



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

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

Application Number: 9905287
Applicant Name: Bill Walker, Project Architect, for Kurt Fisher
Address of Proposal: 3813 Woodland Park Avenue North

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for the future construction of a five-story mixed-use building containing 2,847 square feet of ground floor retail space, and 32 residential units. Parking for forty (40) vehicles will be provided on two levels at and below grade. The project includes the demolition of three existing structures and approximately 3,850 cubic yards of grading.

The following Master Use Permit components are required:

Design Review - Section 23.41, Seattle Municipal Code (SMC) with Development Standard Departures:

- 1) To allow a removal of required sight triangle on entrance side of both driveways. (*SMC 23.54.030.G.1*).
- 2) To allow increase of maximum lot coverage for residential uses from 64% to 66.8% above 13 feet (floor to floor). (*SMC 23.47.008.D*).
- 3) To allow a decrease in the amount of required landscaping from 5% to 3.7% at ground level. (*SMC 23.47.016.B.1*).
- 4) To allow a reduction in the required driveway width for two-way traffic from 22 feet to twelve feet four inches (minimum). (*SMC 23.54.030.D.2*).

SEPA-Threshold Determination (Chapter 25.05 SMC).

SEPA DETERMINATION:

Exempt DNS EIS

DNS with conditions

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

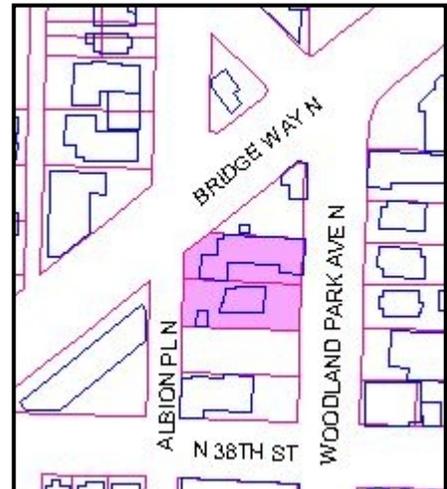
- The original approved project¹ was revised after the decision was published (prior to issuance) after complications arose during building permit review phase. The revised project is the subject of this review).

**Early Notice DNS published June 15, 2000

BACKGROUND DATA

Site Development

The development site is nearly rectangular in shape and comprises a land area of approximately 12,967 square feet. The site is situated at the southeast corner of the intersection of Albion Place North and Bridge Way North, with an east/west lengthwise orientation. The property has frontages along Albion Place North to the west, Bridge Way North at the northwest corner, and Woodland Park Avenue North to the east. The development site is located within a Commercial 1 zoning district with a 40-foot height limit (C1-40). The site is also located within the Fremont Hub Urban Village.



The subject site will combine two parcels, one containing an existing single family dwelling the other an existing 10-unit apartment building both of which will be demolished to accommodate the new development. Albion Place North right-of-way was determined to be an alley for purposes of establishing street frontage for the development site after consultation with Seattle Department of Transportation. There is a 12-foot downward grade change between Albion Place North and Woodland Park Avenue North.

Bridge Way North is classified as a Principal Arterial, pursuant to SMC Chapter 23.53 and is the primary traffic in this neighborhood with direct access to State Highway 99.

¹ Master use permit to establish use for future construction of a five-story building with 1,500 square feet of ground level office use and 17 residential units. Project includes addition of five units to an existing ten unit apartment. Parking for 30 vehicles will be provided in basement garage. Demolition of existing single family residence and approximately 200 cubic yards of grading is also proposed.

Area Development

In the immediate area is dominated by a mix of older residential buildings, including single family and multifamily structures from one to three-stories in height, and a limited number of commercial uses including offices and warehouse uses. The area is currently undergoing a transformation as new development increases in this in-fill area between Stone Avenue to the east and State Highway 99 to the west. Bridge Way North, is a minor arterial abutting a small triangle portion of the development site to at the northwest corner, and supports a large volume of traffic shuttling to the east and west. The subject lot is located in a moderately sized C1-40 zone that extends south of the centerline of Bridge Way to the west and south. To the west across the centerline of Albion Place North, the zone designation changes to residential, Multifamily Lowrise Three (L-3), which requires a maximum one unit per 800 square feet of lot area. Neighborhood Commercial Two, with a height limit of 40 feet (NC2-40) is located to the north of the centerline of Bridge Way North and is currently underdeveloped with older residential housing stock. This area is underdeveloped with a high percentage of single family uses. The area has a distinct lower density residential urban feel with the number and mix of residential uses. The street layout and design has opened up the area to provide sense of spaciousness near the development site. Mature street trees provide a canopy that filters direct sunlight at street level on most of the surrounding streets.

