



**City of Seattle**

Edward B. Murray, Mayor

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**Seattle 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:** 3019265

**Applicant Name:** Hugh Schaeffer of S+H Works for Johnson & Carr

**Address of Proposal:** 1715 12th Avenue

**SUMMARY OF PROPOSAL**

Land Use Application to allow a 4-story structure containing 34 dwelling units (31 small efficiency units and 3 studio units) and 800 sq. ft. of commercial space at ground level. Existing structure to be demolished.

The following approvals are required:

**Administrative Design Review with Departures (Seattle Municipal Code 23.41)\***

**SEPA - Environmental Determination (Seattle Municipal Code Chapter 25.05)**

*\* Departures are listed near the end of the Design Review Analysis in this document.*

**SEPA DETERMINATION:**

Determination of Non-significance

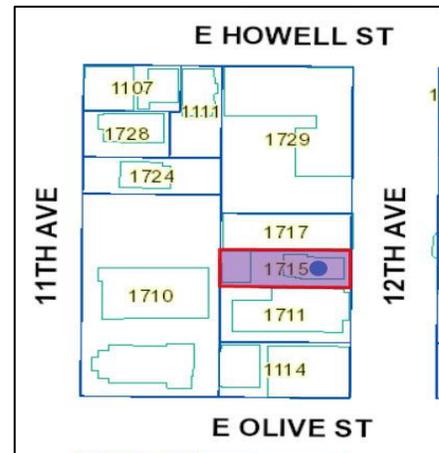
- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts.

**SITE AND VICINITY**

Site Zone: Neighborhood Commercial (NC3-40)

Nearby Zones: North: NC3-40  
South: NC3-40  
West: Lowrise (LR3)  
East: NC3-40

Site Size: 4,845 sf



**PUBLIC COMMENT:**

The public comment period ended on July 29, 2015. Comment(s) were received through the Design Review process. No other comments were received in response to this public comment period.

**I. ANALYSIS – DESIGN REVIEW**

**CURRENT AND SURROUNDING DEVELOPMENT; NEIGHBORHOOD CHARACTER**

The site contains one single family structure, originally constructed in 1909 and currently occupied as a retail space. The subject property currently has vehicular access from 12th Avenue E.

The mid-block site is located on the western edge of the Capitol Hill neighborhood, within the South Anchor District as mapped in the Capitol Hill Guidelines. This neighborhood is characterized by low and mid-rise buildings, most of which date from the early to mid-twentieth century. Older buildings on 12th Avenue are typically brick structures three to four stories in height. Recent developments are wood frame buildings, also three to four stories in height. Most of these buildings occupy only one or two parcels, creating a fairly consistent scale of development throughout the neighborhood. Many of the existing buildings are set back from the street and adjacent property lines. Brick is the most common cladding material, particularly in older buildings, while later buildings are clad in a variety of materials including wood, brick and concrete masonry.

The immediate vicinity includes a variety of uses and ages of buildings. Several sites have been recently developed or are under construction. To the north, are two three-story apartment buildings, originally constructed in the early twentieth century. Across 12th Ave W to the east, a four story multifamily building is currently under construction, project number 3013373. Recent developments also include a four story multifamily building to the south, project number 3012848. Across the alley to the west, is a surface parking lot for the adjacent religious services building. Further west, across 11th Ave W, is Cal Anderson Park, which offers a wide variety of recreational opportunities.

The area is well served by transit and is beginning to be developed with higher density multifamily residential structures. The future Capitol Hill Light Rail Station, scheduled to open in early 2016, will be located approximately three blocks north of the subject property, near the northwest corner of Cal Anderson Park.

***INITIAL EARLY DESIGN GUIDANCE May 22, 2015***

The packet includes materials presented at the meeting, and is available online by entering the project number (3019265) at this website:

[http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](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](mailto:PRC@seattle.gov)

**DESIGN DEVELOPMENT**

In the Early Design Guidance packet, the applicant provided three massing schemes. All massing options propose similar square footage and use; a four story building, with 30-33 residential units. The options show different approaches to providing privacy and relief for the neighboring building to the north. This building's south facade is located 3'-8" from the property line and contains bay windows 1'-6" from the property line.

