



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 Number: 3018400

Applicant Name: JP Emery with Ankrom Moisan Architects, Inc
for Bryon Ziegler with Aegis Living

Address of Proposal: 8511 15th Ave NE

SUMMARY OF PROPOSAL

Land Use Application to allow a 3-story structure containing 80 assisted living units. Parking for 32 vehicles is to be provided below grade. Existing structure to be demolished.

The following approvals are required:

Design Review pursuant to Seattle Municipal Code (SMC) 23.41.

SEPA – Environmental Determination pursuant to SMC 25.05.

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

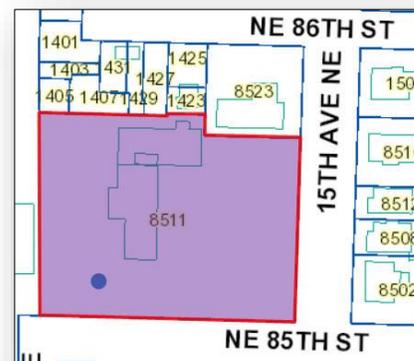
DNS involving non-exempt grading or demolition, or involving another agency with jurisdiction.

SITE & VICINITY

Site Zone: LR2 (Multifamily Residential – Lowrise 2)
Northgate Overlay District

Nearby Zones: (North) LR2
(South) LR2
(East) LR2
(West) SF5000 (Single-family 5000)

Lot Area: 56,771 square feet



Current Development:

The site is located in the Maple Leaf neighborhood, northwest of the intersection of NE 85th Street and 15th Ave NE, east of the Maple Leaf Reservoir and Playfield. On the site is an existing vacant structure once used for classroom and educational functions. This building is sited roughly in the middle of the lot with parking and two curb cuts along 85th. On the eastern portion of the site is a mature tree stand known as “Waldo Woods” which is protected from development by an easement between the property owner and Seattle’s Parks department. The site has some views of downtown when facing to the southwest in the southwest quadrant of the site.

Surrounding Development and Neighborhood Character:

The site abuts multi-family townhouse development to the northwest and an office building to the northeast, single-family and multi-family buildings to the east and south, and Maple Leaf Reservoir to the west.

The area is a blend of traditional craftsman’s and bungalows, modern homes, older apartment buildings, and ‘craftsman-inspired’ townhomes.

Access Opportunities

The site is located west of 15th Ave NE (a minor arterial) and north of NE 85th St (a residential access street). Vehicle and pedestrian access to the project is proposed from NE 85th St. A bus stop is located north of the intersection of 15th Ave NE and NE 85th St.

Zoning and Overlay Designation

The LR2 zoned project, within the Northgate Overlay District, has parcels to the north, east, and south also zoned LR2. The parcel to the west is zoned SF5000.

Access and Parking:

Pedestrian and vehicle access is proposed from NE 85th Street.

Environmentally Critical Areas:

None.

PROJECT DESCRIPTION

The applicant proposes a 3-story assisted living facility with 62 living units, 18 memory care units and thirty-two underground parking stalls.

The packet includes materials presented at the meeting, and is available online by entering the project number (**Error! Reference source not found.**) at this website:

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

The packet is also available to view in the file, by contacting the Public Resource Center at Seattle DCI:

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

Email: PRC@seattle.gov

DESIGN DEVELOPMENT

EARLY DESIGN GUIDANCE May 18, 2015

At the Early Design Guidance meeting the architect presented three massing alternatives.

Massing Study A (viewed from the southwest) — is a 3-story rectangular shaped structure with the long axis oriented north to south on the site. On the west side of the site vehicle access is provide from NE 85th St. The access is designed with a circular drop off and pick up area with vehicle access to an underground garage north of the circular drive.



Massing Study B (viewed from the southwest) — are two 3-story rectangular shaped structures connected by 1-story structure. The long axes of the structures are oriented north to south on the site. On the south side of the site vehicle access is provided from NE 85th St. The access is designed as a half circular drive. Vehicle access to an underground garage is east of the eastern structure.



Massing Study C (viewed from the southwest) — is a 3-story, L-shaped structure. On west side of the site vehicle access is provide from NE 85th St. The access is design with a circular drop off and pick up area and vehicle access to an underground garage is west of the circular drive. This was the applicant preferred scheme.



