



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

Application Number: 3023870
Applicant Name: David Neiman, Neiman Taber Architects
Address of Proposal: 8311 15th Ave NW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a four-story building containing five congregate residences with 78 sleeping rooms in an environmentally critical area. 1,004 sq. ft. of retail to be located at ground level. Existing building 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 25.05.660, the proposal has been conditioned to mitigate environmental impacts

BACKGROUND

The site was granted relief on steep slope development by the SDCI Geotechnical Engineer on April 11, 2017.

SMC 25.09.180 B2c. Results of Request for Relief on Steep Slope Development:

Based on a review of the submitted information and the City GIS system, SDCI concludes that the steep slope critical area adjacent to the northwest corner of the subject property appears to have been created by previous legal grading activities associated with development of the neighboring property. Consequently, this project qualifies for Relief from Prohibition on Steep Slope Development, as described in SMC 25.09.180 B2b. Neither a Steep Slope Area Variance nor ECA Exception are



required for this application. The ECA Submittal, General, and Landslide-Hazard development standards will apply to this project.

Site and Vicinity

Site Zone: Neighborhood Commercial 3-40 in a Pedestrian Overlay (NC3P-40)

Zoning Pattern: North: NC3P-40
South: NC3P-40
West: LR2-RC
East: SF 5000

Environmental Critical Areas: No Mapped ECAs.

CURRENT DEVELOPMENT

There is currently developed with a single-story masonry retail building and parking lot on site, which will be demolished to accommodate the proposed project.

SURROUNDING DEVELOPMENT AND NEIGHBORHOOD CHARACTER

The west project site is located just north of NW 83rd Street along the west side of 15th Ave NW within the Crown Hill Neighborhood Urban Village. Commercial zoning and uses surround the project site to the north, south, and east, consisting mainly of smaller scale commercial uses, as well as a larger retailer across 15th Ave NW. Further south along 15th Ave NW residential and mixed-use buildings are beginning to support a more walkable denser core for the Crown Hill Neighborhood. West of the project site zoning changes from Neighborhood Commercial to Single Family zoning.

The site sits near the crest of the Crown Hill neighborhood, which has a gradual slope down to the south, east, and west. Predominant views are territorial to the east and mountain/water to the west at higher elevations. The site is within a frequent transit zone that connects south to Ballard and downtown, east to Greenwood and Aurora Ave N, and north/northeast to Northgate.

Public Comment:

The public comment period ended on 4/3/2017. In addition to the comments 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, 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

The packets include materials presented at the meetings, and are available online by entering the project number (3023870) at this website:

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

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

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

Email: PRC@seattle.gov

EARLY DESIGN GUIDANCE November 7, 2016

PUBLIC COMMENT

The following public comments were offered at this meeting:

- Requested clarification on the Small Efficiency Dwelling Unit (SEDU) housing typology.
- Requested clarification on when environmental review takes place in the process. [Staff Note: This occurs once the Master Use Permit is submitted, following the EDG phase].
- Stated preference for materials other than cementitious panels.
- Supported small business commercial spaces.
- Requested clarification on the target renters for this typology.
- Concerned with how the commercial spaces would receive deliveries and how services uses would pick up trash etc.
- Concerned with traffic and parking.
- Requested clarification on the proposed height.

SDCI staff also summarized design related comments received in writing prior to the meeting:

- Concerned with traffic and spill over parking impacts.
- Suggested the design integrate material other than cement panels.
- Supported for smaller commercial spaces.
- Supported proposed unit sizes.

One purpose of the design review process is for the Board and City to receive comments from the public that help to identify feedback and concerns about the site and design concept, identify applicable citywide and neighborhood design guidelines of highest priority to the site and explore conceptual design, siting alternatives and eventual architectural design. Concerns with off-street parking and traffic are reviewed as part of the environmental review conducted by SDCI and are not part of this review. Concerns with building height calculations are addressed under the City's zoning code and are not part of this review. Neither SDCI nor the Board have authority over unit sizes or the demographics of future tenants.

