



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning & Development**  
D.M. Sugimura, Director

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

**Application Number:** 3003681/2501910  
**Applicant Name:** Weber Thompson Architects for PacLand Development  
**Address of Proposal:** 1929 Queen Anne Avenue North

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to establish use for the future construction of a four-story 36 unit apartment building with 15,890 square feet of retail commercial use at ground level. Project includes demolition of an existing gas station. Parking for 81 vehicles will be provided in a below-grade garage.

The following Master Use Permit components are required:

**Design Review - Seattle Municipal Code (SMC) Section 23.41 with Development Standard Departures: Lot Coverage – To increase residential lot coverage (SMC 23.47.008.D)**

**SEPA Environmental Review - Seattle Municipal Code (SMC) Section 25.05**

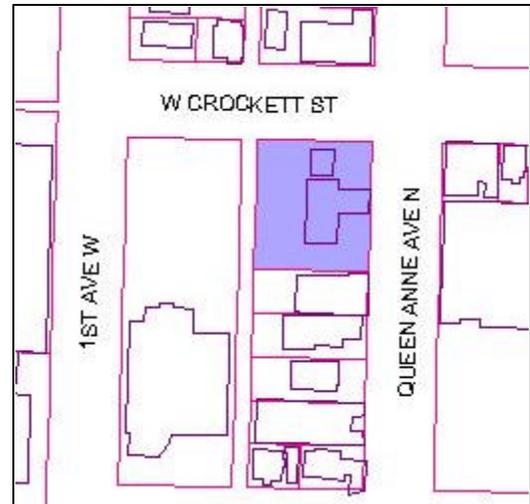
**SEPA DETERMINATION:**       Exempt    DNS    MDNS    EIS  
  
    DNS with conditions\*  
  
    DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

\* Notice of early DNS was published on December 8, 2005.

## **BACKGROUND DATA**

### Site Description

The subject site is located within a Neighborhood Commercial 2 zone with a 40-foot height limit (NC2-40) with a Pedestrian 2 Overlay. This zoning extends north and south of the site, as well as across the street to the east. The lot is approximately 16,200 square feet and is rectangular shaped. The relatively flat site is currently developed with a gas station. The property is bound to the east by Queen Anne Avenue North, West Crockett Street to the north and an alley to the east. Across the street to the north are single and multi-family residential buildings.



### Vicinity

The subject site is located in the Queen Anne neighborhood on the west side of Queen Anne Avenue North. Across Queen Anne Avenue to the east is a grocery store. To the south are several commercial buildings. Across the alley, abutting the length of the site along the west side, the zoning changes to Single Family 5000 and the closest development consists of a community pool and associated surface parking lot.

### Proposal

The proposed project is for the design and construction of a mixed use building with approximately 36 residential units located above ground level commercial use. All of the parking (81 stalls) for the proposed development is to be provided in a below grade garage that is accessed from the alley.

### Public Comments

The Early Design Guidance Meeting was held on August 3, 2005 and approximately 16 members of the public attended the Early Design Guidance meeting. They offered the following comments:

- Noted that the alley abutting the site to the west is highly visible and well-utilized by pedestrians and as such should receive equal design treatment as the east and north facades;
- Stated that a crosswalk is needed at the corner of Crockett and Queen Anne Avenue for greater pedestrian safety;
- Objecting to the barrel treatment of the corner massing – too similar to big box store massing – prefer the image shown on the lower left of the design concept page of the packet insert showing a corner design integrated with the rest of the building;
- Inquiring about the construction timeline, financing and construction techniques;
- Expressing interest in seeing well-designed screening of the rooftop mechanical equipment;

- Concerns with the proposed single commercial entrance – the design should include several points of entry to the commercial space that will encourage the commercial space to be broken into smaller tenant spaces. A variety of smaller businesses usually provides better interaction with the street-life;
- Encouraging the applicants to present the proposed development to the Queen Anne Community Council Land Use Committee;
- Concern with the safety of traffic leaving the alley entering onto Crockett –sight lines should be kept open;
- Requesting that the extra wide right-of-way abutting this project be well-designed to include landscaping and seating. The Queen Anne Community Group is developing a streetscape study and plan. The applicants were encouraged to consult with those working on this plan;
- Suggesting that the stairwell connecting the garage to the commercial level should be relocated to a less prominent location;
- Opposing the use of stucco for exterior materials;
- Encouraging a gracious residential entry design and objecting to the option that would locate this entrance right off the alley;
- Advocating strong street level transparency along Queen Anne Avenue and the integration of interesting architectural details;
- Emphasizing the importance of utilizing high quality materials on the building exterior (transparent canopies should be provided); and
- Concerns that the proposed parking quantity is sufficient to alleviate impacts to a congested parking condition in the neighborhood.

