2-40', NC3-40', and higher abutting Single-family, Lowrise 1 or 2:

- c. Soften the commercial facade on the abutting lot line with elements such as dense landscaping.

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

CS3-A Emphasizing Positive Neighborhood Attributes

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

Northgate Supplemental Guidance:

CS3-I Streetscape Compatibility

CS3-I-i. Response to Context: The architecture of individual buildings should relate to their surroundings. This does not necessarily mean a historical approach, but rather one that is sensitive to the surrounding urban, built and natural environments. In areas zoned for mixed-use development outside the retail core area, orient and design the commercial facade at street level to be compatible with the streetscape of the surrounding residential neighborhood. Compatibility can be accomplished through a combination of the following:

1. The overall proportion of the facade;
2. Building setbacks;
3. Placement of windows and bays;
4. Location of entries; and
5. Exterior materials.

PUBLIC LIFE

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

PL1-A Network of Open Spaces

PL1-A-1. Enhancing Open Space: Design the building and open spaces to positively contribute to a broader network of open spaces throughout the neighborhood.

PL1-B Walkways and Connections

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

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

Northgate Supplemental Guidance:

PL1-II Interior Block Pedestrian Connections

PL1-II-i. Consider Interior Block Connections:

1. Optimize neighborhood connectivity
2. Promote a variety of pedestrian uses such as walking, exercise and relaxing
3. Minimize pavement, and provide an equitable balance between pavement and planting areas
4. Use pervious/pedestrian scaled paving for walking surfaces
5. Accommodate vehicular access only for emergency vehicles;
6. Develop integrated rainwater strategies such as rain gardens, natural drainage collection, building water collection and art;
7. Provide “garden entries” for townhomes at the base of larger residential buildings;
8. Incorporate built-in and movable seating to optimize flexibility of use.

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

PL2-A Accessibility

PL2-A-1. Access for All: Provide access for people of all abilities in a manner that is fully integrated into the project design. Design entries and other primary access points such that all visitors can be greeted and welcomed through the front door.

PL2-A-2. Access Challenges: Add features to assist pedestrians in navigating sloped sites, long blocks, or other challenges.

PL2-B Safety and Security

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

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

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

PL2-C Weather Protection

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

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

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

PL2-D Wayfinding

PL2-D-1. Design as Wayfinding: Use design features as a means of way finding wherever possible.

Northgate Supplemental Guidance:

PL2-II Streetscape Compatibility

PL2-II-i. Walkable Network: Create an interconnected system of streets and open spaces to optimize neighborhood permeability consistent with a typical urban block pattern;

- PL2-II-ii. Multi-Modal Use:** Encourage and enhance transit/multi-modal use;
- PL2-II-iii. Control Speed/Volume:** Emphasize pedestrian and bicycle safety, in part by controlling vehicle traffic speeds and managing volumes;
- PL2-II-iv. Crossings:** Support increased use of designated crossings; and
- PL2-II-v. Green Space:** Increase urban green space/open space within the public realm by achieving surface treatments that are “more green and less gray.”

PL2-III Superblock Development

- PL2-III-i. Siting:** Build up to the edge of the sidewalk and meet the other pedestrian street designation standards.
- PL2-III-ii. Ped-friendly Environment:** Where superblock developments are not along designated Major Pedestrian Streets, they should achieve a pedestrian-friendly environment within the internal layout of a superblock site, where commercial buildings may be separated from the public right-of-way by parking.
- PL2-III-iii. Pedestrian Connections:** Every attempt should be made to link large sites to the greater community by creating lively, interesting pedestrian connections within the site, and also between the site and its surroundings.
- PL2-III-iv. Passageways:** Key internal at-grade passageways accommodating pedestrian and vehicular circulation on large sites should not be ignored as locations for pleasant pedestrian places.
- PL2-III-v. Internal Drives/Walkways:** Developments should have internal drives and walkways adjacent to buildings designed with the basic elements of a good pedestrian-oriented shopping street: buildings oriented close to walkways, landscaping, pedestrian-scale lighting, walkways of sufficient width to encourage social interactions without impeding pedestrian movement, and other similar enhancements.
- PL2-III-vi. Usable Spaces:** Usable pedestrian spaces, such as a plaza or extra-wide sidewalk near entrances to buildings with pedestrian enhancements, are encouraged either at the street or within the site adjacent to a private drive.
- PL2-III-vii. Parking Lots:** - Surface parking areas located between primary buildings and the public right-of-way should include walkways, landscaping and lighting to delineate safe and comfortable pedestrian circulation within the site.

