



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: 3019295
Applicant Name: Rob Humble
Address of Proposal: 111 21st Ave E

SUMMARY OF PROPOSAL

Land Use Application to allow a 4-story structure containing 75 residential units. Storage for 57 bicycles to be provided within the structure. Existing structures to be demolished.

The following approvals are required:

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:

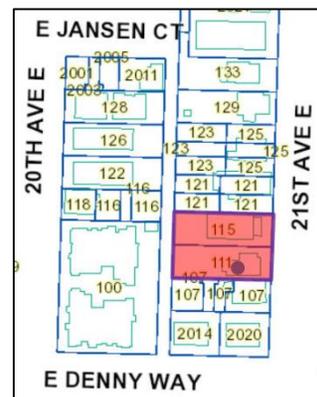
Determination of Non-Significance

- 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: Low Rise 3 (LR3)

Nearby Zones: North: LR3
South: LR3
West: LR3
East: LR3



Lot Area: 9,537 SF

PUBLIC COMMENT:

The public comment period ended on 6/24/2015. In addition to the comment(s) received through the Design Review process, other comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to parking, structure height, open space, traffic, and density. Comments were also received that are beyond the scope of this review and analysis per SMC 25.05.

I. ANALYSIS – DESIGN REVIEW

CURRENT AND SURROUNDING DEVELOPMENT; NEIGHBORHOOD CHARACTER

The site contains two single family structures, both built in in 1910 that are currently occupied as multifamily residences. The site is relatively flat.

The site is located in the Madison-Miller Urban Residential Village, at the eastern edge of Capitol Hill.

The immediate context is a mix of single-family structures from the early to mid-1900's and newer townhouse developments and multifamily residential structures. Structures adjacent to the site include a three-story townhouse development to the north, a single-family home to the south, a combination of multifamily and single family buildings across the street to the east, and a three-story residential building to the west across the alley.

East Madison Street, to the south of the site, is a mixed-use commercial corridor connection downtown with Lake Washington, and is a main corridor for pedestrians, bicycles, and vehicular traffic to downtown. The nearby section of E Madison St. includes several recent mixed-use buildings, including a grocery store.

The subject property has vehicular access to a north-south alley on the west side of the property.

ADMINISTRATIVE EARLY DESIGN GUIDANCE: APRIL 22, 2015

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

The applicant provided context for the project, focusing on a study of scale, open space, materials, and front porches from the surrounding neighborhood. Three massing alternatives were presented. Option 1 utilizes an H-shaped layout, pushing the mass towards the front and back of the site, and placing the entries at small interior courtyards located at the north and south of the structure. Option 2 is configured with double-loaded corridors, and subtle modulation at the northeast and southwest corners of the site to preserve the existing trees. Option 3 (preferred) pushes all of the massing towards the lot boundaries and orients all units around a central courtyard and exterior circulation. The focal point of this scheme is a covered front porch and prominent entry.

PUBLIC COMMENT

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

- Concerned about the density of the project and the lack of parking.
- Would like to see the design of the building respond to the neighborhood context; this included the typical three-story height, front setbacks, and the overall bulk and scale of the project. Encouraged the applicant to consider the character and context of the neighborhood in the design of the building.
- Not in favor of departures that reduce open space or increase the impact on adjacencies.
- Encouraged a variety of unit types.
- Concerned over the impact of the height and bulk on neighboring properties and the streetscape, especially in regards to light access and privacy.
- Noted a lack of open space, both at the front and sides of the development.
- Desired to see the trees on site preserved.

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance.