Proposal

After the Master Use Permit (MUP) decision had been published for this project a number of development anomalies surfaced which forced the owners to reevaluate the proposal. After careful consideration the owners revised the project from establishing a total number of thirty-three residential units, with twenty-eight accessory parking stalls to demolish all structures at the development site and build anew. The new proposal is a significant revision from what was previously designed and approved - to construct and attach a mixed-use building to an expanded apartment building. The proposal received Design Review, Final Recommendation approval on March 10, 2003, and the MUP decision was published on August 11, 2003.

The new proposal will remove all existing structures to accommodate the proposed structure. The new mixed-use structure was designed to meet Early Design Guidelines, and comments and design characteristics approved by the Board during the Final Recommendation meeting on March 10, 2003. The new proposed building will consist of four levels devoted to residential use, with one level split between residential units and a parking level along the Albion Place North frontage. The lowest level will be split between parking and a ground level commercial (retail) use along Woodland Park Avenue North. Vehicle access to the two parking levels will be taken off each street frontage. The revised design proposes to establish a total of thirty-two residential units, with forty accessory parking stalls. The revised project improves upon the previous proposal in a number of areas including; commercial presence along Woodland Park Avenue North and residential open space.

Public Comments

The SEPA comment period for this proposal ended on June 28, 2000, however, DPD accepted public comments throughout the duration of the revised proposal. The Department received 3 comment letters during the public comment period, two of which related to view blockage of Mount Rainier towards the south. One letter included concerns with parking and traffic congestion in the immediate area. One letter expressed their support of the project to the neighborhood. The design review meetings were well attended.

The Early Design Guidance meeting took place on October 7, 1999. An additional meeting was held on February 1, 2000 at which time the architect presented a more complete project design program and responded to the Board's earlier concerns. Three (3) members of the public were present at the February 1, 2000 meeting. Six (6) members of the public attended the October 7, 2000 Early Design Guidance meeting. Public comment focused on the adequacy of parking; impact on existing landscaping adjacent to the subject site; view blockage for other units in the neighborhood, and, impacts on existing traffic congestion.

ANALYSIS - DESIGN REVIEW

Early Design Guidance

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 for this project (additional guidance from the February 1st meeting is in italics):

A-1 Site Character

Reinforce existing site characteristics.

The Board felt that given the lot configuration which stretches the width of the block and offers frontage onto two streets, the project design and siting ought to reflect the neighborhood character and respond specifically to the conditions of neighboring properties.

The Board reiterated this concern and stated that the architect's current design which is less monolithic and more modulated, both in height and along the south property line better responds to the sloping nature of the site. Additionally, by breaking the building into two elements, the overall scale of the project is reduced by which the proposal better responds to the smaller stature of the surrounding structures.

A-2 Streetscape Compatibility

Building siting should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

The Board expressed sentiment similar to the discussion under A-1, but in reference to the streetscape.

Albion Place and Woodland Park Way are two distinctly different streets, with separate and distinguishable streetscape characteristics. Albion Place is little more than an expanded alley with narrow or no sidewalks. Access to the upper parking level would be provided from Albion Place, centered in the facade. Given the limited streetscape in this area, this is an appropriate response. However, pedestrians do use this area. As such, the Board stated that the pedestrian experience along Albion Place should be enhanced so that there is a safe place to walk and that the potential for vehicle pedestrian conflicts are minimized. Landscaping, street trees and stamped patterns in the concrete are all ways in which the streetscape can be enhanced. The Woodland Park streetscape has a much better defined character, predominantly residential. The building facade facing Woodland Park should respond to the quality elements of neighboring residential buildings. Additionally, the pedestrian experience should be enhanced similar to the methods used along Albion Place. Finally, as the access to the lower parking level will be from Woodland Park Way, every attempt should be made to design the vehicle access so that it does not dominate the facade and such that the potential for vehicle pedestrian conflicts are minimized.