The Final Design Meeting was held on February 15, 2006 and approximately six members of the public were present at the meeting. Public comment and clarifying questions focused on the following issues:

- Appreciate Board's effort to preserve Queen Anne character and compliments developer for helping to increase density on Queen Anne, while also attracting a locally-owned merchant to occupy the commercial spaces. Also appreciate developer's openness with community groups.
- Object to businesses that will encourage people to use their cars.
- Pleased with the retro look of the building design and feels that the design fits this location.
- Noted that the public parking lot across the alley is a benefit to this project.
- Advocate for angled parking on Crockett Street instead of parallel parking as shown.
- Concerned that the loading zone proposed on the alley will obstruct other alley traffic. Truck deliveries associated with drug store will have to reconcile with residents traffic.
- Concerned that the typical Bartells signage is not attractive and that the signage on this site should not be back-lit, rather should be externally lit.
- Object to the proposed use of metal material shown at the uppermost level as too industrial.
- Interest in knowing who the other retail tenant will be (next to Bartells).
- Concerned with car fumes from the garage entering the pool ventilation intake.
- Clarification of the lot coverage and blank façade departure requests.
- Confirm that the applicant is proposing two crosswalks.
- Appreciate that the developer will be the building owner in the long term.

- Prefer a local (and not chain) merchant occupy the smaller commercial space and would like developer to commit to finding such a tenant.
- Note that the project should recognize the proximity to the community center, pool and middle school.

The SEPA comment period for this proposal ended on December 8, 2005 and was extended to by request to December 21, 2005. Several comment letters were received focusing on the following issues:

- Object to the loss of the only full-service gas station in the neighborhood and increased congestion created by the proposed new residential units.
- Clarification of the MUP process.
- Concern with the future occupants of the retail spaces and advocacy for smaller, locally owned businesses along Queen Anne Avenue.
- Concerned with the loading and unloading activities off of the alley.
- Concerned with narrow alley width.
- Concerned that the traffic estimates are inadequate and that the vehicular traffic generated by the proposed development will create conflicts with pedestrians and further exacerbate a congested parking condition on the hill.

## **ANALYSIS - DESIGN REVIEW**

### Design Guidance

At the Early Design Guidance meeting, the architect described the site context and proposed program for a mixed use building to be located on the site. Three alternative design schemes were presented. All of the options include 100% lot coverage of the ground floor level with residential units above, below grade parking (with approximately 70 stalls) and vehicular access from the alley. The first scheme (Option A) proposed horizontal massing of the residential portion of the building in an L-shape, opening towards the southwest, where a residential open space would be situated at the second level. In the northeast corner, at the intersection of Crockett and Queen Anne Avenue, the massing is built up to emphasize the corner location. The second alternative (Option B) is similar to the first scheme, although the corner massing is notched back slightly on both the north and south corners. The third scheme (Option C) proposed a taller ground floor with a higher set canopy and strong retail character. The open space, like options A and B, is configured at the southwest corner at the second level.

A character board was presented that included images of masonry materials, returns of the finishes above, regularly spaced, large size residential and storefront windows, contemporary accents, overhead weather protection and recessed residential decks. The applicant also noted the possibility of establishing the ground level commercial use as a multi-purpose convenience store.

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 and identified by letter and number those siting and design guidelines found in the City of Seattle’s *Design Review: Guidelines for Multifamily and Commercial Buildings* of highest priority to this project.

The Design Review Board reviewed the final project design on February 15, 2006, at which time site, landscaping and floor plans, as well as elevation sketches and renderings, were presented for the members’ consideration. The architect presented a design which has evolved considerably since the EDG meeting held in August of 2005. The project design was informed by consultation with those involved in Picture Perfect Queen Anne, a community group that developed an urban design plan for Queen Anne Avenue. The proposed project design is for a predominantly brick building with curved metal and glass canopies over the main commercial space on Queen Anne Avenue, as well as above the residential entrance on Crockett Street. The right-of-way along Crockett is shown with generous landscaping between the property line and the sidewalk. The building finishes now wrap around the northwest corner from Crockett to the alley, as suggested by the Board. The guidance by the Board appears after the bold guidelines text and the recommendations from the final meeting follow in italicized text.