EARLY DESIGN GUIDANCE April 22, 2015

- 1. Massing and Architectural Composition:** Reduce the perceived bulk of the building and respond to contextual cues to create a unified design composition that complements the existing neighborhood character.
 - a. Reduce the perceived and comparative bulk of all façades to adjacent structures, through secondary design elements and modulation. Consider revising the design to treat each “section” with a varied, but related design concept or character. (CS2-C, CS2-D, CS3-A, DC2-B)
 - b. The design of the north and south façades should take the window placement of adjacent structures into consideration to preserve privacy impacts. Provide elevations that show a window study of the adjacent structures. (CS2-D)
 - c. The covered porch and entry responds to the contextual cues, and complements the existing urban pattern. (CS2-A, CS3-A, PL3-A)

- d. Consider a deeper front yard setback to move the building back, provide a streetscape and landscape buffer that is consistent with the adjacent properties, and create an opportunity for useable open space that is integrated with the project. (CS2-A, CS3-A, PL1-A, DC3-C)
 - e. Staff supports the preferred option, which retains the two trees on site, which provide a buffer and helps to provide a consistent streetscape. (CS2-A, CS2-D)
 - f. Staff supports the intention for a materials palette that relate to the context and that express a level of detail appropriate for reducing the perceived mass. (CS3-A, DC2-C, DC2-D, DC4-A)
 - g. The elevator in the courtyard presents a blank wall and appears imposing on the space below. Provide detail as to the intended design treatment of the blank façade. (DC2-B)
- 2. East Façade.** Refine the east façade to create a cohesive design composition that is well-proportioned and expresses a scale appropriate for the contextual character.
- a. The lifted base expression reduces the presence and bulk of the structure along the streetscape. However, the top three floors of the building appear quite heavy and out of balance with the base. Consider strategies to further reduce the perceived bulk of the upper floors, and to integrate the base and top of the building into a cohesive composition. This may be achieved through color, materials, or further modulation that unites the street-facing façade. (DC2-A, DC2-B, DC2-C, DC2-D)
 - b. Staff supports the transparency and amenity uses at street level to encourage eyes on the street. However, a gracious landscaping buffer should be provided to complement the existing character of the street. (PL2-B, PL3-B, DC1-A, DC1-B)
 - c. As presented in the EDG packet, the “notches” appear unrelated and random. Continue to develop the design concept and how the notches add to the overall composition of the façade. Consider redistributing the void spaces to increase the void at the to the entry corner to further open up the porch and allow more light to enter, as well as to provide a more comfortable, usable space. The break in fenestration pattern due to the upper notch draws attention to the height of the building which should be minimized instead. (CS1-B, CS3-A, PL3-A, DC2-B, DC3-B)
 - d. As studied in the EDG Packet, consider using secondary architectural elements, such as trim, to further define the first story expression, highlight the porch, and to relate to the neighborhood datum lines. (CS3-A, DC2-A, CD2-B, DC2-C, DC2-D)
- 3. Open Space Concept, Landscaping & Amenities.** The overall building-open space relationship needs to be clarified in terms of intent and integration with the structure. As presented in the EDG Packet, the open spaces are broken up throughout the site, creating small exterior spaces. Consider the functionality of each open space, and revise the building massing accordingly. (DC3-A, DC3-B, PL1-A)
- a. Clarify the intended function of the courtyard. Staff is concerned that the lack of direct sunlight and narrow dimensions may not be conducive to active uses. In addition, Staff is concerned with possible noise that could be generated by interior courtyard uses. (CS1-B, PL1-C, DC2-A, DC3-A, DC3-B)
 - b. Proposed planting should be suited for the light conditions within the courtyard. (DC4-D)

