



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Project Number(s): 2408581, 2408582, 2408583
Address (es): 1810, 1812, 1818 11th Avenue
Applicant: Andrew Miller, for Urban Innovations, LLC

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish the use for the future construction of 25 residential units (townhouses) over three sites. Parking for 42 vehicles will be provided below grade. The existing structure will be demolished. (2407717)

The following approvals are required:

Design Review - Chapter 23.41, (SMC)

- SMC 23.45.010 lot coverage
- SMC 23.45.011 width & depth
- SMC 23.45.012 modulation
- SMC 23.45.014 setbacks
- SMC 23.45.016 open space quantity and minimum dimensions.
- SMC 23.54.030 G Site Triangle
- SMC 23.54.030.D.1.E Driveway width

SEPA Environmental Determination - Chapter 25.05, (SMC)

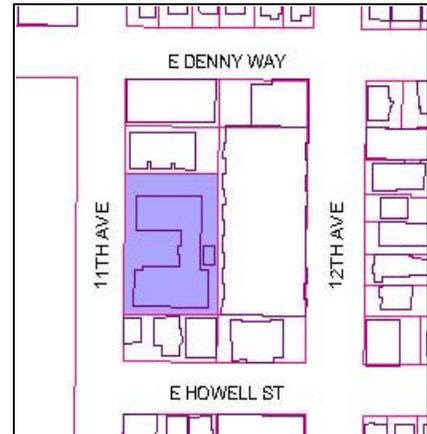
SEPA DETERMINATION: Exempt DNS MDNS EIS*

DNS with conditions

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

BACKGROUND INFORMATION:

The site is located under three addresses at 1810, 1812 and 1818 11th Avenue, mid-block on the east side of the street between E. Denny Way and E. Howell Street. The site is directly across 11th Avenue from the proposed Cal Anderson Park. The overall development site of 23,040 square feet consists of three parcels, each approximately 7,680 square feet in size, with 60 sixty feet of street frontage per parcel, extending eastward some 128 feet. Currently the overall site is occupied by the Jacobson House Nursing Home, earmarked for demolition.



The site slopes upwards approximately 8 feet from west to east with elevations more or less constant from north to south paralleling 11th Avenue. The property is zoned Lowrise 3 with a 30-foot height limit. The property is located within the Capitol Hill Urban Center Village. The property is not subject to neighborhood-specific design guidelines.

AREA DEVELOPMENT

The development site lies directly across from the Lincoln Low Pressure Reservoir, proposed to be capped by the new Cal Anderson Park. A block to the south is the Bobby Morris Playfield which fronts onto 11th Avenue. Two blocks to the west, across Broadway and just slightly to the south is Seattle Central Community College. Most of the properties in the vicinity of the proposed development are zoned Lowrise 3 or Neighborhood Commercial 3. Directly to the east of the site the property is zoned NC-3 with a 40-foot height limit. That property is currently built out with a mini-warehouse/ storage facility (Shurgard Storage). The most significant new development in the immediate vicinity of the proposal area is a 9-unit townhouse project, scheduled for construction in the near term on the lot immediately to the south of the development site.

DESIGN REVIEW

1st EARLY DESIGN GUIDANCE JANUARY 5, 2005

ARCHITECT'S PRESENTATION

Colin Walker of C. W. Walker Architects made the substantive presentation at this meeting, with supplemental remarks coming from Andrew Miller, representing Urban Innovations, LLC, and the developer of the property. The applicant proposes a total of 27 townhouse units (initial proposal) on the development site with underground parking

In making their presentation, the applicant's suggested that the approved project to the south of the development site, the "project at the corner," located at the corner of 11th and E. Howell Street, a project which includes 9 "townhouse" units, would serve as a "thematic model" for the intended development of three additional lots to the north.

The vehicular access to the site would be from 11th Avenue and might require multiple curb cuts. The architect indicated that the developer was interested in limiting the number of curb cuts as far as possible.