Referred to as the code compliant scheme, Massing Option A contains north and south facing units over live-work units. For this option, the proposed massing is built out to the north property line for the full length of the building. Although the lack of windows on this facade provide privacy, the resulting massing creates little relief for the neighboring building, and compared to the other options, is the defining characteristic of the scheme. This option locates separate adjacent building entries for live/work and residential uses off 12th Ave as well as an exterior corridor entry.

Option B shows units organized to face north. The north facade pulls back from the north neighbor to accommodate the existing bay windows. From the street, the north setback provides interest and differentiates the corner massing. However, this option has more unit windows facing the neighboring building units, providing less privacy. This option shifts the live/work entry to the north, adjacent to the exterior corridor entry. Departures are requested for this scheme.

Option C, the preferred option, resembles Option A, as it is organized with north and south facing units. This scheme contains a light well at the center of the north facade. Windows are

limited and placed to allow a better balance of separation and privacy. The street facing facade is further refined in this scheme and characterized by simple high quality materials which connect the building to the ground and differentiate the modulation. To balance the overall composition, the modulation is reinforced with a hierarchical window variation. For this scheme, primary access points are equally distributed along street front, the entry to the commercial space is centered. Departures are requested for this scheme.

### **PUBLIC COMMENT**

Seattle DCI received numerous comment letters. The following comments, issues, and concerns were raised:

- Concerned about parking shortage;
- Interested in seeing larger setbacks;
- The large mature trees on the East side of the property are an asset to the neighborhood and should be retained;
- Concerned about small efficiency dwelling units;
- Interested in installation of bike racks in the front;
- Rooftop greenspace and environmentally friendly water runoff containment and reuse should be considered;
- Sidewalk, curb and gutter improvements along 12th Avenue in between East Olive and Howell should be considered;
- Would like to see signage for both no-smoking and littering ;
- Concerned about the loss of plumbing services;
- The building will be visible from Cal Anderson Park, as well as on 11th Avenue and the design should be considered visually from all sides, not just the street front;
- The materials on the building should be natural in appearance and the style should fit with neighborhood character. Brick is preferred, wood siding is also preferred;
- Interested in garbage location;
- The sidewalks should remain open during construction;
- Concerned about site security during construction.

### ***FINAL RECOMMENDATION January 25, 2016***

The packet includes materials presented at the meeting, and is available online by entering the project number (3019265) at this website:

[http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](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:

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**Address:** 700 Fifth Ave., Suite 2000

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**PUBLIC COMMENT:**

Seattle DCI did not receive additional comments during the Recommendation phase.

***PRIORITIES & STAFF RECOMMENDATIONS***

After visiting the site, considering the analysis of the site and context provided by the proponents, and public comment, the Staff provided the following siting and design guidance.

***EARLY DESIGN GUIDANCE May 22, 2015***

- 1) **Massing:** Staff prefers supports Option C as it respects the privacy and solar access of the northern neighbor and massing setbacks relates to surrounding development. (Guidelines CS1-B-2, CS2-B, CS2-III) Staff directed the applicant to proceed with the preferred option.
  - a. As part of moving the design forward, more information on providing more distance between the northwest corner of the building and the neighboring building's bay window is needed. (Guidelines CS1-B-2, CS2-B, CS2-III)
  - b. In refining the scheme, looking at the lower level units and the design of the window wells to create access to views, light and air is recommended. (Guideline CS1-B-2)
  - c. The roof deck amenity space location is desirable, as it shares the best view with all the future tenants. (Guidelines CS1-B-2, CS2-B-3, DC3-C)
  
- 2) **Respect for Adjacent Sites and Setback:** For the north façade, minimizing disrupting the privacy of residents in adjacent buildings is particularly important. (Guidelines CS2-D-5, DC2-B-1)
  - a. Staff would like to see more information about how the north facade relates to the overall architectural expression of the building and provides visual interest. In developing the design, provide elevations, sections or another way to represent the condition. (Guidelines CS2-D-5, DC2-B-1)
  