- c. Utilize design strategies to make the courtyard appear as open and light as possible. This may include light-colored materials, transparent railings, or reflected light. (DC3-A, DC3-B, DC2-D)
 - d. Staff supports the concept of the front porch and entry as an appropriate response to contextual cues. Continue to develop the concept, paying particular attention to creating a gracious and welcoming space and integrating usable space into the overall design concept. Consider further opening up the porch to maximize light exposure and keep sightlines into courtyard. In addition, consider integrating the ramp into the open space concept. (CS3-A, PL1-A, PL1-B, PL1-C, PL2-B, PL3-A, PL4-A, DC3-B)
 - e. Provide more information regarding landscaping and screening. (PL3-B, DC4-D)
 - f. Provide lighting scheme for courtyard and/or covered porch. (PL2-B, DC4-C)
 - g. Consider providing double decker bicycle parking to maximize convenient locations. (PL4-B)
- 4. Basement Units.** The massing and organization of the building should consider the access to light, security and privacy of the basement units. The basement units should be designed for maximum daylight and should be respectful to adjacent sites.
- a. Provide more detail regarding the basement units. At the next phase, submit sections and details regarding screening, fencing landscaping, and lighting elements. Consider increasing the functionality and openness of the basement units through terracing, lighting, or landscaping. (CS1-B, DC3-A, DC3-B, CS2-D, DC4-C, DC4-D)

ADMINISTRATIVE FINAL RECOMMENDATION: DECEMBER 28, 2015

DESIGN DEVELOPMENT

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Address: 700 Fifth Ave., Suite 2000
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PUBLIC COMMENT

No public comments were received.

PRIORITIES & STAFF RECOMMENDATIONS

FINAL RECOMMENDATIONS: DECEMBER 28, 2015

The proposed design resolves most of the major concerns raised at EDG. The proposed massing has been dramatically reduced resulting in a form that is sensitive to the context, and the architectural composition effectively breaks down the bulk and scale of the structure. The design is attractive and contemporary, and responds to contextual cues in a manner that imparts a residential character, relates to the scale of the context, and respects the neighborhood character.

1. Context Response & Architectural Composition.

- a. Staff supports the reduction of the front mass to three stories, as it relates to the datum line established by the adjacent structures and better relates to the streetscape by reducing the bulk of the east façade. (CS2.C, CS2.D, CS3.A, DC2.B)
- b. Varying the design language and materiality of each section of massing breaks down the bulk of each façade, and relates to the scale of existing residential structures in the neighborhood. (CS2.C, CS2.D, CS3.A, DC2.B)
- c. The material palette, including lap siding and wood, is appropriately scaled for the project, and expresses a residential character that complements the established context. (CS3.A, DC2.D, DC4.A)
- d. The increased front yard setback is consistent with the adjacent properties, and responds to the established character of the streetscape by retaining an existing tree and incorporating a gracious landscaped buffer and raised planters. (CS2.A, CS3.A, PL1.A, DC3.C)

2. Design Concept.

- a. The proportions of the base, middle and top have been resolved through the execution of the lifted base expression. The white vertical elements successfully unite the composition while reinforcing the concept of separate, but overlapping elements. (DC2.A, DC2.B)
- b. 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. (CS3.A, DC2.B, DC2.C, DC2.D)
- c. The concepts shown at EDG included a bold application of the accent color at the entry soffit and upper notch, which defined the design theme and provided a unifying feature across the façade. While the restrained application of the accent color has resulted in a more subdued expression appropriate for the residential context, the playfulness and use of the accent color to emphasize the entry has been lost. Reincorporate the expression of the design concept into the entry in a judicious application of color that strengthens the overall design concept and creates a prominent entry. The entry design should reinforce the massing moves of the two-story entry and front porch. (PL3.A, DC2.B, DC2.C, DC2.D)

3. Courtyard and Interior Facades

- a. The blank wall condition at the elevator tower in the courtyard has been resolved through the use of accent panels that break up the façade and tie into the design concept. (DC2.B)

- b. Staff supports the proposed landscape design and palette that utilizes shade-tolerant species and creates a lush and layered planting area. Consider revising one of the vine maples to a specimen tree, and including low-intensity uplighting to create a focal point and help frame the deck. (DC3.A, DC3.B, DC3.C, DC4.D)
- c. The lighter tints of grey panel on the interior facades helps the courtyard to feel open and welcoming. (DC3.A, DC3.B, DC2.D)