A-3 Visible Entrances

Entries should be clearly identifiable and visible from the street.

The Board was interested in emphasizing the Woodland Park side of the site as the main entryway.

The Board restated its concern that the main residential entry be on Woodland Park Place, that it be distinguished from the commercial entry and that it be readily apparent that it serves the residential units. The residential entry should be an open and inviting element which is also safe and provides a sense of security to the building residents.

A-4 Activity

Encourage human activity on the street.

The Board agreed that greater landscaping would contribute significantly to the pedestrian environment.

As previously stated, the Board felt that encouraging human activity on the street and enhancing the pedestrian experience was paramount to the success of the project. There are a myriad of schemes and approaches available to the architect to enhance the pedestrian environment. The architect's proposal to provide landscaping and stamped patterns in colored concrete is a step in the right direction.

A-5 Respect for Adjacent Sites

Buildings should be sited to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

Please see A-1.

The Board noted that the proposed modulation of the building height and the articulation of the south facade is an appropriate response to this concern. The architect has modified the design so that the building is divided into two elements which step down the grade, preserving the neighbors' views to the extent possible. By articulating the south facade, the building does not loom so much over the property to south.

A-6 Transition between Residence & Street

The space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

The Board encouraged the applicant to provide quality open spaces for building residents. The Board maintained that these spaces be attractive and usable with appropriate dimensions, locations and features.

The Board reiterated their concern over the streetscape and stated that the residential entry should be inviting and also provide the residents a sense of safety and security.

A-7 Open Space

Maximize open space opportunity on-site.

Please see A-6 above.

The Board stated that the amount of open space available to the building residents was a significant concern. The Board noted that the current proposal provides all the required open space. The Board also noted that the design and siting of the residential open space is an important element of the project design.

A-8 Parking & Vehicle Access

Siting should minimize automobile impacts, related to parking and driveways, upon adjacent properties and pedestrian safety.

The Board would like to understand the details of the easement along the property.

The easement is no longer an issue, thus the Board focused on the design of the parking access. The Board noted that the locations for the access point were appropriate, so long as they were designed to minimize the potential for vehicle pedestrian conflicts.

B-1 Height, Bulk & Scale

Projects should be compatible with the scale of the surrounding area.

The Board expressed concern that the mass of the proposed building program on a site this size was out of scale with the surrounding neighborhood. The Board also noted that the proposed roof garden would require elevator and stairwell penthouses, which exacerbate the height, bulk and scale issues. The Board suggested that the project design include façade modulation and building configurations, which breaks up the bulk and scale of the building and emphasizes the individual units.

The Board noted that the architect had reworked the project design, breaking the mass up into two elements, lessening the height, bulk and scale impacts of the proposal. The Board also noted that the rooftop elements had been lowered into the roof line, further lessening the height impacts. The Board stated that the proposed design is much closer to meeting this guideline, but reiterated that height, bulk and scale of the building is still a concern which must be addressed in the final design.

C-1 Architectural Context

New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

The Board felt that the available analysis was insufficient to provide comments and would like to see a more developed analysis depicting the surrounding neighborhood context and character.

The architect characterized the neighborhood as one in transition. The Board was satisfied with the architect's characterization of the neighborhood, however, they noted that the proposal should respond to the residential character of the neighborhood.

C-2 Architectural Consistency

Building design elements, details and massing should create well-proportioned and unified building form and exhibit an overall architectural concept.

Please see C-1.

The Board did not offer any additional guidance related to this guideline except to state that the building should be architecturally consistent.

C-3 Human Scale

Design of building should incorporate architectural features, elements and details to achieve a good human scale.

The Board supported a building design and program with clear defined entryways.

The Board reiterated their concern that the building entrances be readily distinguished and identifiable and that the residential entry should be an element of the building, not just a portal to the interior.

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.

The Board encouraged the creative use of materials, finishes, colors and architectural detailing in the proposed project, which are of high quality and interesting.

The Board was particularly interested as to what the south facade would look like as the lower portion does not contain windows and it will be visible until the vacant property to the south develops. They restated that the creative use of materials, finishes, colors, texture and architectural detailing is paramount to the project meeting the intent of the Design Guidelines.