- 3) **Entries and Streetscape:** The uses at street level are supported, in particular the commercial space and the location of the proposed entries shown in the preferred option. The design has the most potential to create a physical and visual connection to the street. Staff stressed the importance of the transition from the street to the entries, especially since a departure is being requested for the commercial entry. (Guidelines CS2-B-2, PL3)
  - a. For the north corridor, staff recommends refining the design to provide clear lines of sight and defensible space. Explore pushing back the gate as far as possible and providing windows from the commercial space to visually connect this area and create defensible space. Consider other elements such as wayfinding signage and compelling lighting. (Guidelines PL3-A-1, PL3-A-4, PL3-C-1, PL3-C-2, DC4-C-1)
  - b. Explore enlarging the residential entry, to better relate to the proportions of the other entries. (Guidelines PL3-A-1, PL3-A-2, PL3-A-4, PL3-B-1)
  - c. With the design of the entries, consider access and internal connections for bicyclists. (Guideline PL4-B-2)

- 4) **Façade Composition and Materials:** Staff acknowledged that the building will be visible from many locations, including the nearby park. As a result, thoughtful design and material treatment of the visible facades are warranted. (Guidelines DC4-A-1, DC4-II)
  - a. Staff supports the quality of materials proposed and recommends considering durability, detailing and color of the materials for each façade to relate to the composition of the building as a whole. (Guidelines DC2-B-1, DC2-D-2, DC2-C-2, DC4-A-1, DC4-II)

***FINAL RECOMMENDATIONS: JANUARY 25, 2016***

- 1) **Massing and Architectural Composition:** The proposed design resolves most of the major concerns raised at EDG. The massing has been modified resulting in a form that is sensitive to the context, and massing shifts and materials have been reconciled. The architectural composition effectively breaks down the bulk and scale of the structure. The design is attractive and well detailed, and responds to contextual cues in a manner that relates to and respects the neighborhood character.
  - a. The design language of the fenestration pattern is simple yet playful, and adds an appropriate level of visual interest for the site and context. The facades appear unified and well-composed across the massing. (Guidelines DC2-B, DC2-C, DC2-D)
  - b. Staff supports the reduction of the parapet height, as it better relates to the streetscape and adjacent context by reducing the bulk of the east and north facades. (Guidelines CS1-B-2, CS2-B, CS2-III)
  - c. The west façade projection at the rear setback has been shifted to the south to avoid the existing bay windows of the neighboring building. Staff supports the modified projection location, as the refined design is more cohesive with the overall building concept. (Guideline DC2-A-1)
  - d. The refined rooftop design and developed design of the window wells create access to views, light and air. (Guidelines CS1-B-2, CS2-B-3, DC3-C)
  - e. Staff also supports the developed design of the north façade which is treated as a light well that serves both the project and adjacent building. (Guidelines CS1-B-2, DC2-A-1, DC4-A-1, DC4-II)
  
- 2) **Respect for Adjacent Sites and Setback:** The design of the north facade has been further developed to relate to the overall architectural expression of the building, provide visual interest and minimize disrupting the privacy of residents in the adjacent building. (Guidelines CS2-D-5, DC2-B-1)
  - a. Staff supports the varied panel detailing of the white massing which provides the opportunity for ambient light and creates a subtle visual element. (Guidelines CS1-B-2, CS2-D-5, DC4-A-1, DC4-II)
  - b. The fenestration location, screening and fencing along the north property line are designed to avoid disrupting the privacy of residents in the adjacent building. Staff supports the differentiated fence materials which provide texture, visual interest and allow for visibility. (Guidelines CS2-D-5, DC4-A-1, DC4-II)

- c. Lighting is also proposed in the egress pathway. In order to demonstrate impacts such as glare and light pollution will be avoided, more information on the proposed lighting fixtures is requested. (Guideline DC4-C-2)
- 3) **Entries and Streetscape:** The uses at street level and the location of the proposed entries shown are supported. (Guidelines CS2-B-2, PL3)
  - a. Staff supports the enlarged residential entry, which better relates to the proportions of the other entries and provides for space for access and internal connections for bicyclists. (Guidelines PL3-A-1, PL3-A-2, PL3-A-4, PL3-B-1 PL4-B-2)
  - b. For the north corridor, the security gate has been recessed to emphasize the massing and a rated window has been provided at the north corner, enhancing transparency for the commercial space and visually connecting the area to create defensible space. (Guidelines PL3-I-iii, PL3-A-4, PL3-C-1, PL3-C-2)
- 4) **Materials and Detailing:** Staff supports the quality of materials proposed. The cohesive material palette, including the flush metal (small speck) galvalume finish, expresses an attractive and contemporary massing that complements the established context. The differentiated material reveals appear well detailed and provide scale and texture. (Guidelines DC2-B-1, DC2-C-2, DC2-D-2, DC4-A-1, DC4-II)
  - a. For the massing clad in fiber cement, the white panels and panel joints are designed to align and wrap the underside. This further reinforces the material/massing articulation and overall concept. (Guidelines DC2-D-2, DC4-A-1, DC4-II)
  - b. Staff supports the proposed materials for the gate and security fence which include two different sizes of perforated metal in a galvalume finish. The design provides a visual connection to the street and ties with the overall material palate. Staff also recognizes that this element will be highly visible from the street and requests more specific detailing and documented design intent. Incorporate the expression of overall design concept into the gate design to strengthen the overall design concept. (Guidelines PL3-A-4, DC2-D-2)

