



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: 3018148
Applicant Name: Hugh Schaeffer with S+H Works, LLC for CH Apartments LLC
Address of Proposal: 1010 East Republican Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 4-story structure containing 36 residential units. No parking proposed. Existing structures to be demolished.

The following approvals are required:

Design Review – Seattle Municipal Code (SMC) Chapter 23.41 with the following Development Standard Departures:

1. Structure Façade Length – To allow an apartment structure’s façade length within 15’ of the side lot line exceed 65% of the length of that lot line. (SMC 23.45.527.B.1)
2. Rear Setback Requirement – To allow a required rear setback for an apartment structure be less than 15’ minimum. (SMC 23.45.518.A)
3. Landscaped Amenity Area – To allow the required amenity area be less than 25% of the lot area. (SMC 23.45.522)

SEPA - Environmental Determination (SMC Chapter 25.05).

SEPA DETERMINATION:

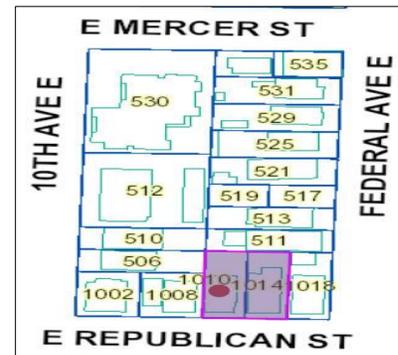
Determination of Non-significance

- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts.

BACKGROUND INFORMATION

Site and Vicinity Description

This approximately 5,971 square foot (sq. ft.) proposal site is a consolidation of two tax parcels in the Capitol Hill neighborhood bounded by East Republican Street to the north, residentially-zoned property to the south, east and west. This rectangular mid-block site is situated on the north side of East Republican Street and is zoned Lowrise 3 (LR3) and located within the Capitol Hill Urban Center Village. It contains two single family residences (1010 and 1014 East Republican Street).



Vehicular access to the onsite parking areas is via two curb cuts abutting East Republican Street. East Republican Street is classified as a Non-Arterial, pursuant to SMC Chapter 23.53. This street is improved with sidewalks, curbs, street trees and gutters.

The site's topography is characterized as being relatively flat. There are no Environmentally Critical Areas (ECAs) mapped on the site.

A mix of lawn, shrubs and mature trees are located near or on the subject property's north and west boundary lines. One tree (36" Cherry Tree, *Prunus serrulata*) whose trunk is sited on the neighboring site addressed as 1008 East Republican Street extends over that site's east boundary line onto the subject site. This tree has been determined by a qualified tree professional (Travis Trelstad, Certified Arborist, Greener TreeWorks LLC) as meeting the "Exceptional Tree" designation per Director's Rule (DR) 16-2008. The DPD Tree Expert has reviewed the Arborist's written assessment dated May 1, 2015 concurred with these findings.

Surrounding property west, north and south are also zoned LR3. Surrounding development includes single family residences north, east and south of the project site. A mix of small-scale residential uses (townhouses, duplex, and triplex) are west and south of the project property.

A mix of multifamily residential, single family residential and institutional use defines the streetscape character of this block along East Republican Street. There are several commercial uses (retail, restaurants, etc.) in the immediate vicinity of the project along Broadway East which is one block west of the project. The neighborhood is evolving with blocks immediately surrounding the site having seen significant development of apartment and townhomes in the past several years. The site is situated in an area that is very pedestrian and transit oriented.

Proposal Description

The proposed project is for the design and construction of a four-story with basement residential building with approximately 36 residential units. The existing residences addressed as 1010 and 1014 East Republican Street will be demolished. No parking is proposed to be provided onsite.

Grading of approximately 1,274 cubic yards (cu. yds.) of material is anticipated to occur during the removal of material and the construction of the structure's foundation.

Construction of the building necessitates the removal of the some mature trees with the exclusion of the identified exceptional tree (36" Cherry Tree, *Prunus serrulata*) which will remain and be protected during construction of the proposed development. Landscaping enhancements inclusive of vegetated planters, trees, plantings, shrubs and groundcover are also proposed.

Public Comments

Some members of the public attended the Early Design Guidance Review meeting held on November 12, 2014. The following comments, issues and concerns were raised:

- Asked how the proposed project design would impact the property north of the project site (i.e. solar impacts, privacy, and noise).