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

PL3-A Entries

- PL3-A-1. Design Objectives:** Design primary entries to be obvious, identifiable, and distinctive with clear lines of sight and lobbies visually connected to the street.
- PL3-A-2. Common Entries:** Multi-story residential buildings need to provide privacy and security for residents but also be welcoming and identifiable to visitors.
- PL3-A-3. Individual Entries:** Ground-related housing should be scaled and detailed appropriately to provide for a more intimate type of entry.
- PL3-A-4. Ensemble of Elements:** Design the entry as a collection of coordinated elements including the door(s), overhead features, ground surface, landscaping, lighting, and other features.

PL3-B Residential Edges

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

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

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

PL3-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.

Northgate Supplemental Guidance:

PL3-I Promote Pedestrian Interaction

PL3-I-i. Pathways: Provide direct and convenient pathways, comfort, visual interest and activity for pedestrians

PL3-II Human Activity

PL3-II-i. Indoor/Outdoor Transition: Consider setting portions of the building back to create spaces at street level for pedestrian-oriented activities. Take the “indoors” outdoors by spilling interior space (e.g. dining areas, merchandise displays) onto plazas and walkways and bring the “outdoors” into the building by opening interior spaces to sunlight and views of sidewalk activity.

PL3-II-ii. Sidewalk Widths: Sidewalk widths throughout the Northgate area are less than ideal, and wider sidewalks will allow for more pedestrian circulation and activity. Within active retail areas, proposed developments are encouraged to set back from the street fronting property line to provide additional space abutting the sidewalk. The Major Pedestrian Street designation calls for 12-foot sidewalks. However, 16-foot sidewalks are preferred in commercial areas, where appropriate.

PL3-III Street Level Transparency

PL3-III-i. Visual Connections: Provide direct visual connection into street level facades. The following are examples of less desirable design treatments that should be discouraged:

1. windowless walls;
2. mirrored or non-transparent glass;
3. glass block;
4. display cases;
5. narrow windows not meeting the intent above;
6. windows located above waist level to persons outside the building on the sidewalk;
7. windows into areas that are too small, shallow, or narrow to support normal human activity (e.g. the back of a tall display case, a narrow hallway)
8. any interior wall, equipment, or functional layout that hampers the intent of transparency stated above.

PL3-V Commercial and Mixed-Use Buildings

PL3-V-i. Inviting Ground Floors: The ground floors of buildings should appear inviting to the public by containing commercial uses and open spaces with direct entry from the sidewalk. Vary these features in size, width and depth to accommodate a variety of appropriate uses and activities for the site and vicinity. This includes providing multiple entries at the street.

PL3-V-iii. Facade Articulation: Further articulate the street level facade to provide a comfortable pedestrian experience with placement of street trees, exterior lighting on buildings, planters and overhead weather protection.

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

DESIGN CONCEPT

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

DC1-B Vehicular Access and Circulation

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

DC1-C Parking and Service Uses

DC1-C-1. Below-Grade Parking: Locate parking below grade wherever possible. Where a surface parking lot is the only alternative, locate the parking in rear or side yards, or on lower or less visible portions of the site.

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.

Northgate Supplemental Guidance:

DC1-II Large Scale, “Super Block” Development

DC1-II-ii. Pedestrian Grid: A network of clearly defined pedestrian walkways should serve as a “grid,” connecting these walkways to uses within the site and to the larger street network in a safe and comfortable manner. The necessary elements—lighting, pavement and plantings— should be placed to support those pedestrian objectives.