PUBLIC COMMENT

The following public comments were expressed at the Early Design Guidance meeting:

- Concerned about losing southern views and having less daylight than currently enjoyed.
- Concerned about future scale of the structure and shared pedestrian vehicle access.
- Commented support that the proposal was not a residential development with a number of residential structures. Requested that the board consider a true gable roof on the structure and whether a height departure could be granted.
- Stated that the building face was potentially too close to 85th.

1. Structure Orientation/Location, Massing, and Site Response. The Board noted the L-scheme (Massing Study C) was a logical response for the proposal. The Board was pleased with the proposed northern setback for the structure. The Board recognized that a south facing

location on the northern portion of the structure was the best location for the Memory Care garden. The Board was supportive of the outbuilding as a ‘gatehouse’ adjacent to the pump house. The Board wants to see the proposed build scale is maintained. The Board expressed concerns about the north façade. They suggested more and deeper modulation. At the next Design Review meeting the applicant should provide shadow studies that demonstrate that casting shadows on neighbors is minimized. The Board recognized the concern for lost views; however their purview does not include protection of views from private property. It suggested that the northern façade be well articulated and that landscaping features be introduced to benefit the adjacent sites.

- a. The Board looks forward to seeing the details for the façade composition; proposed textures, articulation, and building materials to further express the structure. (CS2-A, CS2-D, CS3-A-4, PL3-A, PL3-C, PL4-C, DC1-A, DC2, DC4)
 - b. The pedestrian experience along the NE 85th St and the southern façade needs to be given special consideration. (CS2-C, PL1, PL2, PL4-A, PL4-C, DC1-A, DC3-C)
 - c. DPD requests a privacy study documenting the visual relationship between the proposed façade fenestration and the adjacent sites. Elevation views should detail existing windows and outdoor space whose privacy will be impacted by proposed development. The location of existing windows should inform the location of proposed windows and landscape screening along the east façade. (CS2-B, CS2-D)
- 2. Architectural Context and Style.** The Board noted that active uses within building need to be aligned with the existing eastern wooded area of the site. Interior functions might spill out into outdoor space. The Board was supportive of a Neo-classical design for the site. The Board agreed that the Massing Study C reads well as an institution. (PL1-B-1, PL2-A, PL2-B, PL2-B-3, CS3-A-4, DC1, DC2, DC4, CS2-D, DC1, DC2, DC4)
- 3. Amenities/Landscaping/Trees.** The Board discussed the site landscaping design and would like to see the following:
- The deciduous and sweetgum tree shown for the north side of the property should be retained. (DC3)
 - The Board requested further study of landscaping design to provide benefit and privacy of the residents and residents of townhomes north of the site. (DC3)
 - The sidewalk/pedestrian route along 85th should receive significant treatment as it is a critical pathway to the proposal. (PL2-B)
 - Signage and the landscaping design are important elements of the proposal. (DC4-C, PL2-B-2)
 - The Board expressed concerned about the memory care garden’s proximity to the auto court, but felt the landscaping and water feature does an adequate job of creating visual and auditory separation. (DC3)
- 4. Pedestrian/Vehicle Access and Solid Waste Collection.** The Board complimented the applicant for providing pedestrian access from 15th Ave NE and NE 85th St. (CS2-C, DC1-A, PL3-A)
- a. The Board would like to see more information on the solid waste storage location at the next design review meeting. (DC1-A, DC1-C, PL3-A)

- 5. Colors and Materials.** The Board recommended high quality elements, architectural features, details, and finishes. Human scaled elements should provide a strong connection between the project and the public realm. A materials/colors board shall be provided at the next meeting. (DC2-D, DC4-A, PL2-B)
- d. The design should set a context of visual interest and human scale for all four facades. (CS3-A, DC4-A)
- e. Regarding blank walls, it is recommended that any blank walls should include design treatments of high quality elements and finishes to respond to human scale and visual interest. (DC2-B, DC4-A)
- 6. Security and Exterior Lighting.** The Board commented that the gate to nowhere at the conservation easement is a missed opportunity to create a connection between the building and public way. At the next meeting the applicant should address security and exterior lighting for the building. (PL2-B-2, PL3-A, DC4-C)

DESIGN DEVELOPMENT

FINAL RECOMMENDATION MEETING: January 25, 2016

A more detailed building design was presented at the meeting.