Members of the public attended the Recommendation meeting held on July 8, 2015 but no public comment was offered at this meeting.

The SEPA public comment period for this project ended on February 15, 2015. DPD received written comments from the public regarding the proposal. Neighbors requested information concerning parking requirements, noticing requirements; and voiced concerns about the landscaping design, and the height/bulk/scale of the building not being in context with the existing neighborhood.

DESIGN REVIEW ANALYSIS

EARLY DESIGN GUIDANCE MEETING: November 12, 2014

Three alternative design schemes were presented to the Board. Additionally, the architect's presentation included information (massing articulation sketches of the preferred scheme) that was not included in the EDG design packets initially provided to the Board. The project team's goals were to design a project that represents the residential and commercial nature of the area; responds appropriately to adjacent residential uses; and, creates a strong, attractive and pedestrian friendly design. All three options included a four-story structure with basement structure comprising of approximately 36 residential units. Outdoor upper-level and ground-level amenity areas were also proposed in all of the schemes presented to the Board.

The first scheme (Scheme A) identified as the code-compliant option, showed a very simplified building mass with a large/bulky street façade and residential lobby/entrance sited within close proximity to the street front.

The second scheme (Scheme B) was labeled as the "Split Massings" option. This scheme showed a modulated massing with residential entrance/lobby centrally sited and setback from the street. This design would require a code departure from maximum façade length.

The third and applicant preferred scheme (Scheme C) was described as the "Courtyard" option. This scheme illustrated an "L-shaped" massing with an entry courtyard oriented near the western portion of the site and residential lobby setback from the street. This design would necessitate design departures from maximum façade length and rear setback requirements.

Meeting Materials:

The design packets submitted to the DPD Land Use Planner prior to each Design Review meeting included materials presented at the EDG and Final Recommendation meetings. They are available online by entering the project number (3018148) at this website:

<http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.aspx>
or 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

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.

EARLY DESIGN GUIDANCE November 12, 2014

1. **Design Concept and Massing:** The design and siting pattern of the new residential development should respond to specific site conditions, provide an appropriate complement and/or transition of scale to neighboring lower density residential buildings, be compatible with the anticipated scale of development, and respect adjacent properties.
 - a. The Board voiced strong support for the preferred design option Scheme C and enthusiastically endorsed the courtyard design concept. The Board agreed that the “L-shaped” building mass reduced the street-facing façade’s presence and created a more sympathetic fit with the existing streetscape. Hence, the Board proposed that the preferred design option Scheme C should move forward to the Master Use Permit (MUP) submittal with the following guidance:
 - i. The massing articulation sketches presented at the EDG meeting indicated intent to provide distinct massing elements to reduce bulk; to create building definition; and, to accentuate the massing articulation. The Board supported this design direction and looks forward to reviewing further refinement of this design’s development at the Recommendation meeting. (CS2.D, CS2.III CAPITOL HILL)
 - ii. The Board expressed support of the contemporary design and felt that the inclusion of a generous well-designed entry courtyard is an important way for this new residential development to demonstrate compatibility with existing architectural context and establish a positive and desirable context for others to emulate in this evolving neighborhood. (CS3.A.1, CS3.A.2, CS3.A.4, DC3.I.ii CAPITOL HILL)
 - iii. It is imperative that the design be respectful to adjacent properties. At the Recommendation meeting, the Board expects the applicant to explain and demonstrate how the new building will respond to those adjacency pressures (i.e. privacy, outdoor activities, access, etc.). (CS2.D.1, CS2.D.5)

- b. The Board stated that it is very important that building exteriors be constructed of durable, high quality, attractive and maintainable materials that will age well in Seattle's climate and be consistent/compatible with preferred materials in the neighborhood. The Board also mentioned that the fenestration detailing and composition will also be important because of its dominance applied to most of the building's facades. At the Recommendation meeting, the Board expects to review physical materials and a color palette that meets the intent of this guidance. The Board reminded the design team that the materials should set a precedent for future development in the neighborhood. (CS3.A.4, DC4.A, DC4 CAPITOL HILL)
- c. The Board complemented the design team for presenting three viable design concepts for the subject property.