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 the building.

The Board was particularly interested in the careful treatment of the Albion Street entrance.

The Board stated their concern that the parking entrances should not dominate the building facades.

D-1 Pedestrian Open Spaces

Convenient and attractive access to the building's entry should be provided. Opportunities for creating lively, pedestrian oriented open space should be considered.

The Board expressed strong support for such pedestrian open spaces.

The Board restated their opinion that the design of the entries, particularly the residential entry, is an important element in the overall design and success of the project. The residential entry should be clearly identifiable and should provide an inviting and safe experience.

D-2 Blank Walls

Building 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.

Given the frontage of the site onto two streets and as the design is further developed, the Board stressed the importance of strong attention towards mitigating and minimizing any blank walls.

As the lower several floors of the building will be constructed within six (6) inches of the south property portion and it will be a solid wall, this guideline is of particular importance. Since there is an undeveloped lot to the south of the project site, the south facade will be highly visible until the adjacent property develops. While development may occur relatively soon, it may not and the neighborhood will be left looking at a potentially blank wall. The Board stated that the solid portion of the south facade should

be treated with color, patterns, texture, shading, a mix of materials or other such schemes by which this facade is attractive and complements the remainder of the building. The Board noted that above the second floor, the south facade will be stepped back from the property, glazing will be incorporated and the walls will be modulated, which will lessen the overall impact of the facade.

E-2 Landscaping to Enhance Building & 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 supported high quality landscaping of the open spaces which are attentive to screening the proposed project from the adjacent residential properties to the north and south. These landscaped spaces should also reflect a strong human and pedestrian scaled character.

The Board restated their concern that the landscaping of the site, particularly the residential open space areas, be well designed and the materials selected should be suitable to the site and the microclimate of their location.

Summary: The guidance of the Board reflected their concern as to how the proposed project would be integrated into the existing and developing neighborhood.

Design Review Board Recommendations

After consulting the Director the applicant submitted a revised proposal informed by public meeting notes from the series of Design Review Early Design Guidance and Recommendation meetings leading up to the final approval on March 10, 2003. On December 12, 2005, the Design Review Board convened for a Public Recommendation Meeting regarding the revised project, at which time, site, landscaping and floor plans, and color elevations were presented for the members' consideration. One member from the public was present at this final meeting and offer no comments.

The following *departures* from standards of the Land Use Code were requested by the applicant at the time of the meeting:

- i. *To allow a removal of required sight triangle on entrance side of both driveways. (SMC 23.54.030.G.1).*
- ii. *To allow increase of maximum lot coverage for residential uses from 64% to 66.8% above 13 feet (floor to floor). (SMC 23.47.008.D).*
- iii. *To allow a decrease in the amount of required landscaping from 5% to 3.7% at ground level. (SMC 23.47.016.B.1).*

<i>Development Standard</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Comment</i>	<i>Action by Board</i>
<i>1. Site Triangle (23.54.030.G.1)</i>	A site triangle on both sides of the driveway shall be kept clear of any obstruction for a distance of 10 feet from the intersection of the driveway with a sidewalk.	To remove site triangle on the entrance side of both driveway approaches (Albion Place & Woodland Park Ave)	Along Woodland Park Avenue North structure is modulated at entrance façade creating greater depth. Albion Place North has been determined to be viewed as an alley.	
<i>2. Mixed Use Development Residential coverage 13 feet above finished grade. (23.47.008.D)</i>	Residential uses shall limited to maximum lot coverage of 64% (or 8,218 sq. ft.) 13 feet above finished grade.	To increase lot coverage to 66.8% (or 8,577 sq. ft.)	The terraced building steps down along the sloped lot and residential open space and modulation features has been increased.	
<i>3. Landscaping Standards (23.47.016.B.1)</i>	Five (5) percent of lot area (640 sq. ft.) shall be required for new construction on any vacant lot.	To decrease required landscaped areas to 3.7% (or 486 sq. ft.)	To reduce ground level setback along Albion Place to enhance the pedestrian experience.	