The architect re-presented Massing Study C (viewed from the southwest) — a 3-story, L-shaped structure. On west side of the site, vehicle access is provide from NE 85th St. Access has a circular drop off and pick up area. Access to an underground garage is west of the circular drive.



PUBLIC COMMENT

The following public comment was heard at the Recommendation meeting:

- The owner of the northern neighboring office build felt that the 5' setback departure is too close to her property.
- She also requested that the gate location near her property be reviewed and located further south from her building.
- She also noted that the park to the west is a dark sky initiative park.

RECOMMENDATION DESIGN GUIDANCE January 25, 2016

- 1. Structure Orientation/Location, Massing, and Site Response.** The Board noted the L-scheme (Massing Study C) was the best response for the proposal. The Board was pleased with the measures taken to be sensitive to the north townhouse neighbors. (CS2-A, CS2-D, CS3-A-4, PL3-A, PL4-C, DC1-A, DC2, DC4)
- Deeper modulation along the norther façade has been achieved.

2. **Architectural Concept, and Exterior Elements and Finishes.** The Board noted that the wall area above the windows on the third level appears too tall, they recommended a taller window, an architectural element over each window, or a change in the roof fascia. (DC2-B, DC2-C, DC4-A)
3. **Amenities/Landscaping/Trees.** The Board supported the current landscaping design. (DC4-D)
4. **Pedestrian/Vehicle Access and Solid Waste Collection.** The Board complimented the applicant for providing the concealed trash storage and the design for the pedestrian/vehicle access. (CS2-C, PL3-A, DC1-A)
5. **Walkways and Safety.** At the recommendation meeting the applicant presented a tree and landscaping in the area that was shown as a fountain area in the early design guidance presentation.

Board understands the difficulty with maintaining a fountain and the risk of wet surface areas for pedestrians. (PL2-B, DC2-D, DC4-A)

- The Board will allow the applicant to select a 10' tall large caliper feature tree or a fountain for this area. No low pots shall be used.

6. **Façade Composition.** The Board recommended that the façade mechanical screening be a dark bronze. (DC2-D, DC4-A)
 - Metal screening in the arches should match the dark bronze.
 - All of arching above the window along the east façade should match.
7. **Connectivity, Street-Level Interactions, and Exterior Lighting.**

The Board recommended that the 15th Ave NE gate to the conservation easement should be removed. The fencing should be uniform along the street edge, the northern fencing should be extended to the eastern lot line and the gate should remain recessed. This area shall be monitored by the assisted living staff and shall be kept clear of debris or people. (PL2-B-2, PL3-A)

Exterior lighting on the west façade closest to the park shall be removed. All exterior lighting shall use frosted glass to reduce glare. (DC4-C)

DESIGN REVIEW GUIDELINES

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 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 Topography

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

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

CS1-D Plants and Habitat

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

CS1-D-2. Off-Site Features: Provide opportunities through design to connect to off-site habitats such as riparian corridors or existing urban forest corridors. Promote continuous habitat, where possible, and increase interconnected corridors of urban forest and habitat where possible.

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

CS2-A Location in the City and Neighborhood

CS2-A-1. Sense of Place: Emphasize attributes that give a distinctive sense of place. Design the building and open spaces to enhance areas where a strong identity already exists, and create a sense of place where the physical context is less established.

CS2-A-2. Architectural Presence: Evaluate the degree of visibility or architectural presence that is appropriate or desired given the context, and design accordingly.

CS2-B Adjacent Sites, Streets, and Open Spaces

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

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

CS2-B-3. Character of Open Space: Contribute to the character and proportion of surrounding open spaces.

CS2-C Relationship to the Block

CS2-C-1. Corner Sites: Corner sites can serve as gateways or focal points; both require careful detailing at the first three floors due to their high visibility from two or more streets and long distances.

CS2-D Height, Bulk, and Scale

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

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

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

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

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

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

CS3-A Emphasizing Positive Neighborhood Attributes

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

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

CS3-A-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.