**Site Planning**

- A-1 RESPONDING TO SITE CHARACTERISTICS**  
*The siting of buildings should respond to specific site conditions including unusual topography, views and other natural features.*
  
- A-3 VISIBLE ENTRIES**  
*Entrances should be clearly identifiable and visible from the street.*
  
- A-4 HUMAN ACTIVITY**  
*New development should be sited and designed to encourage pedestrian activity on street.*
  
- A-5 RESPECT FOR ADJACENT SITES**  
*Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.*
  
- A-7 RESIDENTIAL OPEN SPACE**  
*Residential projects should be sited to maximize opportunities for creating usable, attractive and well-integrated open space.*
  
- A-8 PARKING AND VEHICLE ACCESS**  
*Automobile impacts on adjacent properties and the pedestrian environment should be minimized.*
  
- A-10 CORNER LOTS**

**Buildings on corner lots should be oriented towards the public street fronts. Parking and automobile access should be located away from corners.**

The Board emphasized the importance of developing a respectful and consistent relationship of the overall massing and design of the development to the streetscape, pedestrian environment and general pattern of development in the neighborhood. The Board was less interested in the built-up, turret-like concept of the corner expressed in some of the design concept photos. The corner should, instead, be integrated into the building and into the existing streetscape – without creating a distinctive shape to emphasize the corner. Likewise, chamfering the corner or notching it inward is also a less preferred corner treatment than a design that is functional and incorporates recognition of the corner as part of the greater massing and design character.

The Queen Anne façade should enhance and encourage safe and interesting pedestrian activity, while also integrating the commercial development along the length of the street. The Board noted that the storefront windows should be transparent through to the store interior to maintain visual interaction between the private and public realm.

The north façade along Crockett Street should be respectful of the existing nearby residential development with regard to both the visual appearance of these sides, as well as to the functional program of these areas, such as privacy, noise and access. For this reason, the Board agreed that situating the residential entry on Crockett made sense, but were concerned that it is tucked away too far from the rest of the building and is directly next to the alley which is not as inviting as a residential entry deserves. The Board suggested that the residential entrances should be further emphasized into a gracious entryway. The Board thinks that the setback from the residential zone at the northwest corner should be situated and designed as part of a larger more welcoming residential entrance, if such an entrance is maintained at this location. In other words, providing a setback should be an asset to help create a gracious residential entrance, rather than the default location for such an entrance. The Board noted a willingness to support a departure from this development standard if the residential entry is fully articulated, the lobby is pulled flush to the property line and views between the sidewalk and alley can be maintained through transparency wrapping this corner.

The Board strongly supported locating all of the parking underground. The Board did, however, urge a clearer explanation of how the commercial space(s) would be accessed from the designated commercial parking stalls below grade.

*At the Recommendation meeting, the Board was supportive of the corner design that extends the structure fully into the corner and emphasizes it with a change of materials (from brick to metal panel). The Board noted, however, that the metal panels should meet the ground with the same slate tile treatment proposed along the rest of the building base.*

***1. The design should be changed to show the proposed vertical metal panel bays extending to the same slate tile checkerboard pattern shown along the rest of the building base in order to provide consistent treatment.***

*The Board was also pleased to see large, transparent storefront windows shown along the commercial base. The Board especially appreciated the transom windows above the storefront windows, lending a reference to historic commercial fronts. In order to ensure interaction between the commercial interior and the sidewalk, the following condition was recommended:*

***2. The transparent store front windows shown on the plans/elevations should provide clear, unobstructed views from the sidewalk to the full interior of the store.***

*The Board agreed that the treatment of the residential entrance was appropriate and will create a gracious, welcoming space. The design includes a large, curved canopy that distinguishes the entry. Also, the bay immediate to the west of the residential entrance is emphasized with a multi-mullioned window that is echoed by the double layer of transom windows above the doorway. Also, the wide swath of landscaping against the building provides a more residential character to this side of the building, transitioning away from the commercial context of Queen Anne Avenue. The wrapping of the brick veneer, storefront windows and slate tile base around to the alley was also considered an excellent gesture to emphasize the residential entrance.*

*The Board was very pleased at the notion of installation of a community –based element in the sidewalk, near the corner, however they encouraged the applicant to consider a piece of artwork rather than a community bulletin board which can be difficult to manage and can become an unattractive element of the streetscape. The Board warned, however, that such a piece should be located outside of the sidewalk circulation pathways.*

## Height, Bulk, and Scale

### **B-1 HEIGHT, BULK AND SCALE**

**Provide sensitive transition to nearby, less intensive zones.**

The Board requested clarification of the recent Code amendments to the additional height afforded to multi-purpose convenience stores. The Board would prefer to see the commercial space divided into smaller spaces to encourage smaller businesses with a variety of storefronts, creating an interesting sidewalk atmosphere. Towards that end, the Board would like to see large storefront windows with multiple entries for the commercial use along Queen Anne Avenue.