2. East Republican Street Frontage: The design of the residential development should integrate architectural features, elements and details to enhance pedestrian comfort; provide security and privacy at the residential edges; and, reinforce the existing spatial characteristics of East Republican Street. (PL2.B, PL3.B.1, PL3.B.2, PL3.B.4)

- a. The Board encouraged a design that would maintain a safe environment at the street and provide security near residential entrances and at ground-level residential units throughout the project site. The Board liked how the preferred design allowed for eyes on the street and courtyard. At the Recommendation meeting, the Board stated that they expect to see an ensemble of elements (lighting, fenestration, landscaping, entries, screening, etc.) that addresses resident safety and security on the property appropriately. (PL2.B, PL3.B.1, PL3.B.2)
- b. At the EDG meeting, the applicant explained that the waste/recycling containers would be stored internally in a dedicated waste storage room situated at the building's easternmost area on the first floor, and directly accessed via an exterior ramp leading to the street. The Board appreciated that the waste/recycling room was located away from the residential lobby entrance area and not directly above a basement residential unit. However, the Board recognized that activity associated with access to the waste/recycling room will occur along that east property line and voiced that this area should be appropriately screened from the adjacent property. The Board understands that it is the applicant's intent to install fencing to address this concern. The Board voiced an expectation to review fencing details inclusive of high quality/durable materials and landscaping (if possible) at the Recommendation meeting. A diagrammatic demonstration on the circulation concept for trash access and feedback from Seattle Public Utilities (SPU) should also be presented to the Board at the next meeting. (DC1.C.4, DC1.II CAPITOL HILL)
- c. Conceptual residential lighting and signage designs proposed for the building's street facing and surrounding facades should be presented at the Recommendation meeting. (PL2.B, PL2.III CAPITOL HILL, DC4.B, DC4.C)
- d. The Board recognized that the subject property line is setback approximately 5' from the existing sidewalk edge. The Board commented that the height and layering of the future plant materials within the right-of-way should be cohesive with proposed adjacent landscaping in the front yard on the site; and provide a buffer between the development and the street. Landscape and hardscape within the right-of-way are within the purview of the Seattle Department of Transportation (SDOT). Therefore, the applicant is directed to address this Board request directly with SDOT during the initial MUP review process and provide street improvement design specifics at the Recommendation meeting. (PL3.B.2, DC4.D)

3. Residential Open Spaces:

- a. The Board stated that the courtyard was a very important aspect of this project and that it should be designed on par with the existing neighboring courtyards presented in the design packet (pg. 25). The Board was pleased with the design direction of the courtyard sketches presented at the EDG meeting and illustrated in the design packet. The Board voiced concern that the awning at the building entry located within the courtyard may become too prominent of an element which could result in minimizing views to this open space. At the Recommendation meeting, the Board expects to review a courtyard that is well designed with quality materials and landscaping; and absent of building elements that will visually dominant the courtyard space. (PL3.A.1, PL3.A.2, PL3.A.4, DC3.I.i CAPITOL HILL, DC4.D)
- b. The Board did not understand how the trellis on the rooftop would be integrated with the roof amenity area/building design. Therefore, the Board requested that more information about the trellis, in addition to all other residential elements (outdoor furniture, landscaping, etc.) planned for the rooftop open space, be presented at the Recommendation meeting. (DC3.B.4, DC3.C.2)
- c. The proposal should include residential ground-level amenity space that is sited to minimize disrupting the privacy of surrounding residential properties. The Board discussed the possibility of ground-level open space at the rear of the proposed residential structure. Upon further discussion about the applicant's rear setback request, the Board recognized that a design allowing active usage of this area as a common amenity space for the residents should be discouraged. Therefore, the Board requested that the ground-level rear yard be heavily planted to provide a landscaped buffer to the surrounding properties. The Board commented that it would support a future code departure request for common amenity area that, in meeting the intent of this design guidance, residential open space would be sited elsewhere on the project site in order to preserve the privacy buffer to the north. The Board stipulated that this code departure is also tied to the code departure request for rear setback. (CS2.D.5, DC4.D) (See Departure #1)

FINAL RECOMMENDATION MEETING: July 8, 2015

The design massing scheme presented to the Board was based on the preferred scheme (Scheme C) offered at the EDG phase. This massing design further evolved to encompass information including colors, materials, fenestration, rooftop elements, architectural detailing and landscaping.

Three development standard departures were presented to the Board: one departure associated with structure façade length requirements, a departure for rear setback development standards and another departure pertaining to amenity area requirements.