DC1-II-iii. Spatial Definition: The space should be defined by buildings, and secondary structures such as shelters and small retail spaces should further define the scale.

DC1-III Parking Structures

DC1-III-i. Siting: Site parking structures away from Major Pedestrian Streets.

DC1-III-ii. Design Quality: Design a well-proportioned and unified parking structure. Consider techniques specified in citywide design guidelines – those relating to height, bulk and scale compatibility; architectural concept and consistency; and fostering a human scale to achieve good scale and architectural design quality.

DC1-III-iii. Ground-Level Retail: Consider placing retail at the ground level of a parking structure along the primary facade, where appropriate.

DC1-III-iv. Quality Materials: Parking structure facades should be treated with high quality materials and given vertical articulation and emphasis similar to the principal structure. The façade should be designed to visually screen cars.

DC1-III-v. Pedestrian Entries: Pedestrian entries should be clearly visible and architecturally expressed on the exterior of the building.

DC1-IV Parking and Vehicle Access

DC1-IV-i. Minimize Pedestrian/Vehicle Conflicts: Site and design driveways to minimize conflicts between vehicles and pedestrians. This is especially important along Northgate Way, 1st Avenue NE, 5th Avenue NE, Roosevelt Way NE, 15th Avenue NE, NE 100th Street, NE 103rd Street, and NE 125th Street. Minimize the number of curb cuts and width of driveways and curb cuts along these streets.

DC1-IV-ii. Locate Parking to the Rear: Where feasible, parking areas should be located to the rear of buildings that face NE Northgate Way, 1st Avenue NE, 5th Avenue NE, Roosevelt Way NE, 15th Avenue NE, NE 100th Street and NE 103rd Street. Where surface parking must be located to the side of structures, the following is recommended:

- a. Place surface parking away from the corners of blocks fronting on NE Northgate Way, 5th Avenue NE, 8th Avenue NE, Roosevelt Way NE, 15th Avenue NE, NE 100th Street, NE 103rd Street and NE 125th Street.
- b. Limit the frontage of surface parking areas that face NE Northgate Way and 5th Avenue NE (outside the Major Pedestrian Street designations).

DC1-V Bicycle Parking

DC1-V-i. Bicycle Amenities: When providing bicycle parking, consider incorporating features such as storage and way finding for bicycle users into the site plan/building design.

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

DC2-B Architectural and Facade Composition

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

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

DC2-C Secondary Architectural Features

DC2-C-1. Visual Depth and Interest: Add depth to facades where appropriate by incorporating balconies, canopies, awnings, decks, or other secondary elements into the façade design. Add detailing at the street level in order to create interest for the pedestrian and encourage active street life and window shopping (in retail areas).

DC2-C-2. Dual Purpose Elements: Consider architectural features that can be dual purpose—adding depth, texture, and scale as well as serving other project functions.

DC2-C-3. Fit With Neighboring Buildings: Use design elements to achieve a successful fit between a building and its neighbors.

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.

Northgate Supplemental Guidance:

DC2-I Foster Human Scale (Architectural Materials and Elements)

DC2-I-i. Commercial and Mixed-Use Buildings: The ground level of the building must offer pedestrian interest along sidewalks. This includes windows, entrances, and architectural details. Signs, overhead weather protection and ornamentation are encouraged.

DC2-I-ii. All New Developments: Exterior building materials should have a human scale; this helps people relate to the size of the building. Good examples include stone and brick. Non-modular exterior materials, such as stucco, and those in large modules, such as concrete panels, will need finer details to reduce the perceived bulk and create human scale.

DC3 Open Space Concept: Integrate open space design with the building design so that they complement each other.

DC3-A Building-Open Space Relationship

DC3-A-1. Interior/Exterior Fit: Develop an open space concept in conjunction with the architectural concept to ensure that interior and exterior spaces relate well to each other and support the functions of the development.