*At the Recommendation meeting, the Board was very supportive of the division of the commercial level into two spaces with multiple entrances to the commercial spaces. The large, transparent storefront windows with awnings above and slate time checkered pattern below also lend a nice sense of scale and detail to the streetscape. The Board encouraged the applicant to consider eliminating the vertical mullion in the center of the storefront windows, allowing for one single pane below the transom windows which creates a more open and transparent facade. The Board, however, felt that the window at the building corner appeared to be more of a*

*residential window and should be altered to be consistent with the commercial character of the other windows on Queen Anne.*

**3. The ground level corner window should be changed to appear as a commercial storefront window consistent with the other commercial fenestration. The window should also include the same transom window shown above the other commercial windows.**

## Architectural Elements

### **C- 2 ARCHITECTURAL CONSISTENCY**

**Building design elements, details and massing should create a well-proportioned and unified building form and architectural concept.**

### **C- 3 HUMAN SCALE**

**The design of new buildings should incorporate architectural features, elements and details to meet the human scale.**

### **C-4 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.**

### **C-5 STRUCTURED PARKING ENTRANCES**

**The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.**

The Board intends to review a design using high quality materials and architectural detailing that includes a variety of features along the length of the building and that integrates the ground level with the upper floors. The Board suggests stronger vertical lines that extend from individual storefronts to the cornices.

The Board noted that the horizontal massing and single canopy shown in Option Three is too heavy and dominant. The design should strive to break into human-scaled modules through greater vertical articulation. The edge, along Queen Anne Avenue, needs urban treatment and less of the boxy approach. The structure, materials and architectural details should adhere to a pedestrian-scaled rhythm. The Board agreed that the proposed stairwell and elevator shafts should be located away from the street frontages.

The Board agrees that the design should use high quality, functional and attractive windows, as well as other high quality materials throughout the building. The Board would like to see a materials board presented at the Final Design Review meeting which illustrates both the materials and colors proposed. Additionally, the Board would like to review a conceptual signage plan for the proposed building.

*At the Recommendation meeting, the proposed materials included a brick veneer body in a dark red color, referential and typical of many of the older Queen Anne buildings. Pre-cast concrete is proposed for the sills, the cornices and the sills of the storefront windows.*

*Bronze colored vinyl windows frames and metal and glass canopies over the windows were shown. A wooden trellis feature is shown at the corner and ends of the building façade at the top floor. Pre-finished metal panel are proposed along the vertical bays at the corners and a box-ribbed metal siding is proposed at the uppermost level as well as the vertical inset bay above the main commercial entrance. Slate tiles are shown below the storefront windows at street level as well as covering the bus stop area on Queen Anne Avenue and the blank walls along Crockett Street behind the landscaping. These tiles are in a random checkered pattern with tan, grey an, beige tones.*

*With the exception of the trellis feature at the top level, the Board was pleased with the proposed material and color palette. The Board particularly appreciated the strong vertical lines created by the brick columns that project approximately eight inches from the main building body and help break the overall building mass into smaller modules. The Board also noted that the use of metal in combination with the stepped back portions of the uppermost level allows it to fade back from the brick building body below. For this reason, the Board expressed dissatisfaction with the wooden trellis proposed at the upper level, both as incongruous from the rest of the building materials, but also as adding unnecessary emphasis to the top floor. The Board also agreed that the cornice shown at the third level should be heavier and the cornice at the top floor be a lighter version to further emphasize the three-floor massing. The following conditions are intended to minimize attention at the top floor.*

***4. The trellis feature at the top floor should be simplified by eliminating the wooden posts and using another material more consistent with the building palette. Using the same vocabulary as the awnings, signage and façade materials should inform the material selected for the top level features.***

***5. The cornice shown at the third floor should be heavier. Conversely, the cornice shown at the top floor should be lighter than that of the third floor.***

*The Board agreed that the metal overhead weather protection emphasizes the storefront windows thereby successfully breaking down the commercial level into smaller, more pedestrian friendly modules. Along with the overhead canopies, the Board also supported the other details shown at the ground level including the slate tiles, transom windows above the storefront windows, generous landscaping and treatment of the blank wall areas. The Board was also supportive that the current design pulled the elevator shaft away from the street edge. The Board did note, however, that the slate tiles be of a smaller dimension than that shown.*

***6. In order to keep the tiles in scale with the brick, the slate tiles used along the building base and four windows bays (one along Queen Anne Avenue and three along Crockett Street) should be no greater than 6"x6" and 4"x4" is preferred.***

*The Board discussed the signage at length and stressed the importance of keeping the signage at a human scale that respects the quality and detail of the proposed building design. Essentially, the Board would like the signage to be more discreet and avoid the*

*typical oversized lettering and placement found in more suburban locations. The Board recommended the following conditions to signage:*