FINAL RECOMMENDATIONS: July 8, 2015

The Board discussed the proposed departures and recommended the departures and conditions, as described, following the Design Review Guidelines section.

- 1. Design Concept and Massing:** The design and siting pattern of the new residential development should respond to specific site conditions, provide an appropriate complement and/or transition of scale to neighboring lower density residential buildings, be compatible with the anticipated scale of development, and respect adjacent properties.
 - a. The Board reviewed the final building design and was very pleased with the evolution of the favored design option (Scheme C). The Board commended the design team for successfully responding to the Board's guidance offered at the past EDG meeting concerning massing, architectural context and neighboring adjacency concerns. (CS2.D.1, CS2.D.5CS2.III CAPITOL HILL, CS3.A.1, CS3.A.2, CS3.A.4, DC3.I.ii CAPITOL HILL)
 - b. The Board voiced strong support for the proposed material/color palette identified in the design packet and on the physical material/color samples board presented to the Board at the Recommendation meeting. (CS3.A.4, DC4.A, DC4 CAPITOL HILL)
 - c. The Board inquired about bike storage and access from the street-level. The applicant explained that the bike storage room would be located in the building's basement and accessed via the resident's lobby leading to the elevator. The Board supported the location of the bike facility in the basement but felt that an alternative route separate of the residential lobby was preferred. Therefore, the Board recommended a condition that the secondary egress door to the internal stairwell at the building's west ground-level façade be accessible to residents for the purpose of bike storage access. (PL4.B.1, PL4.B.2)

- 2. East Republican Street Frontage:** The design of the residential development should integrate architectural features, elements and details to enhance pedestrian comfort; provide security and privacy at the residential edges; and, reinforce the existing spatial characteristics of East Republican Street. (PL2.B, PL3.B.1, PL3.B.2, PL3.B.4)
 - a. The Board voiced support of the conceptual lighting design and signage design as illustrated in the Recommendation design packet and presented at the Recommendation meeting. (PL2.B, PL2.III CAPITOL HILL, DC4.B, DC4.C)

- 3. Residential Open Spaces, Landscaping, Exceptional Tree:**
 - a. The Board commended the design team for presenting a landscape design that was described as a simple palette inclusive of evergreen, vibrant and attractive planting materials. (DC4.D)
 - b. The applicant's materials included an illustration of an Exceptional Tree located on the neighbor's property to the west whose visible tree canopy extends onto the subject site (pg. 12). The Land Use Planner informed the Board about the status of the Exceptional Tree and explained that the development design presented to the Board at the Recommendation meeting took into account tree protection measures approved by the DPD Tree Expert prior to the meeting. Consequently, no further comments regarding this concern were offered from the Board at the Recommendation meeting. (CS1.D.2, CS2.D.2, DC4.D.4)
 - c. The Board was very pleased with the design evolution of the ground-level courtyard, landscape ground-level rear yard privacy buffer area and the rooftop amenity space. (CS2.D.5, PL3.A.1, PL3.A.2, PL3.A.4, DC3.B.4, DC3.C.2, DC3.I.i CAPITOL HILL, DC4.D)

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-D Plants and Habitat

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

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

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

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

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

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

Capitol Hill Supplemental Guidance:

CS2-III Height, Bulk, and Scale Compatibility

CS2-III-i. Building Mass: Break up building mass by incorporating different façade treatments to give the impression of multiple, small-scale buildings, in keeping with the established development pattern.

CS2-III-ii. Views: Consider existing views to downtown Seattle, the Space Needle, Elliott Bay and the Olympic Mountains, and incorporate site and building design features that may help to preserve those views from public rights-of-way.

CS2-III-iii. Sunlight: Design new buildings to maximize the amount of sunshine on adjacent sidewalks throughout the year.

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.

PUBLIC LIFE

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

PL2-B Safety and Security

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

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

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

Capitol Hill Supplemental Guidance:

PL2-I Human Scale

PL2-I-i. Building Entries: Incorporate building entry treatments that are arched or framed in a manner that welcomes people and protects them from the elements and emphasizes the building's architecture.

PL2-I-ii. Pedestrian Character: Improve and support pedestrian-orientation by using components such as: non-reflective storefront windows and transoms; pedestrian-scaled awnings; architectural detailing on the first floor; and detailing at the roof line.