All public comments submitted in writing for this project can be viewed using the following link and entering the project number: <http://web6.seattle.gov/dpd/edms/>

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.

- 1. Design Concept:** The Board was supportive of preferred Option C (“H” massing scheme) and provided the following guidance:
 - a. The Board discussed the programming of the ground floor plan commenting the proposed plan was rather interesting and innovative in the organization of spaces. The Board commended the design team for the thoughtful attention to the interior space at the ground floor. (DC1-A)
 - b. The Board encouraged further clarification and distinction of commercial from residential spaces. (DC3-A)
 - c. The Board was supportive of the courtyard concept. however, they expressed concern regarding the width to height proportions shown in Option C. (PL1-C-1, DC3-B)
 - d. The Board was also concerned with the requested departure for the rear setback adjacent to single family zoning. The Board indicated the design should further reconcile the bulk and scale along this zone transition. (CS2-D, DC2-A)
 - e. The Board acknowledged the interconnectedness of the programming elements and the potential impacts of shifting the rear massing on the courtyard space. The Board cautioned against further narrowing of the courtyard space. (DC3-A)
 - f. The Board encouraged changing the orientation of the rear units to reduce the bulk and scale, while also maintaining the courtyard dimensions. (CS2-D, DC3-C)
 - g. The Board indicated overall interest and support for the proposed plan and massing, directing the design team to further resolve these issues (bulk and scale along zone transition; maintaining courtyard dimension) as the design evolves. (CS2-D, DC3-B, DC3-C)

- 2. Street Frontage**
 - a. The Board was supportive of the highly transparent commercial ground floor indicated in the packet materials. (PL3-C)
 - b. The Board discussed the proposed entry location, commenting the lobby area along the street front was an interesting concept and response to activating the street frontage rather than the standard pass-through entry lobby. However, the Board would like to see further analysis of the proposed entry location (along the north edge) as the best solution. (CS2-C-2; CS2-B-2)
 - c. The Board discussed the proposed gates as a potential means to mark the residential entries and resolve wayfinding issues by further distinguishing residential vs. commercial entries. The Board requested more information related to the gate and entries at the Recommendation phase. (PL2-D-1; PL3-A)
 - d. The Board discussed the requested departures for reduced depth of the commercial spaces along 15th Ave NW. After hearing support from the public for smaller commercial spaces, the Board agreed smaller commercial spaces would be appropriate at this location and would offer greater variety of commercial uses. (CS3-A-4, PL3-C)

3. Basement Units

- a. Further reconcile the relationship of the basement units to the courtyard space. Clarify how both light and privacy will be accommodated. (CS1-B-2)

4. Service Uses

- a. The Board echoed public comment and requested more study to resolve the location of trash adjacent to the main residential entry. Further consider how the commercial spaces will access the garbage area. (DC1-C-4)

5. Blank Walls/North and South Edges

- a. The Board appreciated seeing some glazing along the north and south edges and discussed the choice to provide side setbacks vs. coming to the lot line. The Board recognized the setbacks were integrated to accommodate circulation and residential entries. The Board did not provide conditions related to the side setbacks. (DC2-B-2)
- b. The Board also requested consideration of lighting for safety along these narrow corridors. Provide more information at the Recommendation phase. (PL2-B, PL3-B-1)

6. Materials.

- a. The Board acknowledged public concern regarding cementitious panels and encouraged the use of different, high quality materials, especially along the street frontage as this building would be a precedent setting structure in this area. The Board expressed support of the precedent images shown in packet which showed depth of fenestration, as well as, material application which added legible scale and added visual interest. The Board directed the applicant to continue evolving the design in line with the presented imagery. DC2-B-1, DC2-C-1, DC2-D, DC4-A, CS3-A-4

RECOMMENDATION November 20, 2017

PUBLIC COMMENT

The following public comments were offered at this meeting:

- Concerned with how the rear area will be accessed and if the rear was an active space.
- Commented regarding the sidewalk along 83rd and whether or not the proposed development would fix this area to create a flush and improved condition for all the sidewalk adjacent to the site.