Northgate Supplemental Guidance:

DC3-I Urban Gardens

DC3-I-iv. Courtyards: Elements such as planters, benches and steps can be sited to break down the scale of an open space, and provide comfortable seating and opportunities for viewing. Courtyards should be integrated with the scale, character and function of the adjoining building.

DC3-III Landscaping to Reinforce Design Continuity with Adjacent Sites

DC3-III-ii. Landscape Design to Address Special Site Conditions: The natural area east of 5th Avenue NE from NE 103rd to NE 105th and east of 8th Avenue NE from NE 105th Street to Roosevelt Way NE will be developed as per the Thornton Creek Park 6 Long Range Plan prepared by Seattle Public Utilities and Seattle Parks and Recreation. New development adjacent to the natural area should consider:

- a. Retaining natural greenbelt vegetation, where possible.
- b. Incorporating gathering areas and lookout points along the edge of the natural area into the design of the project.
- c. Incorporating native plants into the landscape design to provide the feeling of an extension of the natural area into the project site.
- d. Providing linkages to the natural area that direct people to designated pathways and away from protected areas.
- e. The plant list developed for the Thornton Creek Park 6 Long Range Plan can help guide the selection of plant species. Native plants provide ease of maintenance and durability, and are usually drought tolerant.

DC3-IV Use Landscaping Design to Enhance the Site

DC3-IV-i. Natural Features; Consider design strategies to create natural features or systems that can be incorporated into the site design.

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

DC4-A Exterior Elements and Finishes

DC4-A-1. Exterior Finish Materials: Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

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

DC4-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-B-2. Coordination with Project Design: Develop a signage plan within the context of architectural and open space concepts, and coordinate the details with façade design, lighting, and other project features to complement the project as a whole, in addition to the surrounding context.

DC4-C Lighting

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

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

DC4-D Trees, Landscape, and Hardscape Materials

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

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

Northgate Supplemental Guidance:

DC4-I Design Signage Compatible with Human Scale and Consistent with Architectural Concept

DC4-I-i. Signage: Signage should be designed so that it is appropriate for the scale and character desired in the area. Signs should be oriented and scaled for both pedestrians on sidewalks and persons in vehicles on streets within the immediate neighborhood. Signs should add interest to the street level environment. They can help unify the overall architectural concept of the building, or provide a unique identity for an individual business within the larger structure. While regulatory sign review is not in the purview of design review, integration with the overall architectural expression of a building and appropriate scale and orientation are important design considerations. Franchises should not be given exceptions to these guidelines. The following types of signs are encouraged:

1. Pedestrian-oriented blade signs

2. Signs integrated into the design of the building: along a sign band, on canopies and marquees, located in windows.
3. These types of signs are discouraged: Large illuminated box signs (backlit “can” signs) and Post-mounted signs.

DEVELOPMENT STANDARD DEPARTURES

The Board’s recommendation on the requested departures will be based on the departure’s potential to help the project better meet these design guidelines priorities and achieve a better overall project design than could be achieved without the departures.

At the time of the Recommendation Meeting the following departures were requested:

Departures for 3017692:

1. **Street-Level, Street-Facing Façade Setbacks (SMC 23.47A.008.A.3, 23.71.008.B.4):** The Code requires street-level street-facing facades to be set back no more than 10 feet from the street lot-line. The applicant proposes a setback ranging from 10’ to 11’-7” along the retail use frontage, and a 31’ street-level street-facing façade setback for the residential portion (southwest corner adjacent to the public plaza area).

The Board unanimously voted in support for the requested additional setback, noting that the additional setback beyond what was requested adjacent to the residential portion was supported as long as the mass of the ground-floor residential portion of the structure was more distinct and prominent, as outlined in Condition #2 below and consistent with guidelines CS3-I-i. Response to Context & PL1-B-1. Pedestrian Infrastructure.

2. **Planting Strips (SMC 23.71.008.E.3):** The Code prohibits planting strips along Major Pedestrian Streets. The applicant proposes a planting strip along 5th Ave NE between the curb and sidewalk.