4. Relationship to Streetscape & Pedestrian Experience.

- a. The covered porch entry sequence, including the terraced planters and seating, responds to contextual cues and complements the established residential character and creates a strong connection to the streetscape. (CS3.A, PL1.A, PL1.B, PL1.C, PL2.B, PL3.A, PL4.A, DC3.B)
- b. The deeper setback, generous landscaping, and retention of the tree at the northeast corner of the site provides continuity with the established streetscape and complements the siting patterns of neighboring buildings. (CS2.A, CS2.C, CS2.D, CS3.A, PL1.A, PL1.C, PL3.A, PL3.B, DC2.A, DC3.A)

DESIGN REVIEW GUIDELINES

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

CONTEXT & SITE

CS1 Natural Systems and Site Features: Use natural systems/features of the site and its surroundings as a starting point for project design.

CS1-B Sunlight and Natural Ventilation

CS1-B-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-C Relationship to the Block

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

CS2-D Height, Bulk, and Scale

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

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

CS2-D-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-3. Established Neighborhoods: In existing neighborhoods with a well-defined architectural character, site and design new structures to complement or be compatible with the architectural style and siting patterns of neighborhood buildings.

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-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-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.

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-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.

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.

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-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.

PL4-C Planning Ahead For Transit

DESIGN CONCEPT

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

DC1-A Arrangement of Interior Uses

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

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-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-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-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-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.

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

DC3-A Building-Open Space Relationship

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

DC3-B Open Space Uses and Activities

DC3-B-1. Meeting User Needs: Plan the size, uses, activities, and features of each open space to meet the needs of expected users, ensuring each space has a purpose and function.

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.

DC3-B-4. Multifamily Open Space: Design common and private open spaces in multifamily projects for use by all residents to encourage physical activity and social interaction.

DC3-C Design

DC3-C-1. Reinforce Existing Open Space: Where a strong open space concept exists in the neighborhood, reinforce existing character and patterns of street tree planting, buffers or treatment of topographic changes. Where no strong patterns exist, initiate a strong open space concept that other projects can build upon in the future.

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-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.

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 Phase the following departure was requested:

1. **Rear Setback (SMC 23.45.518):** The Code requires a 10' minimum rear setback. The applicant proposes a 7'-6" rear setback.

Staff recommends approval of the departure. Shifting the entire structure towards the alley allows for a deeper front yard setback that is more consistent with the neighboring buildings, and provides an opportunity for more usable open space and larger planting area along the streetscape. In addition, shifting the building towards the rear reduces the perceived bulk along the streetscape. (CS2.A, CS2.C, CS3.A, PL1.A, DC3.C)

RECOMMENDATION

The recommendation summarized above was based on the design review packet dated October 23, 2015, 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 condition.

1. **Work with the Land Use Planner to reincorporate the playful design elements used in the original concept to emphasize the entry and provide a keystone for the overall design concept.**

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.

Following the Recommendation phase, Seattle DCI staff worked with the applicant to update the submitted plans to include the staff recommendations.

Applicant response to Recommended Design Review Condition:

1. The applicant has revised the entry to incorporate an art mural at the entry that will provide color and a touch of playfulness at the street level. In addition, the proposal has been revised to include vertical linear light fixtures to highlight the volume of the entry and provide an inviting atmosphere.

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 will require conditions to satisfy recommended design review condition #1.

DIRECTOR'S DECISION

The Director **CONDITIONALLY APPROVES** the proposed design and the requested departure with the conditions 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 5/20/2015. 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 - 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 Lowrise zones.

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

A Construction Management Plan will be required, 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.

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 and timed or 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>.

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; possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas, historic resources, height bulk and scale, parking, plants and animals, 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(s) on site are more than 50 years old. These structures were reviewed for potential to meet historic landmark status. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and indicated the structures on site are unlikely to qualify for historic landmark status (Landmarks

Preservation Board letters, reference number LPB 600/15). Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H.