All public comments submitted in writing for this project can be viewed using the following link and entering the project number: <http://web6.seattle.gov/dpd/edms/>

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.

1. Design Concept.

- a. The Board acknowledged the design refinements since EDG, supporting the overall ground floor plan, transparent recessed street-level, building overhang

- along the sidewalk, south courtyard and visual connection from the street to the courtyard space, as well as, the overall massing and scale of the building. (CS2-B-2. Connection to the Street; CS2-D Height, Bulk, and Scale; DC2-A Massing)
- b. The Board was supportive of the massing and siting refinements which revised the rear massing to provide the required setback (up to 40 feet) while pushing the sides out. (CS2-D Height, Bulk, and Scale)
 - c. At EDG the Board directed the design team to clarify the ground floor programming and clearly define commercial from the residential areas both interior and exterior (courtyard). At Recommendation, the Board was pleased with the refinements to the ground floor plan and distinction between residential courtyard area and commercial courtyard area. (DC1-A Arrangement of Interior Uses)
 - d. A majority of the Board was supportive of the courtyard and recommended several conditions to further enhance the usability of the space and maintenance of critical elements including:
 - i. Reshape the bioretention planter with the goal of better integrating this element, perhaps as a taller linear element with seating. (DC3-A-1. Interior/Exterior Fit; DC3-C Design)
 - ii. Maintain the transparency and visual connection from the street to the courtyard. (PL3-C Retail Edges)
 - iii. Maintain the landscape buffer for the basement units from the courtyard space. (DC3-A-1. Interior/Exterior Fit)

2. Street Frontage and Entries:

- a. The Board was supportive of the overall ground floor expression which utilized a glass storefront system to create the gesture of a floating massing volume above the highly transparent base. (PL3-C Retail Edges)
- b. The Board recommended several conditions in order to strengthen this glassy expression and refine the identity of retail storefronts the PL3-C Retail Edges):
 - i. Bring the “side-light” down adjacent to the south entry to create a more consistent expression for both retail entries.
 - ii. Differentiate the planter at the lobby window with material other than concrete.
- c. In addition, the Board discussed the building overhang and requested departure. The Board strongly supported the clean expression and crisp line created by the floating massing volume. In order to maintain this crisp line the Board was supportive of the departure, as the canopy would disrupt the architectural composition and floating expression. In addition, the building overhang itself could act as weather protection. The Board recommended the following conditions in order to ensure the building overhang is utilized as weather protection (PL2-C Weather Protection):
 - i. Keep the building edge free of plants or other items that would inhibit pedestrians from utilizing this overhang.
 - ii. Refine the edge drip condition to minimize the dripline along the walkway.
- d. The Board discussed the residential entry locations and prominence. After a thoughtful discussion, the Board agreed the location of the main entry on the north side was an appropriate and consistent design decision which supported the overall ground floor programming. However, the Board recommended several

conditions to further strengthen and refine the residential entry points (PL3-A Entries, PL3-B Residential Edges):

- i. Pull both gates back (north and south entries) from the building edge.
- ii. Strengthen the prominence of the main entry at the street by incorporating signage perhaps on the wood wall or on the gate itself.
- iii. Along the north entry path, flip the landscaping and the sidewalk to provide weather protection for residents, as well as, a more pleasant tactile experience along the wood entry wall.
- iv. At the North entry replace the entry door and vestibule door with a storefront door system to improve the safety and security of this tucked away entry point.