The Board unanimously voted in support for the requested planting strip departure, noting a planting strip along with the proposed additional building setback helps to better achieve guidelines CS3-I-i. Response to Context & PL2-II-v. Green Space.

3. **Parking Space Sizing (SMC 23.54.030.B.2.a):** The Code requires a maximum of 25% of the stalls to be small and a minimum of 75% of the stalls to be large, resulting in two small stalls and five large stalls for this project. The applicant proposes seven non-residential stalls total, two small, four large, and one van accessible.

The Board unanimously voted in support for the requested stall size distribution, related to guideline PL2-A-1. Access for All.

4. **Open Space Requirements (SMC 23.71.014.A.2):** The Code requires a minimum of 15% of a lot area to be provided as open space, resulting in 5,508 sq. ft. of open space for this project. The applicant proposes 5,321 sq. ft. of open space for this project, equaling 14.5% of the lot area.

The Board unanimously voted in support for the requested open space departure with the condition that the cumulative total area of open space between the two projects be equal to or greater than what is required by code, consistent with guideline DC3-A-1. Interior/Exterior Fit.

5. **Non-Residential Floor-to-Floor Heights (SMC 23.47A.008.B.3):** The Code requires non-residential street uses to have a minimum floor-to-floor height of 13'-0". The applicant proposes a 12'-6" floor-to-floor height for the retail area.

The Board unanimously voted in support for the requested floor-to-floor height noting flexibility and the at-grade and second level setbacks as creating an interesting façade articulation, consistent with guideline PL3-V-iii. Facade Articulation.

6. **Useable Open Space, Barrier Free Access (SMC 23.71.014.B.2.b):** The Code requires all usable open space to have barrier free access. The applicant proposes open space without barrier free access from the project to the adjacent property to the North. Barrier free access to open space is proposed within the project site itself.

The Board unanimously voted in support of the requested access departure, noting that the north/south access was a result of Board direction and not a code requirement for a mid-block connection. Providing barrier free access at this location would likely make the north/south connection infeasible. The requested departure is consistent with guidelines PL2-II-i. Walkable Network & PL2-III-iii. Pedestrian Connections.

Departures for 3019072:

7. **Blank Walls (SMC 23.47A.008.A.2.c):** The Code prohibits blank wall segments from exceeding 40% of the façade length, or 22'-9" for the east facing façade. The applicant is proposing a 26'-3" blank wall segment, or 46.2% of the east facing façade.

The Board unanimously voted in support for the requested blank wall departure, noting that the proposed façade composition and fenestration resulted in better rhythm and proportions, consistent with guideline DC2-B. Architectural and Facade Composition.

8. **Transparency (SMC 23.47A.008.B.2.a):** The Code requires 60% of the street-facing street level façade between 2'-8' above sidewalk grade to be transparent, or a minimum of 164.88 sq. ft. as applied to this project. The applicant is proposing 123.91 sq. ft. of transparency, equaling 45.1% of the street-facing street-level façade.

The Board unanimously voted in support for the requested transparency departure, noting that the proposed façade composition and fenestration resulted in better rhythm and proportions, consistent with guideline DC2-B. Architectural and Facade Composition.

BOARD RECOMMENDATION

The recommendation summarized above was based on the design review packet dated Monday, October 19, 2015, and the materials shown and verbally described by the applicant at the Monday, October 19, 2015 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the five Design Review Board members recommended APPROVAL of the subject design with the following conditions:

1. Revise the ground floor retail volume on 5th Ave NE to be concrete.

2. Further develop the residential volume and entry on 5th Ave NE to be distinct and more prominent with the intent of making the residential entry easily identifiable and a more prominent feature.
3. The art on the plaza adjacent to 5th Ave NE near the entry to the easement shall be a large, iconic sculpture, scaled appropriately for cars and dramatically lit for easy identification.
4. The signage on 5th Ave NE should be clearly visible from the northwest, either wrapping onto the western façade or in the form of a blade sign located on the western facade.
5. Produce high quality and ornamental greenscreens, similar to what is shown on page 20 of the Recommendation packet.
6. The cumulative total area of open space between the two projects shall be equal to or greater than what is required by code.