CS3-B Local History and Culture

CS3-B-1. Placemaking: Explore the history of the site and neighborhood as a potential placemaking opportunity. Look for historical and cultural significance, using neighborhood groups and archives as resources.

CS3-B-2. Historical/Cultural References: Reuse existing structures on the site where feasible as a means of incorporating historical or cultural elements into the new project.

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-A-2. Adding to Public Life: Seek opportunities to foster human interaction through an increase in the size and quality of project-related open space available for public life.

PL1-B Walkways and Connections

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

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

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

PL1-C Outdoor Uses and Activities

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

PL1-C-2. Informal Community Uses: In addition to places for walking and sitting, consider including space for informal community use such as performances, farmer's markets, kiosks and community bulletin boards, cafes, or street vending.

PL1-C-3. Year-Round Activity: Where possible, include features in open spaces for activities beyond daylight hours and throughout the seasons of the year, especially in neighborhood centers where active open space will contribute vibrancy, economic health, and public safety.

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-D Wayfinding

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

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

PL3-B Residential Edges

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

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

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

PL4-A Entry Locations and Relationships

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

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

PL4-B Planning Ahead for Bicyclists

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

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

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

PL4-C Planning Ahead For Transit

PL4-C-1. Influence on Project Design: Identify how a transit stop (planned or built) adjacent to or near the site may influence project design, provide opportunities for placemaking.

PL4-C-3. Transit Connections: Where no transit stops are on or adjacent to the site, identify where the nearest transit stops and pedestrian routes are and include design features and connections within the project design as appropriate.

DESIGN CONCEPT

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

DC1-A Arrangement of Interior Uses

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

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

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

DC1-A-4. Views and Connections: Locate interior uses and activities to take advantage of views and physical connections to exterior spaces and uses.

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-B-2. Facilities for Alternative Transportation: Locate facilities for alternative transportation in prominent locations that are convenient and readily accessible to expected users.

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.

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-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.

DC2-E Form and Function

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

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

DC4-A Exterior Elements and Finishes

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

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

DC4-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.

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.

DC4-E Project Assembly and Lifespan

DC4-E-1. Deconstruction: When possible, design the project so that it may be deconstructed at the end of its useful lifetime, with connections and assembly techniques that will allow reuse of materials.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure(s) 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 departure(s).

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

1. **STRUCTURE WIDTH (SMC 23.45.527):** The Code requires that apartments in the LR2 Zone may not exceed 90' in structure width. The applicant proposes a structure width of 181' 6'' for the northern portion of the structure.

At the final design review board meeting, the Board supported the departure because the narrower street presence along NE 85th St allows for a stronger visual connection with the park for pedestrians. The L-shaped configuration pulls the main massing away from the street, minimizing the impact of the building size to the surrounding neighborhood and park views. Also, the narrow building massing along NE 85th St allows for equal entrances to the site for cars and pedestrians. Landscaping is blended from 85th, into the open court and smooths the transition from the site to the park. (CS3, PL2).

2. **SETBACKS (SMC 23.45.518):** The Code requires 5' side setback and 15' rear setback for apartments in the LR2 Zone.
 - a. The applicant proposes 2'-11" side setback, and
 - b. A 4'-2" rear setback.

The proposed encroach at the northeast corner of the site achieves a uniform residential unit width. The North elevation of the building will be setback an extra 9' from the adjacent townhomes.

At the final design review board meeting, the Board supported the departure request because the additional area needed at the northeast corner of the site allows for a portion of the massing along the north side of the site to be pulled back from the existing townhouses. The Board also felt that the space between the existing townhouses and the North side of the building creates more space for landscaping and visual buffers between the two sets of residents. (CS3, DC3).