### Design Review Guidelines

The priority Citywide and Neighborhood guidelines identified by the Board as Priority Guidelines are summarized below, while all guidelines remain applicable. For the full text please visit the [Design Review website](#).

<b>CONTEXT &amp; SITE</b>
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<b>CS1 Natural Systems and Site Features: Use natural systems/features of the site and its surroundings as a starting point for project design.</b>
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<b>CS1-B Sunlight and Natural Ventilation</b>
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**CS1-B-2. Daylight and Shading:** Maximize daylight for interior and exterior spaces and minimize shading on adjacent sites through the placement and/or design of structures on site.

**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-B Adjacent Sites, Streets, and Open Spaces**

**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-D Height, Bulk, and Scale**

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

**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.

**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.

**PL2-D Wayfinding**

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

**Capitol Hill Supplemental Guidance:**

**PL2-III Personal Safety and Security**

**PL2-III-i. Lighting/Windows:** Consider

- a. pedestrian-scale lighting, but prevent light spillover onto adjacent properties
- b. architectural lighting to complement the architecture of the structure

- c. transparent windows allowing views into and out of the structure—thus incorporating the “eyes on the street” design approach.

**PL2-III-ii. Travel Area Distinction:** 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-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-C Retail Edges**

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

**PL3-C-2. Visibility:** Maximize visibility into the building interior and merchandise displays. Consider fully operational glazed wall-sized doors that can be completely opened to the street, increased height in lobbies, and/or special lighting for displays.

**Capitol Hill Supplemental Guidance:**

**PL3-I Human Activity**

**PL3-I-i. Open Storefronts:** Provide for sidewalk retail opportunities and connections by allowing for the opening of the storefront to the street and displaying goods.

**PL3-I-ii. Outdoor Seating:** Provide for outdoor eating and drinking opportunities on the sidewalk by allowing restaurant or café windows to open to the sidewalk and installing outdoor seating while maintaining pedestrian flow.

**PL3-I-iii. Visual Access:** Install clear glass windows along the sidewalk to provide visual access into the retail or dining activities that occur inside. Do not block views into the interior spaces with the backs of shelving units or with posters.

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

**PL4-B Planning Ahead for Bicyclists**

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

## DESIGN CONCEPT

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

#### **DC1-AArrangement 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-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.

### **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-AMassing**

**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-BArchitectural 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-CSecondary Architectural Features**

**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-DScale and Texture**

**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-i. Open Space:** Incorporate quasi-public open space with residential development, with special focus on corner landscape treatments and courtyard entries.

**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-AExterior 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-CLighting**

**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-DTrees, 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.

#### **Capitol Hill Supplemental Guidance:**

#### **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**

Staff's recommendation was based upon the departures' potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departures.

At the time of the Recommendation review, the following departures were requested:

1. **Street Level Uses (SMC 23.47A.005.C.1.G)** The Code limits the residential use at a street level, for a street facing façade to 20%. The applicant proposes 20.3%.

Staff recommends approval of the departure, since the wider residential entry provides a better connection to the street and more room for cyclists to maneuver. (Guidelines PL3-A-1, PL3-A-2, PL4-B)

2. **Commercial Height (SMC 23.47A.012)** The Code requires the height of a commercial space located along the street-level street-facing facade to be at least 13 feet. The applicant proposes a height of 12'-4" to provide a level entry from the street to the commercial space at the center of the facade.

Staff recommends approval of the departure, since the design provides a level connection to the street at the preferred commercial entrance location. (Guidelines CS2-B-2, PL3-A-1, PL3-C-1)

3. **Setback Requirements (SMC 23.47A.014.B.3)** The Code requires a setback of 15' feet for from the rear lot line for portions of a building above 13' when abutting a residential zone. The applicant proposes a 14' foot setback for a portion of the building.