PL2-II Pedestrian Open Spaces and Entrances

PL2-II-iv. Residential Entrances: Minimize the number of residential entrances on commercial streets where non-residential uses are required. Where unavoidable, minimize their impact to the vitality of the retail commercial streetscape.

PL2-III Personal Safety and Security

PL2-III-i. Lighting/Windows:

i. Consider:

- a. pedestrian-scale lighting, but prevent light spillover onto adjacent properties;
- b. architectural lighting to complement the architecture of the structure; and
- c. transparent windows allowing views into and out of the structure—thus incorporating the “eyes on the street” design approach.

ii. Provide a clear distinction between pedestrian traffic areas and commercial traffic areas through the use of different paving materials or colors, landscaping, etc.

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

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

DESIGN CONCEPT

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

Capitol Hill Supplemental Guidance:

DC1-II Screening of Dumpsters, Utilities, and Service Areas

DC1-II-i. Dumpsters: Consolidate and screen dumpsters to preserve and enhance the pedestrian environment.

DC1-II-ii. Screening: For new development along Broadway that extends to streets with residential character—such as Nagle Place or 10th or Harvard Avenues East (see map on page 12)—any vehicle access, loading or service activities should be screened and designed with features appropriate for a residential context.

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

DC2-A Massing

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

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

DC2-B Architectural and Facade Composition

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

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

DC2-D Scale and Texture

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

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

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

Capitol Hill Supplemental Guidance:

DC3-I Residential Open Space

DC3-I-ii. Courtyards: Create substantial courtyard-style open space that is visually accessible to the public view.

DC3-I-vi. Landscape Materials: Use landscape materials that are sustainable, requiring minimal irrigation or fertilizer.

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

DC4-A Exterior Elements and Finishes

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

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

DC4-C Lighting

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

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

DC4-D Trees, Landscape, and Hardscape Materials

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

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

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

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

Capitol Hill Supplemental Guidance:

DC4-I Height, Bulk, and Scale

DC4-I-i. Materials: Masonry and terra cotta are preferred building materials, although other materials may be used in ways that are compatible with these more traditional materials. The Broadway Market is an example of a development that blends well with its surroundings and includes a mixture of materials, including masonry.

DC4-II Exterior Finish Materials

DC4-II-i. 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.

1. Use wood shingles or board and batten siding on residential structures.
2. Avoid wood or metal siding materials on commercial structures.
3. Provide operable windows, especially on storefronts.
4. Use materials that are consistent with the existing or intended neighborhood character, including brick, cast stone, architectural stone, terracotta details, and concrete that incorporates texture and color.

5. Consider each building as a high-quality, long-term addition to the neighborhood; exterior design and materials should exhibit permanence and quality appropriate to the Capitol Hill neighborhood.
6. The use of applied foam ornamentation and EIFS (Exterior Insulation & Finish System) is discouraged, especially on ground level locations.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendations on the requested departures was based upon the departures' potential to help the project better meet these design guidelines priorities and achieve a better overall design than could be achieved without the departures.

1. **Structure Façade Length (SMC 23.45.527.B.1):** The Code states that for an apartment structure, the maximum combined length of all portions of facades within 15' of a lot line that is neither a rear lot line nor a street or alley lot line shall not exceed 65% of the length of that lot line. This equates to a structure façade length of 58'-2". The applicant proposes a structure façade length of 74' which equates to 83% of the side lot line length. The applicant explained that this departure request reduces perceived building mass by shifting of the project mass off of the street; creating opportunity for a generous entry courtyard; and pulling the façade abutting the northeast property line back at the neighboring backyard.

The Board agreed that this departure would result in an overall design that would better meet the intent of Design Guidelines PL2.II Capitol Hill, DC2.A, DC3.B.4 and DC3.I.ii CAPITOL HILL by allowing an "L-shaped" massing design that reduced the street-facing façade's presence and created a more sympathetic fit with the existing streetscape. The Board felt that this massing configuration supports the City's intent of integrating substantial courtyard-style open space that is visually accessible to the public view.

The Board unanimously recommended that DPD grant the requested departure.

2. **Required Rear Setback (SMC 23.45.518.A):** The Code requires the rear setback for an apartment structure be 15' minimum. The applicant proposes a 10.5' rear setback. The applicant's justification for this departure is that, by allowing a smaller rear setback, the proposed building form with minimized frontage along the street would better support a viable courtyard design that is precedent in on Capitol Hill.