BOARD RECOMMENDATION

The recommendation summarized above was based on the design review packet dated Monday, January 25, 2016, and the materials shown and verbally described by the applicant at the Final Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the

four Design Review Board members recommended APPROVAL of the subject design and departures with the following conditions:

1. The southwest and west third level wall areas above the windows shall be reduced by a taller window, trim under the roof, or a deeper roof fascia.
2. The center element for the drop off/pick up area shall be designed with a 10' tall large caliper feature tree or a fountain. No low pots shall be used in this area.
3. Rooftop equipment shall be screened. All metal screening shall be a dark bronze.
4. The fencing along the east property line shall have a uniform pattern. The 15th Ave NE gate to conservation easement shall be removed. The fencing along the north property line shall be extended to the east property line. The gate shall be recessed from the east property line. This area shall be monitored and shall be kept clear of debris or people.
5. The exterior lighting along the west end of the building closest to the park shall be removed. All exterior lighting shall use frosted glass to reduce glare.

DECISION – DESIGN REVIEW

Director's Analysis

Three members of the Northeast Design Review Board attended and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines 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.

Following the Recommendation meeting, Seattle DCI staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director of Seattle DCI has reviewed the decision and recommendations of the Design Review Board made by the members present at the decision meeting and finds that they are consistent with the City of Seattle *Design Review Guidelines for Multifamily and Commercial Buildings*. 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.

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 Seattle DCI has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle *Design Review Guidelines for Multifamily and Commercial Buildings*. The Design Review Board agreed that the proposed design, along with the conditions 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 the requested departures with the conditions summarized at the end of this Decision.

ANALYSIS - SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), Washington Administrative Code (WAC) 197-11, and the Seattle SEPA Ordinance (SMC 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The Seattle Department of Construction and Inspections (Seattle DCI) has analyzed the environmental checklist submitted by the project applicant, reviewed the project plans, any additional information in the file, and considered any pertinent comments which may have been received regarding this proposed action. As indicated in the checklist, this action may result in adverse impacts to the environment; however, due to their temporary nature or limited effects, the impacts are not expected to be significant.

The *SEPA Overview Policy* (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The *SEPA 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 (SMC 25.05.665). Under such limitations, mitigation may be considered; a detailed discussion of some of the impacts is appropriate.

Codes and development regulations applicable to this proposed project that will provide mitigation for short and/or long term impacts 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, and conditions to sufficiently mitigate impacts where necessary, is found below.

Notice of Application and Comment Period

Notice of the application was published on September 28, 2015. The required public comment period ended on October 11, 2015. The follow public comment was provided: Not enough parking is required for the project.

The Land Use Application file is available at the Public Resource Center located at 700 Fifth Ave, Suite 2000.¹

Short Term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

¹<http://www.seattle.gov/dpd/aboutus/howeare/publicresourcecenter/default.htm>

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, construction noise, construction parking, street and sidewalks, traffic and circulation, earth/soils, environmental health, and greenhouse gas emissions warrant further discussion.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos or other hazardous substances during demolition. The applicant and all contactors shall take the following precautions to reduce or control emissions or other air impacts during construction:

- During demolition, excavation and construction, debris and exposed areas will be sprinkled as necessary to control dust and truck loads and routes will be monitored to minimize dust-related impacts.
- Using well-maintained equipment and avoiding prolonged periods of vehicle idling will reduce emissions from construction equipment and construction-related trucks.
- Using electrically operated small tools in place of gas powered small tools wherever feasible.

Construction Noise

As the proposal proceeds, noise associated with construction activities at the site is anticipated to be minimal on the surrounding residential and commercial uses. The Noise Ordinance is found to adequately mitigate the potential noise impacts, subject to the following condition pursuant to the SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B):

All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) and shall be limited to non-holiday weekdays from 7 a.m. to 7 p.m. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by Seattle DCI when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the **Noise Abatement Coordinators** (as noted in the conditions) at least three (3) days in advance of the requested dates in order to allow Seattle DCI to evaluate the request.

Construction Impacts

During construction, parking demand will increase due to additional use by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities. Construction workers can be expected to arrive in early morning hours and to leave in the mid-afternoon. Surrounding residents generate their peak need for on-street parking in the evening and overnight hours when construction workers can be expected to have departed. SEPA mitigation of parking impacts during construction appears to be unwarranted.

The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation. It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675 R).

In this case, adequate mitigation is provided by the Street Use Ordinance, which regulates and provides for accommodating pedestrian access. Therefore, additional mitigation under SEPA is not warranted.