Height, Bulk, and Scale

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

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

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

Parking

The proposed development includes 75 residential units with no off-street vehicular parking spaces. The traffic and parking analysis^{1,2,3} indicates a peak demand for approximately 15 vehicles from the proposed development. Peak residential demand typically occurs overnight. The traffic and parking analysis noted that the existing on-street parking utilization rate is approximately 80 % within 800’ of the site. The proposed development peak demand of 15 parking spaces would not be accommodated by any parking off-street spaces in the proposed development, resulting in a spillover demand for 15 on-street parking spaces. The proposal therefore would have a potential additional impact to on-street parking utilization, resulting in an on-street utilization of over 100%. Total cumulative parking demand of the proposal and other projects in the vicinity would result in a potential on-street parking utilization of over 100 % within 800’ of the site.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in Urban Villages within 1,320 feet of frequent Transit service. This site is located in the Madison-Miller Residential Urban Village within 1,320 feet of frequent transit service. Regardless of the parking demand impacts, no SEPA authority is provided to mitigate residential impacts of parking demand from this proposal.

¹ “Transportation Analysis: 111 & 115 21st Avenue E (Seattle DCI# 3019295), TranspoGroup, 8/11/2015.

² “Revised Transportation Analysis: 111 & 115 21st Avenue E (Seattle DCI# 3019295), TranspoGroup, 12/3/2015.

³ “Revised Transportation Analysis: 111 & 115 21st Avenue E (Seattle DCI# 3019295), TranspoGroup, 1/11/2016.

Plants and Animals

Mature vegetation is located on the site, including several trees and one exceptional tree located near the northeast corner of the site. The applicant submitted an arborist report⁴ and identified the Exceptional Tree, a *Sequoia sempervirens* with 40.6” diameter at breast height, on the MUP plan set. Seattle DCI’s Arborist has reviewed the information.

The proposal includes retention of the Exceptional Tree. A condition for a tree preservation plan is warranted, to ensure that impacts to the Exceptional Tree are sufficiently mitigated under SMC 25.05.675.N. The tree preservation plan described in the arborist report will be required on any demolition, excavation, shoring, and construction permit plans.

Transportation

The Traffic Impact Analysis^{5,6,7} indicated that the project is expected to generate a net total of 130 daily vehicle trips, with 15 net new PM Peak Hour trips and 10 AM Peak hour trips.

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.

⁴ “Project #: 3019295.” Robert W. Williams and Associates, Consulting Arborists, 8/24/2015.

⁵ “Transportation Analysis: 111 & 115 21st Avenue E (Seattle DCI# 3019295), TranspoGroup, 8/11/2015.

⁶ “Revised Transportation Analysis: 111 & 115 21st Avenue E (Seattle DCI# 3019295), TranspoGroup, 12/3/2015.

⁷ “Revised Transportation Analysis: 111 & 115 21st Avenue E (Seattle DCI# 3019295), TranspoGroup, 1/11/2016.

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

CONDITIONS – DESIGN REVIEW

Prior to Issuance of a Building Permit

1. A design for the proposed art mural at the entry shall require approval by the Land Use Planner (Katy Haima, katy.haima@seattle.gov).

Prior to Certificate of Occupancy

2. 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 phase 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 (Katy Haima, katy.haima@seattle.gov).
3. 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 be approved by the Land Use Planner (Katy Haima, katy.haima@seattle.gov).
4. The art mural at the entry shall be installed, consistent with the design approved by the Land Use Planner (Katy Haima, katy.haima@seattle.gov).

For the Life of the Project

5. 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 (Katy Haima, katy.haima@seattle.gov).

CONDITIONS – SEPA

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

6. 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>.
7. The plans shall show the tree preservation plan, consistent with the (Robert W. Williams and Associates, Consulting Arborists, 8/24/2015) arborist report on file with Seattle DCI.

Katy Haima
Seattle Department of Construction and Inspections

Date: March 31, 2016

KH:drm

K:\Decisions-Signed\3019295.docx

IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

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

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

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

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