Staff recommends approval of the departure, based on the proposed massing response which reinforces the architectural concept. In addition, shifting the building towards the rear provides a more dynamic expression along the façade, which is visible from the nearby Cal Anderson Park. (Guidelines DC2-A-1, DC2-B-1, DCS-D-2)

4. **Setback Requirements (SMC 23.47A.014.B.3)** The Code requires an additional setback of two feet for every ten feet above 40 feet. The applicant proposes to maintain the 15' and 14' setbacks for the full height of the building.

Staff recommends approval of the departure. With the departure, the building massing is driven by design logic for the whole building to create a more cohesive design rather than as a direct expression of zoning code at this specific location. (Guidelines DC2-A-1, DC2-B-1, DCS-D-2)

#### **RECOMMENDATION**

**The recommendation summarized above was based on the design review packet dated January 7, 2016, and the materials board submitted with the packet. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, Staff recommended APPROVAL of the project design with the following conditions.**

1. **Further develop the design of the gate to strengthen the overall design concept.**
2. **Provide more information on the proposed lighting fixtures located in the egress pathway to demonstrate impacts such as glare and light pollution will be avoided.**

## **ANALYSIS & DECISION – DESIGN REVIEW**

### Director's Analysis

The administrative design review process prescribed in Section 23.41.016.D of the Seattle Municipal Code describing the content of the Seattle DCI Director's decision reads in part as follows:

### Director's Decision

1. A decision on an application for administrative design review shall be made by the Director as part of the overall Master Use Permit decision for the project.
2. The Director's decision shall be based on the extent to which the proposed project meets applicable design guidelines and in consideration of public comments on the proposed project.
3. Projects subject to administrative design review must meet all codes and regulatory requirements applicable to the subject site, except as provided for in Section 23.41.012.

At the conclusion of the Recommendation phase, Seattle DCI staff recommended approval of the project with the conditions described in the summary of the Recommendation meeting above. The proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines. Seattle DCI staff worked with the applicant to update the submitted plans to include the recommendations.

### Applicant response to Recommended Design Review Conditions:

1. The east elevation has been adjusted to reinforce a strong datum that runs the length of the façade creating visual organization through an ensemble of elements. The cross framing at the screening aligns with the top of the gate and the top of the hardware panel. Those lines are carried around to the screening at the north. The square metal frame provides a flat face for panel attachment offering a clean, simple finish in keeping with the overall building design. This response satisfies recommended condition #1.
2. The lighting located in the egress pathway has changed from a hanging up-light fixture to a cylindrical wall sconce in black, similar to those fixtures proposed at the street front. The wall sconces shown in the approved plan set will direct light down in a more subtle way addressing pollution impacts on the north neighbor. Additionally the perforated metal panels facing the north neighbor have been reconfigured; panels directly adjacent to the light fixtures have a smaller percentage of open area reducing potential glare and light pollution impacts. This response satisfies recommended condition #2.

The applicant shall be responsible for ensuring that all construction documents, details, and specifications are shown and constructed consistent with the approved MUP drawings.

The Director is satisfied that all of the recommendations imposed have been met.

## DIRECTOR'S DECISION

The Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departures as summarized at the end of this Decision.

## II. ANALYSIS – SEPA

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 6/30/2015. The Seattle Department of Construction and Inspections (Seattle DCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

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

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

### Short Term Impacts

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

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant. Therefore no further mitigation is warranted pursuant to SMC 25.05.675.F.

Construction Impacts - Parking and Traffic

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

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

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

Construction Impacts - Noise

The project is expected to generate loud noise during demolition, grading and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends and legal holidays in Neighborhood Commercial zones.

The applicant's environmental checklist does not indicate that extended hours are anticipated.

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

### Long Term Impacts

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

### Greenhouse Gas Emissions

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

### Historic Preservation

The existing structure on site is more than 50 years old. This structure was reviewed for potential to meet historic landmark status. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and indicated the structure on site is unlikely to qualify for historic landmark status (Landmarks Preservation Board letters, reference number LPB 559/15). Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H.