Traffic and Circulation

Site preparation would involve the removal of the existing building and excavation for the foundation of the proposed building. Approximately 14,225 cubic yards of material would be excavated and removed from the site and 3,152 cubic yards of material would be import to the site.

Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with the removal of the existing building and excavation for the foundation of the proposed building will be of short duration and mitigated in part by enforcement of SMC [11.62](#). This immediate area is subject to traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC [25.05.675 B](#) (Construction Impacts Policy) and SMC [25.05.675 R](#) (Traffic and Transportation) additional mitigation is warranted.

The construction activities will require the export/import of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other building materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations. Assuming contractors use double loaded trucks to export/import grade/file material, with each truck holding approximately 20 cubic yards of material, thus requiring approximately 869 truckloads (1,738 trips) to remove the estimated 14,225 cubic yards of excavated material. and 3,152 cubic yards of imported material.

For the duration of demolition, grading and construction, the applicant(s) and/or responsible party(ies) shall cease truck trips to during the hours between the hours of 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC [11.62](#).

City code (SMC [11.74](#)) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Earth/Soils

The construction plans, including shoring of excavations as needed and erosion control techniques, will receive separate review by Seattle DCI. Any additional information showing conformance with applicable ordinances and codes (ECA ordinance, the Drainage Control Ordinance, DR 18-2011 and 3-2007) will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are utilized. Given the existing codes and ordinances, no additional conditioning for geotechnical review is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

Environmental Health

State law provides for the cleanup and appropriate disposal of hazardous substances. The Model Toxics Control Act (Chapter 70.105D RCW, WAC 173-340) is administered by the Washington Department of Ecology (DOE) and establishes processes and standards to identify, investigate, and clean up facilities where hazardous substances have come to be located. Seattle DCI hereby alerts the applicant to this law and provides a contact: Louise Bardy, lbar461@ecy.wa.gov, (525) 649-7209, DOE, (425) 649-7202.

Discharge of contaminated groundwater to the sewage system is regulated by the King County Department of Natural Resources under Public Rule PUT 8-14. A factsheet and permit application is available online or by calling (206) 263-3000. The applicant understands that project requires a water sewer discharge permit.

Disposal of contaminated fill is regulated by the City/County Health Department, contact: Dean Yasuda, dyas461@ecy.wa.gov, (425) 649-7264. For this project, the applicant has indicated there are no suitable facilities for disposal within King County, and the contaminated soils will be taken to an approved facility outside King County.

Existing regulations adequately address potential impacts to environmental health. No further conditioning of site cleanup or hazardous waste treatment is warranted pursuant to SEPA policies.

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.

Construction 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.

Long Term Impacts

Long-term or use-related impacts are anticipated as a result of this proposal, including increased building bulk and scale on the site; increased demand for transportation; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. These include the City Energy Code, which will require insulation for outside walls and energy-efficient windows, and the Land Use Code, which controls site coverage, setbacks, building height and use and contains other standards to ensure compatible development. Compliance with these applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment, and no further conditioning is warranted by SEPA policies. However, the proposal warrants further discussion on the following: parking; transportation concurrency; energy; height, bulk and scale; and greenhouse gas emissions.

Historic Preservation

At the June 20, 2007 meeting of the City's Landmarks Preservation Board, the Board voted to deny the designation of the Waldo Hospital/Camp Fire Headquarters at 8511 15th Ave. NE.

The majority opinion to deny the designation was based on the finding that this property does not meet any of the designation standards of SMC 25.12.350.

Parking

The proposed development includes 80 assisted living units with parking for 32 vehicles to be provided below grade within the structure. The proposal complies with Seattle Municipal Code (SMC) 23.54.015 which requires 32 vehicle parking stalls and no bicycle parking stalls for an assisted living facility with 80 dwelling units and 20 staff on duty during a peak period. The peak vehicular parking demand, as calculated by the ITE *Parking Generation* (4th Edition), is anticipated to be 33 vehicles, which exceeds the proposed supply. The surplus vehicle parking demand can be accommodated by the on-street parking supply during mid-day conditions. Given the existing codes and ordinances, no additional conditioning for parking demand is warranted pursuant to the SEPA Parking Policy (SMC 25.05.675 M).