The Board acknowledged that this code departure was in response to Board feedback at the EDG meeting (see EDG 3.b) and was supportive of the applicant's response to their guidance. This departure would result in an overall design that would better meet the intent of Design Guidelines CS2.D.5, DC3.I.ii CAPITOL HILL and DC4.D by allowing ample space for a well-designed courtyard at the street and a heavily planted landscaped privacy buffer to the surrounding residential properties at the building rear area.

The Board unanimously recommended that DPD grant the requested departure.

3. **Landscaped Amenity Area (SMC 23.45.522):** The Code states that for an apartment structure, the required amount of amenity area is equal to 25% of the lot area (1,493 sq. ft.). The Code further states that a minimum of 50% of the required amenity area shall be provided at ground level and 50% of the ground-level common amenity area provide

shall be landscaped with grass, ground cover, bushes and/or trees. The applicant proposes a required amenity area less than 25% of the lot area (3% or 174 sq. ft.). The applicant's design illustrates only the landscaped planters in the courtyard (940 sq. ft.) as qualified common landscaped ground-level amenity space. The applicant explains that, due to the residents' limited access to the ground-level landscaped rear yard due (840 sq. ft.); this area cannot be considered towards the project's common area amenity area requirement.

This departure would result in an overall design that would better meet the intent of Design Guidelines CS2.D.5, DC2.A.2, PL2.II Capitol Hill, PL3.B.1 and DC3.B.4 by allowing a ground-related landscaped privacy buffer for the adjacent properties. The Board recognized that this code departure was also in response to Board feedback and the EDG meeting.

The Board unanimously recommended that DPD grant the requested departure.

BOARD RECOMMENDATION

The recommendation summarized above was based on the design review packet dated Wednesday, July 8, 2015, and the materials shown and verbally described by the applicant at the Wednesday, July 8, 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 and departures with the following condition:

1. The secondary egress door to the internal stairwell located at the buildings west ground-level façade should be accessible to residents for the purpose of access to the basement bike storage room. (PL4.B.1, PL4.B.2)

Subsequent to the July 8, 2015 meeting, the applicant has worked with DPD staff to respond to the Design Review Board Recommended Conditions as follows:

1. The design illustrated on the applicant's plans show a bicycle parking sign affixed to the façade near the auxiliary entrance facing the courtyard on the west side of the building. This response satisfies recommended condition #1.

The plans on file reflect the updated design and will be included in the issued MUP plan set.

ANALYSIS & DECISION – DESIGN REVIEW

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

The Director's decision shall consider the recommendation of the Design Review Board. Except for projects accepted in the Living Building Pilot Program established in Section 23.40.060, if four or more members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision that makes compliance with the recommendation of the Design Review Board a condition of permit approval, unless the Director concludes that the recommendation of the Design Review Board:

- a. *Reflects inconsistent application of the design review guidelines; or*

- b. *Exceeds the authority of the Design Review Board; or*
- c. *Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- d. *Conflicts with the requirements of state or federal law.*

Director's Analysis:

Five members of the East Design Review Board were in attendance and provided recommendations to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F.3). The Director agrees with and accepts the conditions recommended by the Board that further augment the selected Guidelines, as described in the Board Recommendation section above.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the five members present at the decision meeting and finds that they are consistent with the Citywide Design Guidelines. 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. The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met, as described in the Board Recommendation section above.

Director's Decision:

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the five members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines. The Design Review Board agreed that the proposed design, along with the condition listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and requested departures (Structure Façade Length Requirement, Rear Setback Requirement and Landscaped Amenity Area Development Standard) with the conditions summarized at the end of this Decision.

SEPA ANALYSIS

Environmental review resulting in a Threshold Determination is required pursuant to the 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 November 14, 2014. The Department of Planning and Development has analyzed and annotated the environmental checklists submitted by the project applicant; reviewed the project plans and any additional information in the file and any pertinent comments which may have been received regarding this proposed action have been considered.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between the City's 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.

Codes and development regulations applicable to this proposed project will provide some mitigation for most short and/or long term impacts. Applicable codes may include 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. Additional discussion of short and long term impacts is found below.

Short – term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, disruption of utilities serving the area and increases in greenhouse gas emissions. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794).