### Parking

The proposed development includes 34 residential units with no off-street vehicular parking spaces. The traffic analysis (Gibson Traffic Consultants, LLC, Transportation analysis, June 2015) and supplemental report (Gibson Traffic Consultants, LLC, Traffic Study, November 16, 2015) indicates a peak demand for approximately 18 vehicles. These studies were based on 33 units and 954 sf of commercial space. Accounting for the 34 dwelling units and 800 sq. ft. of commercial space proposed, the peak parking demand is estimated to be 19 vehicles. Peak residential demand typically occurs overnight

The traffic and parking analysis noted that the existing on-street parking utilization rate is approximately 96% within 800' of the site. It is estimated that 14 additional vehicles could be served before reaching a 100% utilization rate in the study area. The proposed development peak demand of 19 vehicles would not be accommodated, resulting in a spillover demand for 5 on-street parking spaces. Total cumulative parking demand of the proposal and other projects that are proposed or under construction in the vicinity would result in a potential additional total demand for 64 on-street parking spaces and on-street parking utilization of 115% within 800' of the site.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of parking impacts in Urban Centers or Urban Villages within 1,320 feet of frequent Transit service. This site is located in Capitol Hill Urban Center. Regardless of the parking demand impacts, no SEPA authority is provided to mitigate impacts of parking demand from this proposal.

### Plants and Animals

Mature vegetation is located along the property line of the site, including two Exceptional Trees. The applicant submitted an arborist report (Tony Shoffner, ISA Certified Arborist #PN-0909A, May 13, 2015) and supplemental report (Tony Shoffner, December 4, 2015) and identified the Exceptional Trees as 44" and 38.5" Big-leaf maple, *Acer macrophyllum* on the MUP plan set. Seattle DCI's Arborist has reviewed the information.

The proposal includes retention of the Exceptional Trees. A tree preservation plan as recommended in the (Tony Shoffner, December 4, 2015) arborist report has been included on sheet A1.00 of the approved MUP set. This tree preservation plan will be required on any demolition, excavation, shoring, and construction permit plans. A condition for a tree preservation plan is warranted, to ensure that impacts to the Exceptional Trees are sufficiently mitigated under SMC 25.05.675.N.

### Transportation

The Traffic Impact Analysis (Gibson Traffic Consultants, LLC, Transportation analysis, June 2015) and supplemental report (Gibson Traffic Consultants, LLC, Traffic Study, November 16, 2015) indicated that the project is expected to generate a net total of 135 daily vehicle trips, with 13 net new PM Peak Hour trips. While these estimates are for 33 units and 954 sf of commercial space, accounting for 34 dwelling units and 800 sq. ft. of commercial space results in no change to the original estimates.

The additional trips would have minimal impact on levels of service at nearby intersections and on the overall transportation system. Concurrency analysis was conducted for nearby identified areas. That analysis showed that the project is expected to be well within the adopted standards for the identified areas. The Seattle DCI Transportation Planner reviewed the information and determined that while these impacts are adverse, they are not expected to be significant; therefore, no further mitigation is warranted per SMC 25.05.675.R.

### **DECISION – SEPA**

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

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

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

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

### **CONDITIONS – DESIGN REVIEW**

#### *Prior to Certificate of Occupancy*

1. The Land Use Planner shall inspect materials, colors, 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. (Magda Hogness at [magdahogness@seattle.gov](mailto:magdahogness@seattle.gov) or 206-727-8736).
2. The applicant shall provide a landscape certificate from Director's Rule 30-2015, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall require prior approval by the Land Use Planner (Magda Hogness at [magdahogness@seattle.gov](mailto:magdahogness@seattle.gov) or 206-727-8736).

#### *For the Life of the Project*

3. The building and landscape design shall be substantially consistent with the materials shown in the MUP plan set. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Magda Hogness at [magdahogness@seattle.gov](mailto:magdahogness@seattle.gov) or 206-727-8736).

### **CONDITIONS – SEPA**

#### *Prior to Issuance of Demolition, Excavation/Shoring, or Construction Permit*

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

5. The plans shall show the tree preservation plan, consistent with the (Tony Shoffner, December 4, 2015) arborist report on file with Seattle DCI.

Magda Hogness, Land Use Planner Date: March 10, 2016  
Seattle Department of Construction and Inspections

MH: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 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](mailto:prc@seattle.gov) or to our message line at 206-684-8467.