3. Materials:

- a. The Board was supportive of the material palette which included a variety of hardie cement panels including horizontal rainscreen siding. Other materials included thermory, glass storefront, and concrete. (DC4-A-1. Exterior Finish Materials)
- b. The Board was strongly supportive of the application and detailing of these materials and recommended a condition to maintain the cladding detailing shown in the Recommendation packet including the expression of the floor lines. (DC2-B Architectural and Facade Composition, DC2-D-2. Texture)
- c. The Board recommended a condition to explore a darker color of the monitor (lofted massing volume) in order to distinguish the massing volumes. (DC2-B-1. Façade Composition)
- d. In addition, the Board also recommended a condition to explore changing the thin grey hardie panel (east elevation, edge panels) to match the dark grey panel and studying how the transition around the corner would occur. (DC2-B-1. Façade Composition)

DEVELOPMENT STANDARD DEPARTURES

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

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

1. **Rear Setback (SMC 23.47A.014.B.3):** The Code requires a 15' set back for portions of structures from 13-40' in height; and an additional 2' setback for every 10' height above 40'. The applicant proposed to comply with the lower setback of 15' and proposed to encroach 9" into the upper story setback above 40'.

The Board was supportive of the requested departure as the departure allowed for a more cohesive design and logical terminus of the massing form. (DC2-A Massing) The Board voted unanimously in favor of the proposed departure.

2. **Street-Level Development Standards – Commercial Depth (SMC 23.47A.008):** The Code requires non -residential uses to extend an average depth of at least 30' and a

minimum depth of 15' from the street-level street-facing façade. The applicant proposed an average depth of 19'-9" (the proposal would comply the minimum depth of 15').

The Board supported the requested departure acknowledging public support for the highly transparent shallow and long commercial space which created a strong connection with the street. However, the Board recommended a condition to maintain glazing, maintain the landscape buffer for the basement units, and redesign the bio retention to create more usable space within the commercial area of the courtyard. (PL3-C Retail Edges, DC3-A-1. Interior/Exterior Fit; DC3-C Design). The Board voted unanimously in favor of the proposed departure.

3. **Street-Level Development Standards – Overhead Weather Protection (SMC 23.47A.008.C.4):** The Code requires overhead weather protection in pedestrian zones to be provided for a minimum of 60% of the street frontage; 6' in width; provided over the sidewalk; provided between 8 and 12' in height; and adequate lighting for pedestrians shall be provided. The applicant proposes to comply with required street frontage length and lighting of overhead weather protection, but proposes to provide protection above the 12' height at 4'-6" width.

The Board supported the requested departure as they strongly supported the clean expression and crisp line created by the floating massing volume. However, in order to ensure the building overhang's utilization as weather protection the Board recommended the following conditions (PL2-C Weather Protection):

- i. Keep the building edge free of plants or other items that would inhibit pedestrians from utilizing this overhang.
- ii. Refine the edge drip condition to minimize the dripline along the walkway.

The Board voted unanimously in favor of the proposed departure.

DESIGN REVIEW GUIDELINES

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

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

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

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

CS3-A Emphasizing Positive Neighborhood Attributes

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

PUBLIC LIFE

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

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-B Safety and Security

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

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

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

PL2-C Weather Protection

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

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

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

PL2-D Wayfinding

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

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

PL3-A Entries

PL3-A-1. Design Objectives: Design primary entries to be obvious, identifiable, and distinctive with clear lines of sight and lobbies visually connected to the street.

PL3-A-2. Common Entries: Multi-story residential buildings need to provide privacy and security for residents but also be welcoming and identifiable to visitors.

PL3-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.

DESIGN CONCEPT

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

DC1-A Arrangement of Interior Uses

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

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

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

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

DC1-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-B-2. Blank Walls: Avoid large blank walls along visible façades wherever possible. Where expanses of blank walls, retaining walls, or garage facades are unavoidable, include uses or design treatments at the street level that have human scale and are designed for pedestrians.

DC2-C Secondary Architectural Features

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

DC2-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.

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-2. Amenities/Features: Create attractive outdoor spaces suited to the uses envisioned for the project.

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.