Several construction-related impacts are mitigated by existing Codes and ordinances applicable to the project such as: the Noise Ordinance (construction noise), the Stormwater and Grading Codes (grading, site excavation and soil erosion), the Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of pedestrian right-of-way), and the Building Code (construction measures in general). Compliance with the applicable Codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. The following analyzes construction-related noise, air quality, construction impacts as well as its mitigation.

Noise

The site abuts one street (East Republican Street). Residential properties surround the project site and are located in the same zone (LR3). The SEPA checklist does not identify an existing noise source. The applicant states on supplemental correspondence that the estimated construction hours are as follows: 7:00 a.m. to 6:00 p.m., Monday thru Saturday; and 10:00 a.m. to 5:00 p.m. on Sunday.

Short-term noise and vibration from construction equipment and construction activity (e.g., backhoes, trucks, concrete mixers, generators, pneumatic hand tools, engine noise, back-up alarms, etc.); and construction vehicles entering and exiting the site would occur as a result of construction and construction-related traffic. Compliance with the Noise Ordinance (SMC 25.08) is required.

Although there is adjacency to residential uses, the Noise Ordinance is found to be adequate to mitigate the potential noise impacts. The Noise Ordinance states construction activities within 100' of occupied Lowrise and Neighborhood Commercial zones shall be limited to non-legal holiday weekdays from 7:00 a.m. to 7:00 p.m. and 9:00 a.m. to 7:00 p.m. on weekends and legal holidays. Impact construction work (pile driving, jackhammers, vector trucks, etc.) is further limited (8:00 a.m. – 5:00 p.m. weekdays and 9:00 a.m. - 5:00 p.m. weekends and legal holidays).

It is the Department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is not justified for this project on this specific site. No further conditioning or mitigation is warranted.

Air Quality

Demolition of the existing structures, grading and construction activities will result in localized short-term increases in air particulates and carbon monoxide which could temporarily affect the air quality in the vicinity. Demolition/construction activities that would contribute to these impacts include excavation, grading, soil compaction, and operation of heavy trucks and smaller equipment (i.e., generators and compressors). Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency regulations requires activities which produce airborne materials or other pollutant elements to be contained with temporary enclosure. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency ("PSCAA") prior to demolition. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne.

There is no indication of unusual short term adverse impacts related to air quality. Current codes are adequate to provide mitigation and pursuant to the Overview Policy (SMC Section 25.05.665) and Air Quality Policy (SMC Section 25.05.675A). Therefore, no further mitigation is warranted.

Construction-Related Streets Parking and Pedestrian Circulation

Demolition of the existing structures and grading is proposed (1,274 cu. yds. of material). This material would be trucked to and from the site. Construction vehicles would enter and exit the project site from East Republican Street. The applicant states "*Construction staging and sidewalk closures will be minimized to the greatest extent possible and coordinated with SDOT.*"

Construction of the project is proposed to last for several months. The applicant estimates that a maximum of 20 construction workers will be onsite throughout the construction process. Per the applicant, "*Workers will park in the surrounding streets near the project site in any available parking spaces.*" The amount of on-street parking available to construction workers appears limited due to no parking and time restrictions on several of the nearby block fronts. The demand for parking by construction workers during construction is anticipated to further reduce the supply of parking in the vicinity.

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

Due to an increased trip generation, additional mitigation is warranted pursuant to the Construction Impacts Policy (SMC 25.05.675.B). Pursuant to this policy, a Construction Management Plan (CMP) is required, which will be reviewed by the Seattle Department of Transportation (SDOT). The requirements for a CMP include a Haul Route and a Construction 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>.

The approved CMP will be required prior to the issuance of any future demolition, grading and/or building permits for the project.

Greenhouse Gas Emissions

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

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

Long - term Impacts

Long term or use-related impacts are also anticipated as a result of this proposal, including: increased bulk and scale on the site; increased ambient noise associated with increased human activity and vehicular movement; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; increased airborne emissions resulting from additional traffic; increased energy consumption; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

Historic Preservation

Section 25.05.675.H of the SEPA code describes the City's policies for protecting historical sites. *"It is the City's policy to maintain and preserve significant historic sites and structures and to provide opportunity for analysis of archeological sites.....For projects involving structures or sites which are not yet designated as historical landmarks but which appear to meet the criteria for designation, the decisionmaker or any interested person may refer the site or structure to the Landmarks Preservation Board for consideration.....On sites with potential archaeological significance, the decisionmaker may require an assessment of the archaeological potential of the site."*

SEPA provides authority to mitigate impacts to historic buildings (SMC 25.05.675.H.2.c). In this instance, the two existing single family residences located at 1010 and 1014 East Republican Street are not designated as historical landmarks. However, because this proposal involves the demolition of buildings which are more than 50 years old, historical information concerning these properties (prepared by the applicant) was referred to the Department of Neighborhoods (DON) for review. The DON Historic Preservation Staff reviewed the information and stated, "Based on the review of this information, we have determined that it is unlikely that either of the subject buildings would meet the standards for designation as an individual landmark, due in part to the loss of historic materials and integrity." Therefore, no further conditioning is warranted by SEPA.