*7. The signage should not be backlit.*

*8. For the commercial sign (drug store) shown above the canopy along Queen Anne Avenue, the size of the lettering should be reduced to be no wider than two bays (approximately 20 feet).*

*9. The drug store blade sign shown at the corner should be reduced to approximately 48"x36".*

## **Pedestrian Environment**

### **D-1 PEDESTRIAN OPEN SPACES AND ENTRANCES**

**Convenient and attractive access to the building' entry should be provided. To ensure comfort and security, entry are as should be sufficiently lighted and entry areas should be protected from weather. Opportunities for creating lively, pedestrian-oriented open space should be considered,**

### **D-2 BLANK WALLS**

**Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.**

### **D-6 SCREENING OF DUMPSTERS, UTILITIES AND SERVICE AREAS**

**Building sites should locate service elements, like trash dumpsters, loading docks and mechanical equipment away from the street front, where possible. When such elements cannot be located away from the street front, they should be situated and screened from view.**

### **D-7 PERSONAL SAFETY**

**Project design should consider opportunities for enhancing personal safety and security in the surrounding environment.**

The Board agrees that the design should provide recessed, inset private decks rather than protruding decks. Overall, the Board is more interested in seeing framed decks, creating a solid plane without the interruption of cantilevered balconies.

Given the location along the commercial spine of upper Queen Anne and the proposed size and program, the Board strongly stated a need for a design that reinforces and enhances pedestrian and sidewalk activity along Queen Anne Avenue North. The Board also feels that the right-of-ways along both Crockett Street and Queen Anne Avenue should be improved with street trees, landscaping, lighting, seating, textures, paving and other elements that contribute to a vibrant and interesting streetscape.

The Board noted that the west façade, along the alley, is and will be highly visible from the west and should be designed accordingly, integrating architectural features and detailing that is interesting and avoids becoming a blank wall.

The Board specified that all garbage, utility and service areas should be screened or located within the proposed structure and with access from the alley.

*At the Recommendation meeting, the Board was pleased that all of the private decks are recessed and not protruding. The Board was also pleased with the variety of open spaces distributed among the private balconies, the second floor terrace and the roof deck.*

*The Board was delighted with the proposed right-of-way improvements that include colored concrete at the bus stop waiting area, several benches, landscaping, street trees, building marquees providing overhead weather protection, light fixtures, the display window managed by the historic society and the curb bulb. The Board was further encouraged that the proposed design comports with the recommendations of Picture Perfect Queen Anne.*

*The Board enthusiastically supported how the building design wraps around to the alley to the stair well. While not preferred, the Board acknowledged that the treatment of the blank wall areas along both streets would help provide visual interest at the sidewalk level. Along Queen Anne Avenue, where the bus stop area is located, the blank wall will be addressed with a colored concrete at the side walk, a slate tile wall against the building, a glass display window to be managed by the Queen Anne Historic Society, as well as newspaper boxes. On Crockett Street, the proposed seating fixture, extensive landscaping and slate tile wall will create an interesting streetscape with texture and color to help alleviate the blank wall area.*

*All garbage and utility services are located and accessed off the alley. The Board agreed that the current design for the alley façade created an excessive blank wall that could be greatly alleviated with the inclusion of several translucent windows and the replacement of the wall serving as a barrier for the second floor terrace with an open railing. Thus, the Board recommended the following conditions:*

- 10. At least three translucent windows should be included along the blank alley façade currently shown.***
- 11. An open railing at the second floor terrace should replace the wall currently extending up to the height shown on the elevations (lowering the effective height of the wall).***

**Landscaping**

- E-1 LANDSCAPING TO REINFORCE DESIGN CONTINUITY WITH ADJACENT SITES**  
**Where possible, special consideration should be given to abutting streetscape and neighboring properties.**
  
- E-2 LANDSCAPING TO ENHANCE THE BUILDING AND/OR SITE**

**Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.**

The Board feels that the project should restore street parking along Crockett and Queen Anne Avenue as part of a larger, coordinated landscaping and street improvement effort. The Board strongly encouraged the applicant to work with SDOT and consult the Queen Anne Streetscape Study to plan and design these improvements in the right-of-way.

*At the Recommendation meeting, the revised design includes continuation of the Maple street trees and will add additional Scarlet Centennial Maples. The street light fixtures and paving pattern are per the recommendations of Picture Perfect. The Board supported the extensive landscaping in the right of way and in the window planters below storefront windows on Queen Anne.*

### **Design Review Departure Analysis**

One departure was requested at the time of the Recommendation meeting.