PUBLIC COMMENTS

There were five members of the public present who affixed their names and addresses to the sign-in sheet. The public comments focused on the following areas:

- *Safety—a significant issue in the neighborhood; need to discourage hiding places on site for illegal behaviors*
- *Project “must respect” the park across the street*
- *An expectation that the project would carefully select materials and focus on details that would make the project a true benefit to the neighborhood*
- *The “contemporary” design of the “thematic model” should not be an excuse to overlook other elements which would link to history and be a reflection of the character of the neighborhood*

BOARD DELIBERATIONS

General Directives at 1st early design guidance meeting. January 5, 2005

After asking clarifying questions of the architect and developer and after soliciting comments from the public, the five members of the Board unanimously expressed a number of important concerns and reservations regarding the project and requested a second Early Design Guidance meeting on the project for the applicant to respond to these concerns:

- *The project should minimize the number and size of curb cuts along 11th Avenue*
- *The Board would like to see a design that treats the development site as a whole, rather than emphasizing the three 60-foot strips that mirror the original platting which have not been a part of the historical development on the site*
- *The design should consciously explore and exploit the relationship to the park across 11th Avenue*
- *The design should not simply be a serial replication of the nine-unit proposal for the corner lot*
- *The design should explore providing more open space at ground level, adequate to provide a locus for physical, communal interaction*

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 siting and design guidance described below and identified by letter and number those siting and design guidelines found in the City of Seattle’s “*Design Review: Guidelines Downtown Development*” of highest priority to this project.

PRIORITY DESIGN GUIDELINES

A *Site Planning*

A-1 *Responding to Site Characteristics*

The siting of buildings should respond to specific site conditions and opportunities.

A-5 *Respect for Adjacent sites*

Buildings should respect adjacent properties by being located on their site to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings

A-6 *Transition between Residence and Street*

For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors. Should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

A-8 *Parking and Vehicle Access*

Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

D *Pedestrian Environment*

D-7 *Personal Safety and Security*

Project design should consider opportunities for enhancing personal safety and security in the environment under review.

The guidelines above were all chosen by the board to be of highest priority. The design should provide a design for a set of structures that:

- responds creatively to the constraints and opportunities of the *entire* development site;
- reduces to a minimum the points of vehicle access;
- creates a genuine locus of communal identity and awareness on site, including opportunities for physical interaction;
- relates the community on site to the broader community by means of connections to both the street and the park
- addresses the issue of on-site safety in a balanced fashion, without closing itself off, as perceived both from within and without, from the public realm of street and park
- clearly relates positively to the park in terms of facades and openings (windows, entries-- both pedestrian and vehicular entries)
- incorporates units that do not relate to the street and the park totally perpendicularly, like a row of fixed seats
- integrates trash and recycle storage and movement, rather than leaving this as an after-thought

2ND EARLY DESIGN GUIDANCE MEETING MARCH 16, 2005

DEVELOPER PRESENTATION

The developer presented the project at a more advanced stage of design development. The possible departures were more fully described as well as materials, landscape and lighting plans. The developer presented site sections, roof lines, building massing, parking and security measures.

BOARD QUESTIONS

The Board asked about the range of unit sizes, the proposed width of the allees and possibilities of the alleys connecting to the similar development to the south. The Board suggested that the internal building setbacks may be another departure to identify. The Board asked about trash and recycling. Collection containers will be brought out to the sidewalk on collection day. The Board asked the designers to consider using the narrowest driveway possible for two way traffic at this site.

PUBLIC COMMENTS

Public comments included the following:

- The project seems too dense.
- Clarify the north setback departure request.
- The project might use an elevation that would be based on historic grade and would thus be higher than shown.
- Views out from the building to the north should not be blocked by these development buildings.
- The sidewalks should be replaced and trees that do not attract aphids (and aphid drip) should be planted.
- Design cues from the Park across the street should be developed at this site to show a relationship between the two.
- There is very heavy drug use in this area so there should be security gates at the allees and all spaces should be developed as defensible spaces.
- The shorter units along the front sidewalk are a good scale for this location.

BOARD DELIBERATIONS

Overall the Board thought the design was developing in a positive direction. The Board discussed the fact that it is indeed good to have a design dialogue with the Cal Anderson Park across the street the architectural expression of such does not need to be a literal use of similar site furniture or plants. The Board liked the range of unit sizes and thought this was an important aspect of the design. The Board agreed with a public comment that security is a necessary element to design into the development. There should be no corners immediately accessible to the sidewalk where illicit activity could take place. The designers should consider a different type of low wall at the sidewalk that would give some transparency, but the Board does consider the CMU wall as an appropriate material at this location. The front patios may be safe enough since they are next to interior rooms with full glazing. The Board discussed the garage door design and would like to see a proposal with an interesting form, attention to scale and substantial materiality. The Board would like to see details of alley lighting for safety and security. The designer should bring more information on this topic to the recommendation meeting.