Parking

The proposal site is situated within a residential zone (LR3), the Capitol Hill Urban Center Village and the frequent transit service corridor. No parking is required per the Land Use Code (SMC 23.54). The submitted MUP plans indicate no parking spaces will be provided onsite.

Gibson Traffic Consultants, Inc. (GTC) prepared a parking analysis report (dated September 23, 2015) for the subject site to assess the expected parking demand and supply. The analysis in this report is based on a proposal for “36 mid-rise apartment units.”

A parking utilization study conducted by GTC collected on-street parking information within 800’ of the project site. Additionally, impacts to street parking from six other developments (either planned or under construction with an 800’ walking radius overlapping with the study area) were included in the analysis to predict future demand. The GTC study identified 293 legal on-street parking spaces within the study area and based on two days of parking counts, the average utilization rate of these spaces is more than 100% in the late evening (after 9:00 PM). The GTC study also estimated that the project is likely to generate a peak (overnight) parking demand for 18 spaces. The project does not include parking onsite, so 18 vehicles would be added to the on-street demand.

Six other projects in the vicinity of the site were also taken into consideration in analyzing parking demand impacts. These six projects are as follows:

DPD Number	Location	Project Description	Parking Provided
3017655	750 11 th Avenue East	34 residential units	0
3012300	505 11 th Avenue East	22 residential units	7
6370623	422 Summit Avenue East	48 residential units	13
6173794	802 East Thomas Street	70 residential units	65
6399127	416 12 th Avenue East	5 residential units	0
6310214	621 12 th Avenue East	39 residential units	0

A parking analysis of the six projects estimated a spillover peak overnight parking demand of 19 vehicles in the project study area. Adding this on-street demand to the above estimates results in a cumulative on-street parking demand of 37 vehicles between the seven projects; along with existing on-street parking volumes, a total of 341 vehicles would be expected to park on-street with completion of the six projects. This would result in a parking utilization rate of 116%. On-street parking is judged to be at effective capacity when utilization rates reach 85% or higher. The likely cumulative impacts of this increase in on-street parking demand are increased vehicular circulation of drivers search for parking, parking further from the project site and potentially a reduction in auto use and ownership.

The cumulative impacts of these seven developments are expected to result in capacity conditions for the on-street parking supply. However, Policy 25.05.675.M.2.b.2.c states no SEPA authority is provided for the decision maker to mitigate the impact of development on parking availability for residential uses located within the Capitol Hill Urban Center in this case. Therefore no mitigation is warranted or can be required of this project to modify its parking impact.

Greenhouse Gas Emissions

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

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

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.

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

SEPA CONDITIONS

Prior to Issuance of Any Demolition, Grading and Building Permit:

1. Provide a Construction Management Plan (CMP) that has been approved by the Seattle Department of Transportation (SDOT). This plan shall include methods that will reduce construction worker parking on surrounding streets. The submittal information and review process for CMPs are described on the SDOT website at:
<http://www.seattle.gov/transportation/cmp.htm>.

DESIGN REVIEW CONDITIONS

Prior to Certificate of Occupancy

2. The Land Use Planner (Tami Garrett 206-233-7182 or tami.garrett@seattle.gov) shall inspect materials, colors, and design of the constructed project. An appointment with the assigned Land Use Planner must be made at least seven (7) working days in advance of field inspection. All items shall be constructed and finished as shown in the Master Use Plan (MUP) set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
3. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Tami Garrett 206-233-7182 or tami.garrett@seattle.gov).

For the Life of the Project

4. 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 (Tami Garrett 206-233-7182 or tami.garrett@seattle.gov).

Tami Garrett, Senior Land Use Planner
Department of Planning and Development

Date: November 30, 2015

TYG:bg

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

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

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

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

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