ANALYSIS & DECISION – DESIGN REVIEW

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

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

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

At the conclusion of the Recommendation meeting held on October 19, 2015, the Board found that the design of the proposed project adequately conformed to the applicable Design Guidelines and recommended approval of the project.

Following the Recommendation meeting, SDCI staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board.

The Director agrees with the Design Review Board’s conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

Director’s Decision

The Director accepts the Design Review Board’s recommendations and **CONDITIONALLY APPROVES** the proposed design.

DECISION – DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

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)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated March 23, 2015. The applicant also submitted a Transportation analysis (Gibson Traffic Consultants dated March 2015), a geotechnical engineering report (Earth Solutions NW, LLC dated November 18, 2014), and a Phase I Environmental Site Assessment (SoundEarth Strategies dated December 10, 2014). The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations.

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

Public Comments: The public comment period commenced May 4, 2015. Multiple public comments were received related to support from neighboring property owners as well as concerns with the following: traffic, vehicular access, pedestrian safety, pedestrian scale and character, modifications to the existing through-block easement, construction impacts related to parking, noise, and traffic.

Short Term Impacts

Construction activities could result in the following adverse impacts: construction dust, storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes greenhouse gas, construction traffic and parking impacts, earth/soils, environmental health, as well as mitigation.

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. Therefore no further mitigation is warranted pursuant to SMC 25.05.675.F.

Construction Impacts - Parking and Traffic

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

The area includes limited on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted and a Construction Management Plan is required, which will be reviewed by Seattle Department of Transportation (SDOT). The requirements for a Construction Management Plan include a Haul Route and a Construction Worker Parking Plan. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.

Construction Impacts - Noise

The project is expected to generate loud noise during demolition, grading and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of 7 a.m. and 7 p.m. on weekdays and between 9 a.m. and 7 p.m. on weekends and legal holidays.

If extended construction hours are desired, the applicant may seek approval from SDCI through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated.

A Construction Management Plan will be required prior to issuance of the first building permit, including contact information in the event of complaints about construction noise, and measures to reduce or prevent noise impacts. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>. The limitations stipulated in the Noise Ordinance and the CMP are sufficient to mitigate noise impacts; therefore no additional SEPA conditioning is necessary to mitigation noise impacts per SMC 25.05.675.B.

Earth / Soils

The ECA Ordinance and Director's Rule (DR) 5-2016 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in landslide prone areas. Pursuant to this requirement the applicant submitted a geotechnical engineering study (Earth Solutions NW, LLC dated November 18, 2014). The study has been reviewed and approved by SDCI's geotechnical experts, who will require what is needed for the proposed work to proceed without undue risk to the property or to adjacent properties. The existing Grading and Stormwater Codes will sufficiently mitigate adverse impacts to the ECAs. No additional conditioning is warranted pursuant to SEPA policies (SMC 25.05.675.D).

Environmental Health

The applicant submitted a Phase 1 Environmental Site Assessment (SoundEarth Strategies dated December 10, 2014) that identified possible existing recognized environmental conditions (RECs) onsite related to the following: historical operation of an electronics manufacturing facility onsite; historical use and storage of heating oil onsite; and historical operation of an automotive repair facility and associated retail gasoline station west and northwest of the site. If not properly handled, existing contamination could have an adverse impact on environmental health.

Mitigation of contamination and remediation is in the jurisdiction of Washington State Department of Ecology ("Ecology"), consistent with the City's SEPA relationship to Federal, State and Regional regulations described in SMC 25.05.665.E. This State agency Program functions to mitigate risks associated with removal and transport of hazardous and toxic materials, and the agency's regulations provide sufficient impact mitigation for these materials. The City acknowledges that Ecology's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination.

The applicant will comply with all provisions of the Model Toxics Control Act (MTCA) in addressing these issues in the development of the project, including if contamination is identified during redevelopment activities.