**LOT COVERAGE (SMC 23.47.008.D):** The applicant proposes a development standard departure to increase the lot coverage from 64% (10,460 square feet) to 69% (11,341 square feet). The Board indicated unanimous support for the departure request given that the building steps back two feet along Queen Anne Avenue and includes recessed areas at the top floor, the wrapping around of the building to the alley and the inclusion of multiple commercial spaces (A-4, C-3). Additionally, the Board agreed that the street level details and amenities are substantial including generous landscaping, seating, colored concrete, light fixtures and kiosk/artwork (C-2, C-3, C-4, D-1, E-2). Therefore, the requested departure is recommended for approval.

### **Summary of Board's Recommendations**

The recommendations summarized below are based on the plans submitted at the Final Design Review meeting. Design, siting or architectural details specifically identified or altered in these recommendations are expected to remain as presented in the presentation made at the February 15, 2006 public meeting and the subsequent updated plans submitted to DPD. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members recommended **CONDITIONAL APPROVAL** of the proposed design including the requested departures subject to the following design elements in the final design including:

1. The following architectural features and details presented at the Final Design Review meeting and described under Guidelines A-1, A-3, A-4, A-10, C-2 and D-2:
  - a) Signage and lighting;
  - b) slate tiles along the base;
  - c) sidewalk patterns;

- d) community board;
  - e) extensive ground level landscaping; and
  - f) large, transparent storefront windows below the horizontal transom windows.
2. As described under Guideline A-7, the residential courtyard design presented at the Final Design Review meeting.
  3. As described under Guideline C-4, the building materials presented at the Final Design Review meeting.

The recommendations of the Board reflected concern on how the proposed project would be integrated into both the existing streetscape and the community. Since the project would have a strong presence along Queen Anne Avenue and Crockett Street, the Board was particularly interested in the establishment of a vital design that would enhance the existing streetscape and encourage pedestrian activity.

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD 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 above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

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

### Director's Analysis

All five members of the Queen Anne/Magnolia 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 well-considered street level details, building materials, and architectural design that support a high-quality, functional design responsive to the neighborhood's unique conditions. Most of the recommendations made by the Design Review Board have already been reflected in the plans. The Director accepts the conditions recommended by the Board that further augment Guidelines A-3, A-4, A-10, B-1, C-2, C-4 and D-2 and support the case in favor of granting departure from the lot coverage standards.

1. The design should be changed to show the proposed vertical metal panel bays extending to the same slate tile checkerboard pattern shown along the rest of the building base in order to provide consistent treatment.
2. The transparent store front windows shown on the plans/elevations should provide clear, unobstructed views from the sidewalk to the full interior of the store.
3. The ground level corner window should be changed to appear as a commercial storefront window consistent with the other commercial fenestration. The window should also include the same transom window shown above the other commercial windows.
4. The trellis feature at the top floor should be simplified by eliminating the wooden posts and using another material more consistent with the building palette. Using the same vocabulary as the awnings, signage and façade materials should inform the material selected for the top level features.
5. The cornice shown at the third floor should be heavier. Conversely, the cornice shown at the top floor should be lighter than that of the third floor.
6. In order to keep the tiles in scale with the brick, the slate tiles used along the building base and four windows bays (one along Queen Anne Avenue and three along Crockett Street) should be no greater than 6"x6" and 4"x4" is preferred.
7. The signage should not be backlit.
8. For the commercial sign (drug store) shown above the canopy along Queen Anne Avenue, the size of the lettering should be reduced to be no wider than two bays (approximately 20 feet).
9. The drug store blade sign shown at the corner should be reduced to approximately 48"x36".
10. At least three translucent windows should be included along the blank alley façade currently shown.
11. An open railing at the second floor terrace should replace the wall currently extending up to the height shown on the elevations (lowering the effective height of the wall).

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

The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

#### Director's Decision

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departures with the conditions summarized above and enumerated at the end of this Decision.

#### ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated October 17, 2005. The information in the checklist, project plans, and the experience of the lead agency with 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, 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 certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

#### Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction

vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction materials hauling, equipment and personnel; increased noise; and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates approximately 14,400 cubic yards of excavation for construction. Excess material to be disposed of must be deposited in an approved site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of air quality, noise, grading and traffic impacts is warranted and summarized below:

Environmental Element	Discussion of Impact
1. Drainage/Earth	<ul style="list-style-type: none"> <li>• 14,400 cubic yards of excavated materials.</li> <li>• Contaminated soils</li> </ul>
2. Traffic	<ul style="list-style-type: none"> <li>• Increased vehicular traffic adjacent to the site due to construction vehicles.</li> </ul>
3. Construction Noise	<ul style="list-style-type: none"> <li>• Increased noise from construction activities.</li> </ul>

Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

Earth - Grading

The subject site is currently occupied with a gas station. The existing fuel storage tanks will be removed in accordance with the Department of Ecology regulations.

All construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 14,400 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Construction: Traffic

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities.

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The construction activities will require the removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

It is expected that most of the demolished materials will be removed from the site prior to construction. During demolition, existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This immediate area is subject to traffic congestion during the p.m. peak hour, and large construction trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

1. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.

This condition will assure that construction truck trips do not interfere with daily p.m. peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of existing City Code (SMC 11.62).

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance

provides adequate mitigation for transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Noise

There will be excavation required to prepare the building site and foundation for the new building. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding residential and community center uses. Due to the proximity of these 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), mitigation is warranted.

2. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 4:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

Long-term Impacts

Long-term or use-related impacts associated with approval of this proposal include stormwater and erosion potential on site. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically, the Stormwater, Grading and Drainage Control Code which requires on-site detention of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; and the City Energy Code which will require insulation for outside walls and energy efficient windows.

Compliance with all other applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

Due to the type, size and location of the proposed project, additional analysis of parking and traffic impacts is warranted and summarized below:

Environmental Element	Point of Discussion
1. Parking	<ul style="list-style-type: none"> <li>• Increase in parking demand from proposed development.</li> </ul>
2. Traffic	<ul style="list-style-type: none"> <li>• Increase in traffic from proposed development.</li> </ul>

Parking

The existing site contains a gas station/convenience store with approximately ten parking spaces. The proposed development includes 81 parking spaces to be provided on-site. The proposed parking spaces are evenly distributed between two levels of below grade parking. All of the parking will be accessed from the alley. Using the Third Edition of the Institute of Traffic Engineers *Parking Generation Manual*, parking generation rates associated with Mid Rise Apartment, Walk-In Bank and Pharmacy were used. The results of the parking generation are shown below:

**Parking Demand Calculations: Proposed Use**

Use	Use Per ITE Land Use	Use Per SMC	Independent Variable	ITE	Total Spaces per ITE	SMC Required	Proposed
<b>Proposed</b>	Mid Rise Apartment (ITE 221)	Multifamily Residential	36 units	1.0 spaces/unit = 36 spaces	66	79	81
<b>Proposed</b>	Walk In Bank (ITE 911)	General Retail Sales and Service	1,857 SF	2.3 spaces/1,000 SF = 4 spaces			
<b>Proposed</b>	Pharmacy/Drugstore (ITE 880)	Multi-purpose Convenience Store	14,009 SF	1.83 spaces/1,000 SF = 26 spaces			

According to the ITE report, the 15,866 square feet of commercial uses associated with the proposed project would require approximately 30 parking spaces during the peak hour likely to occur during the p.m. peak hours. The 36 proposed residential units would require approximately 36 spaces during the peak hours likely between late evening and early morning. The proposed development will provide 34 parking spaces for the commercial use and 46 spaces for residential tenants. The amount of parking allotted for both the residential and the commercial uses exceeds the anticipated demand during peak hours. Therefore, the estimated parking demand generated by the proposed project is not considered adverse and the parking impacts require no further mitigation.

Traffic

A transportation impact analysis was submitted to DPD by The Transpo Group dated November, 2005 evaluating the impacts of the proposed development to the surrounding street system. The vehicular traffic generated by the project will be both residential and business-related and will likely peak during the weekday PM hours. As depicted in the traffic study, trip generation information was calculated using average PM peak hour trip generation rates obtained from the Seventh Edition of the ITE *Trip Generation Manual* and field counts at the existing gasoline station. For the existing and proposed developments, trip generation rates associated with Mid Rise Apartment, Pharmacy and Walk In Bank were used. The results of the trip generation are shown below:

**Trip Generation Calculations: Existing & Proposed Use**

Use	Use Per ITE Land Use	Use Per SMC	Size *	PM Peak Trips Generated	Total PM Peak Trips Generated
Proposed	Mid Rise Apartment (ITE 223)	Multifamily Residential	(Unit Count) 36	20	98
Proposed	Pharmacy/Drugstore (ITE 880)	Commercial Retail	14,009 gsf	36	

Proposed	Walk In Bank (ITE 911)	Commercial Retail	1,857 gsf	42	
Previous	Gasoline Service Station w/ Convenience Market (ITE 945)	Automotive Retail Sales & Service: Gas Station	400 gsf	-32	-32
<b>Net New Trips</b>					<b>66</b>

\* It should be noted that the trip numbers provided in the table above reflect the data represented in the traffic report, while the size and unit count numbers have changed slightly since the report was completed.