RECOMMENDATIONS

The recommendation summarized above was based on the design review packet dated Monday, November 20, 2017, and the materials shown and verbally described by the applicant at the Monday, November 20, 2017 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the three Design Review Board members recommended APPROVAL of the subject design and departures with the following conditions:

1. Further enhance the usability of the courtyard space and maintenance of critical elements including:
 - i. Reshape the bioretention planter with the goal of better integrating this element, perhaps as a taller linear element with seating. (DC3-A-1. Interior/Exterior Fit; DC3-C Design)
 - ii. Maintaining the transparency and visual connection from the street to the courtyard. (PL3-C Retail Edges)
 - iii. Maintain the landscape buffer for the basement units from the courtyard space. (DC3-A-1. Interior/Exterior Fit)
2. Strengthen this glassy storefront expression and refine the identity of retail storefronts as follows (PL3-C Retail Edges):
 - i. Bring the “side-light” down adjacent to the south entry to create a more consistent expression for both retail entries.
 - ii. Differentiate the planter at the lobby window with material other than concrete.
3. Ensure the building overhang is utilized as weather protection as follows (PL2-C Weather Protection):
 - i. Keep the building edge free of plants or other items that would inhibit pedestrians from utilizing this overhang.
 - ii. Refine the edge drip condition to minimize the dripline along the walkway.
4. Further strengthen and refine the residential entry points as follows (PL3-A Entries, PL3-B Residential Edges):
 - i. Pull both gates back (north and south entries) from the building edge.
 - ii. Strengthen the prominence of the main entry at the street by incorporating signage perhaps on the wood wall or on the gate itself.
 - iii. Along the north entry path, flip the landscaping and the sidewalk to provide weather protection for residents, as well as, a more pleasant tactile experience along the wood entry wall.
 - iv. At the North entry, replace the entry door and vestibule door with a storefront door system to improve the safety and security of this tucked away entry point.
5. Maintain the cladding detailing shown in the Recommendation packet including the expression of the floor lines. (DC2-B Architectural and Façade Composition, DC2-D-2. Texture)
6. Explore a darker color of the monitor (lofted massing volume) in order to distinguish the massing volumes (provide with MUP correction). (DC2-B-1. Façade Composition)
7. Explore changing the thin grey hardie panel (east elevation, edge panels) to match the dark grey panel and studying how the transition around the corner would occur (provide with MUP correction). (DC2-B-1. Façade Composition)

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

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

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

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

Subject to the recommended conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

At the conclusion of the Recommendation meeting held on November 20, 2017, the Board recommended approval of the project with the conditions described in the summary of the Recommendation meeting above.

Three members of the Northwest Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3).

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

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

Applicant response to Recommended Design Review Conditions:

1. The applicant responded with a response packet titled *Recommendation Report Design Response* uploaded 3/26/18 and updated Plan Set uploaded 3/3/18, to 1) reshape the bioretention planter as a linear element with seating 2) Maintaining the transparency and visual connection from the street to the courtyard 3) Maintaining the landscape buffer for the basement units from the courtyard space. The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction.

2. The applicant responded with a response packet titled *Recommendation Report Design Response* uploaded 3/26/18 and updated Plan Set uploaded 3/3/18, stating “storefronts have been revised as suggested, with the addition of a sidelite at the south retail entry.” In addition, the bioretention planter in front of the lobby along the street has been recessed 2" so that it is no longer in plane with the curb and changed to dark siding to further differentiate this expression from the storefront system along the street frontage. The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction.
3. The applicant responded with a response packet titled *Recommendation Report Design Response* uploaded 3/26/18 and updated Plan Set uploaded 3/3/18, by maintaining an edge free of plants and adding a detail illustrating the drip edge condition, Sheet A8.4,1 showing how the vertical siding transitions to the horizontal wood soffit. The bottom edge of the siding is aligned with the bottom face of the soffit, with a shadow-line reveal between the two materials that hides the sheet metal drip edge flashing. The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction.
4. The applicant responded with a response packet titled *Recommendation Report Design Response* uploaded 3/26/18 and updated Plan Set uploaded 3/3/18, stating “gates have been recessed 12" from the face of the building along the street front, shown in plan and perspective above. Recessing these elements significantly differentiates them from the commercial spaces and creates an added sense of depth at the sidewalk.” In addition, a horizontal metal slat entry and signage has been added, as well as, flipping the landscaping to the outer edge to prioritize pedestrians per the Board’s direction. Lastly, the main residential entry along the north elevation has been replaced with storefront doors to improve the transparency and safety/security of this entry. The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction.
5. The applicant responded with an updated Plan Set uploaded 3/3/18, by maintaining the cladding details as shown in the Recommendation packet. The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction.
6. The applicant responded with a response packet titled *Recommendation Report Design Response* uploaded 3/26/18 and updated Plan Set uploaded 3/3/18, by providing a study of changing the monitor color, stating “requested studies, above, showing a range of tones for the monitors. The design team finds the darker values awkward and incongruent with the other design decisions, drawing increased attention to a less significant design element.” Staff concurs with this evaluation and study. The response satisfies the

recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction.

7. The applicant responded with a response packet titled *Recommendation Report Design Response* uploaded 3/26/18 and updated Plan Set uploaded 3/3/18, by providing a study changing the light grey hardie to dark grey as directed by the Board and continued to prefer the consistency of the light grey as the material wrapped the corner in a flush condition. Staff concurs with this evaluation and study. The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction.

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 of SDCI has reviewed the decision and recommendations of the Design Review Board made by the three members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines. The Director is satisfied that all the recommendations imposed by the Design Review Board 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 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 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 2/24/2017. The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

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

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

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, air quality/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, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Construction Impacts - Parking and Traffic

The SEPA checklist indicates approximately 1,500 cubic yards of soil excavation and 400 cubic yards of fill. 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.

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 (CMP) 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 Lowrise, Midrise, Highrise, Residential-Commercial and Neighborhood Commercial zones.

If extended construction hours are necessary due to emergency reasons or construction in the right of way, the applicant may seek approval from SDCI through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated.

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

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, height bulk and scale, parking, and traffic warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with 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, no further mitigation is warranted pursuant to SMC 25.05.675.A.

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. Pursuant to the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate height, bulk and scale impacts are adequate and additional mitigation is not warranted under SMC 25.05.675.G.

Parking

The proposed development includes 78 congregate residential units with zero off-street vehicular parking spaces. Twelve existing surface parking spaces would be removed during demolition of the existing building. The traffic and parking analysis (Gibson Traffic Consultants, Inc., Traffic Impact Analysis, July 20, 2017) indicates a peak demand for approximately 21 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 50 % within 800' of the site. The proposed development peak demand of 21 parking spaces would not be accommodated by the proposed zero off-street parking spaces in the development, resulting in a spillover demand for 21 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 58%. Total cumulative parking demand of the proposal and other projects in the vicinity would result in a potential on-street parking utilization of 62 % 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 Villages within 1,320 feet of frequent transit service. This site is located in Crown Hill Residential Urban Village within 1,320 feet of frequent transit service. Regardless of the parking demand impacts, no SEPA authority is provided to mitigate impacts of parking demand from this proposal.

Transportation

The Traffic Impact Analysis (Gibson Traffic Consultants, Inc., Traffic Impact Analysis, July 20, 2017) indicated that the project is expected to generate a net total of 274 daily vehicle trips, with 27 net new PM peak hour trips and 23 AM peak hour trips.

The additional trips are expected to distribute on various roadways near the project site, including 15th Avenue NW, 8th Avenue NW, NW 80th Street, NW 83rd Street and NW85th Street, and would have minimal impact on levels of service at nearby intersections and on the overall transportation system. The SDCI Transportation Planner reviewed the information and determined that no 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.

CONDITIONS – DESIGN REVIEW

For the Life of the Project

1. 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 (Crystal Torres, 206-684-5887, crystal.torres@seattle.gov).

CONDITIONS – SEPA

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

2. 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>.

Crystal Torres, Land Use Planner
Seattle Department of Construction and Inspections

Date: April 9, 2018

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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 SDCI 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.