Transportation Concurrency

The City of Seattle has implemented a Transportation Concurrency system to comply with one of the requirements of the Washington State Growth Management Act (GMA). The system, described in DPD's Director's Rule 5-2009 and the City's Land Use Code, is designed to provide a mechanism that determines whether adequate transportation facilities would be available "concurrent" with proposed development projects. The evaluated screen-lines would all continue to operate below the concurrency threshold with construction of the project. As a result, no concurrency-related mitigation is warranted or required for the project.

Energy

It is the City's policy to promote energy conservation and the most efficient possible use and production of energy. The City's *Energy Code* is intended to regulate the design of buildings for adequate thermal resistance and low air leakage. It requires the design and selection of mechanical, electrical, water, heating and illumination systems which will enable the efficient use of energy. In addition to compliance with the Energy Code, and as a requirement for extra height and floor area, an Energy Management Plan (EMP) shall be submitted and approved by the Superintendent of Seattle City Light (SMC 23.48.011.E.). This plan shall demonstrate specific energy conservation. This plan shall be submitted prior to issuance of a building permit. Such a condition is included. Further SEPA conditioning is not warranted pursuant to *SEPA Policy* SMC 25.05.675.E.

Height, Bulk & Scale

The project went through a Design Review process which addressed the issue of height, bulk and scale; see the above *Design Review Analysis* for details of the process and design changes. “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 is presumed to comply with the 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 that have undergone design review shall comply with the design guidelines applicable to the project” (SMC 25.05.675.G). No further SEPA mitigation is warranted.

Greenhouse Gas Emissions

Operational activities 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.

CONCLUSION - SEPA

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

DECISION - STATE ENVIRONMENTAL POLICY ACT (SEPA)

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (Revised Code of Washington (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 Environmental Impact Statement (EIS) is not required under RCW 43.21.030(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).

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.

DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to the Issuance of the MUP *(to be documented in the plans)*

1. The southwest and west third level wall areas above the windows shall be reduced by a taller window, trim under the roof, or a deeper roof fascia.
2. The center element for the drop off/pick up area shall be designed with a 10' tall large caliper feature tree or a fountain. No low pots shall be used in this area.
3. Rooftop equipment shall be screened. Metal screening shall be a dark bronze.
4. The fencing along the east property line shall have a uniform pattern. The 15th Ave NE gate to the conservation easement shall be removed. The fencing along the north property line shall be extended to the east property line. The gate shall be recessed from the east property line. This area shall be monitored the assisted living staff and shall be kept clear of debris or people.
5. The exterior lighting along the west end of the building closest to the park shall be removed. All exterior lighting shall use frosted glass to reduce glare.

Prior to Certificate of Occupancy

6. The Land Use Planner shall inspect materials, colors, landscaping, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner.
7. 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.

For the Life of the Project

8. 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.

SEPA - CONDITIONS OF APPROVAL

During Demolition, Excavation or Construction

9. In the event that contaminated material is identified, the handling and disposal of the material shall be conducted in accordance with the Model Toxic Control Act (WAC 173-340) and the Code of Federal Regulations (CFR 1910.120).

10. This immediate area is subject to traffic congestion during the 4 PM to 6 PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Large (greater than two-axle) trucks will be prohibited from entering and existing the site after 3:30 PM.
11. All construction activities are subject to the limitations of the Noise Ordinance.² Construction activities shall be limited to Monday thru Friday between the hours of 7:00 am and 7:00 pm. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restriction may be authorized by Seattle DCI when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours are weekend days must be submitted to **Noise Abatement Coordinators** – David George david.george@seattle.gov (206) 684-7843 or Jeff Stalter jeff.stalter@seattle.gov (206) 615-1760 or James Dasher (james.dasher@seattle3.gov, (206) 615-1190 – at least three (3) days in advance of the requested dates in order to allow Seattle DCI to evaluate the request.

Colin R. Vasquez, Senior Land Use Planner
Seattle Department of Construction and Inspections

Date: April 4, 2016

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

Master Use Permit Expiration and Issuance

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

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by 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.

² Including but not limited to demolition, grading, deliveries, framing roofing, and painting.