Using the ITE data and peak hour count, there will be approximately 66 additional trips in the PM peak hours associated with the proposed combination of uses. These additional trips do not reflect any reduction in trips due to use of the retail by project residents. Again, these ITE figures tend to be higher than what is expected in an urban environment where transit readily services this neighborhood and provides direct connections to downtown Seattle. Furthermore, the exact commercial use of the secondary retail space has not been determined, so a relatively high demand use such as a walk-in bank was used as a relatively conservative scenario. This relatively low number of additional trips will not adversely impact the existing levels of service of surrounding intersections.

In order to maintain clear, unobstructed views between the alley and sidewalk and preserve visibility between pedestrians and vehicles using the alley, the following condition shall be required.

3. The landscaping shown at the northeastern corner of the site, abutting the alley and the Crocket Street sidewalk, shall not exceed three feet in height.

It is anticipated that loading and unloading activities will occur from the alley in the area designated for loading on the west façade of the proposed building. Each week, approximately 3-5 deliveries associated with the retail operations are expected to occur, typically between the hours of 6 AM and 9 AM. These deliveries will typically last 30 minutes and occur on Mondays, Wednesdays and Fridays. Deliveries are not expected on weekends. The neighboring community center, pool, school and park are likely to experience their highest usage during the afternoons, evenings and weekends. Therefore, the projected loading activities are unlikely to impact or correspond with the peak activity hours of the neighboring community uses. However, in order to keep the alley functional for the commercial, community and residential uses contained in and around the site, as well as to keep the alley operational during periods of loading and unloading, the following conditions shall be required:

4. Trucks loading/unloading from the alley shall park as close to the building as possible to allow one lane of through traffic to utilize the alley.
5. No commercial deliveries shall occur between the hours of 3 PM and 6 AM.

The estimated increase in trips during the PM peak hours and the activity projected to occur at the alley are not considered significant impacts and no mitigation measures or further conditioning pursuant to the SMC Chapter 25.05, the SEPA Ordinance is warranted.

### **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 requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public 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 2c.
- [ ] 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 2c.

### **CONDITIONS – SEPA**

The owner applicant/responsible party shall:

#### *During Construction*

The following condition(s) to be enforced during construction shall be posted at 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. If more than one street abuts the site, conditions shall be posted at each street. The conditions will 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.

1. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.
2. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 4:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

### **CONDITIONS – DESIGN REVIEW**

#### *Prior to MUP Issuance (non-appealable)*

3. Update the submitted MUP plans to reflect all of the recommendations made by the Design Review Board and reiterated by the Director's Analysis.

Prior to Building Permit Issuance

The plans shall be revised as follows:

4. Show the proposed vertical metal panel bays extending to the same slate tile checkerboard pattern shown along the rest of the building base in order to provide consistent treatment.
5. Include a note stating that the transparent store front windows shown on the plans/elevations shall provide clear, unobstructed views from the sidewalk to the full interior of the store.
6. The ground level corner window shall be changed to appear as a commercial storefront window consistent with the other commercial fenestration. The window shall also include the same transom window shown above the other commercial windows.
7. The trellis feature at the top floor shall be simplified by eliminating the wooden posts and using another material more consistent with the building palette. Using the same vocabulary as the awnings, signage and façade materials shall inform the material selected for the top level features.
8. The cornice shown at the third floor shall be heavier. Conversely, the cornice shown at the top floor shall be lighter than that of the third floor.
9. In order to keep the tiles in scale with the brick, the slate tiles used along the building base and four windows bays (one along Queen Anne Avenue and three along Crockett Street) shall be no greater than 6"x6" and 4"x4" is preferred.
10. Include a note stating that the signage should not be backlit.
11. For the commercial sign (drug store) shown above the canopy along Queen Anne Avenue, the size of the lettering shall be reduced to be no wider than two bays (approximately 20 feet).
12. The drug store blade sign shown at the corner shall be reduced to approximately 48"x36".
13. At least three translucent windows shall be included along the blank alley façade currently shown.
14. An open railing at the second floor terrace shall replace the wall currently extending up to the height shown on the elevations (lowering the effective height of the wall).
15. The plans shall reflect those architectural features, details and materials described under Guidelines A-1, A-3, A-4, A-10, C-2 and D-2.

For the Life of the Project

16. The landscaping shown at the northeastern corner of the site, abutting the alley and the Crockett Street sidewalk, shall not exceed three feet in height.
17. Trucks loading/unloading from the alley shall park as close to the building as possible to allow one lane of through traffic to utilize the alley.
18. No commercial deliveries shall occur between the hours of 3 PM and 6 AM.

**NON-APPEALABLE CONDITIONS – DESIGN REVIEW**

19. Prior to Issuance of the Certificate of Occupancy, compliance with conditions #4-15 must be verified and approved by the Land Use Planner prior to the final building inspection. The