Departure from Development Standards:

The applicants identified several departures contemplated for the project:

- Lot coverage of 58% rather than 50% allowed by Land Use Code
- Allowable structure depth from 65% of depth of lot to nearly 86%
- Unspecified decrease in required side and rear setbacks

- Unspecified reduction in required ground-level, usable open space for townhouses

The Board indicated that the applicants should not count on the Board's being as generous with departures on this site as they had been on the corner site, a very different site with different design considerations. Identified departures should be grounded *de novo* in the proposed design and not treated as an *a priori*.

The applicant applied for a Master User Permit on March 23, 2005 and the application was deemed complete May 19, 2005.

RECOMMENDATION MEETING – October 5, 2005

PROPONENTS PRESENTATION

Andrew Miller of the Dwelling Company reviewed the project for the Board. There will be 25 residential units on the three sites. Access will be from a single garage entry on 11th Avenue. Glass is used extensively in the design. The facing park is reflected in this design by using similar landscaping elements such as gate materials and landscaping. Much of each units' open space will be rooftop open space. Hugh Schaeffer of Driscoll Architects continued to describe the project to the Board. Materials will be hardi panel, aluminum windows, metal and concrete. Patio walls will be cast concrete with reveals. The concrete sidewalk will "extend" into the development in the way of two pedestrian entry walks. Saw cut reveals will create visual relief and each unit's entry number will be pressed into the concrete. The entry gates will be custom created and semi-transparent.

Great effort has been put into the project design to create shadow details for interest. Corrugated metal will be another material to add variety and accent interest. Colors are proposed to be grass green, barn red and silver grey. The garage entry is designed to blend into the development. The garage door will allow air flow and be semi-transparent. Safety design is addressed in the pedestrian entries by using six foot tall entry gates. Lighting will be carefully executed to illuminate but not intrude on individual units or the neighborhood. Street trees and sidewalk edge landscaping are proposed to create an urban street front that is recognizable and akin to many Capitol Hill blocks.

The following table describes the requested departures.

BOARD CLARIFYING QUESTIONS

The Board asked to see elevations of the second row of townhouses. The corrugated metal is mostly on unit H as an accent in recessed areas. There is no metal on the street elevation. The red material along the fin walls is hardi horizontal siding with metal flashing. The most narrow passages are between interior buildings where fin walls extend or where there are bay windows. The Board asked to have the interior circulation explained to understand what is private and what is open to building tenants. These units will be unit lot subdivided. Operable windows are in the central portion of the front row and some sliding glass doors. Glazing extends to the ceiling in some units.

PUBLIC COMMENTS AT RECOMMENDATION MEETING.

There were several public comments and questions. One question asked about the baseline to measure height. Other comments were in support of the project for the neighborhood.

BOARD DELIBERATIONS

The Board was supportive of the design and all departures. There is an appealing European quality that results in an interesting housing offering in this area.

RECOMMENDED CONDITIONS

After discussion the Board agreed that three general conditions should be placed upon the project.

1. Pedestrians may need more warning at the vehicle entry. Paving changes for the driveway should be added. Stop signs for the cars should be installed. Mirrors should also be installed.
2. The material edge along the street needs to be fairly durable, metal flashing needs to be heavy and might need to be steel. High-quality, durable material, especially at the fin and bay window projections, will help the buildings withstand the northwest weather.
3. Open space should have high quality paving materials, planters and landscape plants especially those units without much open space. Operable sliding windows should be used on all of the front row units to make them better suited to their location on the street and across from the park.

These conditions will be further described in the Director’s Analysis and Decision.

BOARD RECOMMENDATION

After considering the proposed design and the project context, hearing public comment, and reconsidering the previously stated design priorities, the three (3) Design Review Board members felt that all of the guidance the architect received had been successfully addressed by the applicant. In addition, all of the Board members in attendance supported the Departures. The Design Review Board recommended conditional **approval** of the design to the Director.