Adherence to MTCA provisions and federal and state laws are anticipated to adequately mitigate significant adverse impacts from potential contamination on site. Therefore, no further mitigation is warranted for impacts to environmental health, per SMC 25.05.675.F.

Long-Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; historic resource; height, bulk, & scale; parking; and possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas, historic resources, height, bulk, and scale, parking, and traffic warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant, therefore, no further mitigation is warranted pursuant to SMC 25.05.675.F

Historic Resources

The existing structures on site are more than 50 years old. The structures were reviewed for potential to meet historic landmark status. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and indicated the structures on site were unlikely to qualify for historic landmark status (Landmarks Preservation Board letters, reference numbers LPB 518/15 & LPB 519/15).

Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H.

Height, Bulk, and Scale

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

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

The height, bulk and scale of the proposed development and relationship to nearby context have been addressed during the Design Review process for any new project proposed on the site and therefore additional SEPA Mitigation of height, bulk and scale is not warranted per 25.05.675.G.

Parking

The proposed development includes 215 total residential units and approximately 4,543 square feet of commercial space, which includes two live work units. The traffic and parking analysis indicates a peak demand for approximately 168 vehicles (161 residential and 7 commercial) from the proposed development. Peak residential demand typically occurs overnight. The proposal will provide 171 parking stalls to accommodate all of the anticipated parking demand, and therefore no additional mitigation is warranted per SMC 25.05.675.M.

Furthermore, SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in portions of Urban Centers within 1,320 feet of a street with frequent transit service. This site is located in the Northgate Urban Center within 1,320 feet of frequent transit service. Regardless of the parking demand impacts, no SEPA authority is provided to mitigate residential impacts of parking demand from this proposal.

Transportation

The Traffic Impact Analysis (Gibson Traffic Consultants dated March 2015) indicated that the project is expected to generate a net total of 425 daily vehicle trips, with 98 net new AM Peak hour trips and 74 PM Peak hour trips.

The Traffic Impact Analysis also analyzed Transportation Concurrency per the City of Seattle, and the traffic generated by the project does not exceed the stipulated thresholds and would not cause the access intersections to degrade to an unsatisfactory level of service (LOS). The vehicle traffic that the project is forecast to generate is within the capacity of the nearby roadway system, and the project is not expected to have substantial adverse transportation impacts.

The proposed development is located within the Northgate Urban Village and therefore has traffic mitigation fees associated with its land use. Pursuant to that mitigation payment system, the project proposes to pay a pro rata contribution of \$100,505.47 in order to help reduce the project's transportation impacts. This fee shall be paid prior to building permit issuance, consistent with SDCI business rules, and conditioned with this decision.

The condition to pay a pro rata contribution of \$100,505.47 is expected to adequately mitigate the adverse impacts from the proposed development, consistent with per SMC 25.05.675.R.

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 requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

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

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

CONDITIONS – DESIGN REVIEW

Prior to Issuance of a Building Permit (for #3017692 only)

1. The final design of the art on the plaza adjacent to 5th Ave NE (composition, materials, and colors) will be subject to approval by the Land Use Planner.

For the Life of the Project

2. The cumulative total area of open space for the two projects shall be equal to or greater than what is required by code.
3. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner.

CONDITIONS – SEPA

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

4. Provide a Construction Management Plan that has been approved by SDOT. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.

Prior to Issuance of a Construction Permit

5. The applicant shall make a pro rata mitigation payment in the amount of \$100,505.47 to the City of Seattle.
6. The applicant shall submit for review and approval to the Department of Construction and Inspections (SDCI) and Seattle Department of Transportation (SDOT) a Transportation Management Plan (TMP) with a Single Occupancy Vehicle (SOV) goal of 41 percent. The approved TMP must be recorded with the King County Recorder's Office prior to issuance of a Construction Permit.

BreAnne McConkie, Land Use Planner
Seattle Department of Construction and Inspections

Date: August 15, 2016

BM:rgc
3017692 3019072.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 Seattle DCI 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.