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	DEPARTURE AMOUNT	Board Action
SMC 23.45.010 LOT COVERAGE	50% Max (7680 x 50% = 3,840 SF)	1810 = 4,457 SF (58%) 1812 = 4,468 SF (58%) 1818 = 4,727 SF (62%)	617 SF (8%) 628 SF (8%) 887 SF (12%)	Approval
SMC 23.45.011 WIDTH & DEPTH	Lot Depth = 65% (128 X 65% = 83'-2")	All Sites = 100' (combined three buildings)	16'-10"	Approval

SMC 23.45.012 MODULATION	4' Min; Required if street façade > 30' or 40' w/ entrance facing street 4' Min; Interior Facades >40' if part of cluster development	All Sites = 2' All Sites = 2'	2' 2'	Approval
SMC 23.45.014 SETBACKS	Side Yard = 7' Rear Yard; 25' or 15% lot depth, whichever is less (127.98' X 15% = 19'-2") Interior: 10' Minimum Cluster: 10' Minimum Front Yard: 7.5' + 18" allowance for Architectural Features	All Sites = 3'-8" Minimum All Sites = 8' All Sites = 4'-5" All Sites = 4'-5" Site B = 3'-0" for Architectural Features Sites A & C = 3'-9" for Architectural Features	3'-4" 11'-1" 5'-7" 5'-7" 3'-0" 2'-3"	Approval
SMC 23.45.016 OPEN SPACE quantity and minimum dimensions.	Open Space @ Grade Dimensions: No Horizontal Dim less than 10' Avg. 300 sf per unit, 200 sf minimum SITE B = 300 SF Per Unit @ Grade (8 X 300 = 2,400 SF) SITE C = 300 SF Per Unit @ Grade (9 X 300 = 2,700 SF)	All Sites: Open Space above grade to count All Sites: No Horizontal Dim less than 2' No minimum 1812 = 2,141 SF / 268 SF Avg. 1818 = 2,504 SF / 278 SF Avg.	n/a 8' 259 SF / 32 SF 196 SF / 22 SF	Approval
23.54.030 G	site triangles	Site triangles with partial obstruction	Partial obstruction	Approval
23.54.030.D.1.E	20' driveway width	1812 = 15'-8" width	4'-4"	Approval

ANALYSIS - DESIGN REVIEW

This three-site proposal is a project which is proposed as a small community of townhouses. Each unit would have its own entry and private open space. Parking is proposed to be underground. The lot coverage, building width and depth, and setback departures are a result of

this type of townhouse residential community. Inter-unit circulation, by the way of two pedestrian allees, pushes the units apart. The departures help the development meet transition between residence and street, personal safety and pedestrian environment (A6 and D7). The community will have more eyes on the allees which gives a sense of security to the residents. Open space is proposed to be transferred to rooftop open space. This departure helps the design respond to site characteristics (A1). Because of the nature of the built forms, townhouses rather than apartments, the open space is better suited to capturing the light and air on rooftops rather than at the ground level.

A departure for modulation is proposed by the applicant. The modulation departure is considered in this development in the whole. That is, with many facades, project-wide and two pedestrian walkways/allees there is more actual modulation than a standard code-complying development might have. The departure helps the design better meet architectural concept and consistency and human scale. (C2, C3). The site triangles in this proposal are proposed to have partial obstructions and the driveway to be narrower than code requirements. An open space patio wall will encroach into the triangle. The design has minimized the vehicle impact on the pedestrian environment to provide adequate warning devices for pedestrians and exiting vehicles. (A8) This project better meets this guideline with the proposal. Conditions have been recommended that mitigate the site triangle encroachment.

DECISION - DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the Design Review Board and finds that they are consistent with the City of Seattle *Design Review Guidelines for Multi-Family Buildings* and that the development standard departures present an improved design solution, better meeting the intent of the priority Design Guidelines, than would be obtained through strict application of the Seattle Land Use Code. Therefore, the Director **approves** the proposed design as presented in the official plan sets on file with DPD as of the October 25, 2005. The Design Review Board meeting and the recommended **development standard departures** described above are **approved**.

ANALYSIS - SEPA

The initial disclosure of the potential impacts of the proposed project was made in the environmental checklist dated November 17, 2004. The information in the checklist, supplemental information and the experience of the lead agency with the review of similar projects forms the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) 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. Thus, the mitigation that may be required pursuant to SEPA authority is limited. A discussion of likely adverse impacts and how they may be appropriately mitigated follows below.

Short-Term Impacts

Codes and development regulations applicable to this proposal will provide sufficient mitigation for most impacts.

The following temporary or construction-related impacts are expected: 1) decreased air quality due to increased dust and other suspended air particulates during demolition; 2) increased noise and vibration from demolition operations and equipment; 3) increased traffic and parking demand from demolition personnel; 4) temporary soil erosion; 5) conflict with normal pedestrian movement adjacent to the demolition area; and 7) consumption of renewable and non-renewable resources. These impacts are not considered significant because they are temporary and/or minor in scope (Section 25.05.794, SMC). Although not significant, the impacts are adverse and certain mitigation measures are appropriate as specified below.

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: 1) Street Use Ordinance (watering streets to suppress dust, obstruction of the pedestrian right-of-way during demolition, demolition along the street right-of-way); 2) Building Code (demolition measures in general); and 3) Stormwater, Drainage and Grading Code (temporary soil erosion). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts.

Air Quality

Puget Sound Clean Air Agency (PSCAA), Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. However, no permit process exists that ensures that PSCAA has been notified of the proposed building demolition and that asbestos has been removed from the site. A condition shall be added requiring the applicant to submit to DPD a copy of the PSCAA Notice of Intent to Demolish prior to issuance of the DPD demolition permit. This condition is imposed pursuant to SEPA authority to mitigate air quality, construction and environmental health impacts, SMC 25.05.675 A, B, and F.

Noise

There will be demolition of a structure. Due to the proximity of other residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), additional mitigation is warranted.

In addition to the Noise Ordinance requirements, to reduce the noise impact of demolition on nearby properties, activities shall be limited to non-holiday weekdays between 7:30 A.M and 6:00 P.M. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only low noise impact work shall be permitted on Saturdays from 9:00 A.M. to 5:00 P.M.

Long-term Impacts

Potential long-term impacts that may occur as a result of this project include: 1) possible soil erosion, depending on the state the newly exposed ground is left in after demolition; and 2) possible negative aesthetic impacts if the site is not rebuilt upon or adequately landscaped after the proposed demolition takes place. These long-term impacts are not considered significant because the impacts are expected to be minor in scope.

Long-term impacts such as this are typical of this type of project and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are the: Stormwater, Grading and Drainage Control Codes; and the Land Use Code (aesthetic impacts).

Other impacts not noted here as mitigated by codes or conditions are not sufficiently adverse to warrant further mitigation by condition.

DECISION - SEPA

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

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

CONDITIONS – Design Review

For the life of the project

1. Pedestrians may need more warning at the vehicle entry. Paving changes for the driveway should be added. Stop signs for the cars should be installed. Mirrors should also be installed.
2. The material edge along the street needs to be fairly durable, metal flashing needs to be heavy and might need to be steel. High-quality, durable material, especially at the fin and bay window projections, will help the buildings withstand the northwest weather.
3. Open space should have high quality paving materials, planters and landscape plants especially those units without much open space. Operable sliding windows should be used on all of the front row units to make them better suited to their location on the street and across from the park.

Prior to issuance of a building permit

4. Include Design Review drawings in the building permit set.

CONDITIONS - SEPA

Prior to the Issuance of any Demolition Permit:

5. The owner(s) and/or responsible party(s) shall provide documentation to the DPD Planner that Puget Sound Clear Air Authority has received all information necessary to assess and mitigate likely air impacts.

During construction:

6. The following conditions to be enforced during construction shall be posted at each street abutting the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions shall be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.
7. In addition to the Noise Ordinance requirements, to reduce the noise impact of demolition on nearby properties, all demolition activities shall be limited to non-holiday weekdays between 7:30 A.M and 6:00 P.M. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work (i.e. landscaping and reseeding w/o power equipment) shall be permitted on Saturdays from 9:00 A.M. to 5:00 P.M.

Signature: _____
(signature on file)
Holly J Godard, Land Use Planner
Department of Planning and Development

Date: November 10, 2005