Design Analysis

After visiting the site, reconsidering the analysis of the site and context provided by the proponents, the Northeast Design Review Board members began deliberations by providing a general assessment of the revised project. The proponent’s presentation included a side-by-side comparative analysis of the previously approved design and the revised proposal which dramatically illustrated contextual impacts on the neighborhood. The Board noted that the revised proposal was a distinctive improvement over the previously approved design. Ensuring increased design detailing upon the facade is a critical factor to successfully integrating the project into the existing neighborhood fabric. The Board also made the following recommendations:

- The design team should incorporate enhanced colors, increased color intensity at structure base,
- Pronounced modulation features should be added to the proposal, utilizing deck depth,
- Introduction of a mitered look at corners to animate the building along the streetscape.
- The Board encourages the structure to step the ground floor level within 5 feet of Albion Place North behind a landscaped wall.

The Board felt that given the lot’s configuration which stretches the width of the block and abuts three streets, the project design and siting should reflect the neighborhood character and should respond specifically to the conditions of neighboring properties.

The Board reiterated this guidance (Guidelines A-1, A-2, B-1, C-1, C-2, C-3, & D-2) and stated that the architect's revised design which is less monolithic and more modulated, both vertically and horizontally, and along the south property line better responds to the sloping nature of the site. Additionally, the enhanced proposed architectural detailing animates the proposed structure and should help to scale the building to reduce the appearance of bulk and better respond to the smaller surrounding structures as it terraces down the sloped lot.

Albion Place and Woodland Park Way are two distinctly different streets, with separate and distinguishable streetscape characteristics. Befitting the residential activity along Albion Place North, the design should locate the residential entry along the Bridge Way North and step the structure within five feet at ground level in order to enhance the pedestrian experience along the streetscape. *(Guidelines A-3, A-4, A-6, C-3, & D-1)* The proposed design for the residential entry appears awkward and needs to add some more punctuation to create a greater presence along the Woodland Park Avenue street frontage. The proposed Bridge Way and Albion Place residential corner entry design lacks visual prominence and will need additional detailing. The Woodland Park street frontage design is more in keeping with commercial uses and the proposal has achieved a well defined character. **The Board recommended stepping the ground level facade along Albion Place North to be five (5) feet from the right-of-way and landscaped to create more visual interest. The design for the residential entry should establish a stronger visual presence through the use of colors, entry framing surrounds and canopy design.** *(Guidelines A-3, A-4, A-6, C-2, C-3, C-4, D-1, & E-2)*

The Board noted that the architect had reworked the project design, breaking the mass with increased vertical and horizontal modulations, lessening the height, bulk and scale impacts of the proposal. The Board also noted that the rooftop elements had been lowered, further lessening the height impacts. *(Guidelines A-1, A-5, B-1, C-3, & D-2)*

The Board supported the revised building design and program which has greater emphasis on clear defined residential entryways and commercial storefront window treatments. The Board reiterated their concern that the building entrances be readily distinguished and identifiable and that the residential entry should be a pronounced and integrated into the proposed building. **The Board recommended introducing mitered corners, the use of manufactured metal corners on hardi-siding, to create a more residential look to scale the building down. The design should enhance exterior colors by increasing pigment density to create more contrast. The Board felt that the columns along the east façade should be painted an olive green color to visually strengthen the base.** *(Guidelines A-3, A-4, A-6, C-1, C-2, C-3, & C-4)*

Since the lots to the south and north are undeveloped, the facades will be highly visible until the adjacent properties are developed. While development may occur relatively soon, it may not and the neighborhood will be left looking at potentially blank walls at the lower level. The Board supported the proposed design for the solid portion of the facade walls treatment with inclusion of color, patterns, masonry texture, shading by which the facades are more attractive and complements the rest of the building design. *(Guidelines A-1, A-5, C-3, C-4, & D-2)*

The Board supported high quality landscaping of the open spaces and at ground level. The pedestrian experience along Albion Place North must be sensitive to security concerns while softening the building's edge with the use of plants and other screening elements. These landscaped spaces should also reflect a strong human and pedestrian scaled character.

(Guidelines A-2, D-1, & E-2)

The Board restated their concern that the landscaping of the site, particularly the areas along Albion Place North, should be well designed and that the materials selected should be suitable to the site and the microclimate of their location. **The Board recommended that the applicant provide a five foot horizontal setback at grade on Albion Place and screen the blank wall with substantial landscaping and other architectural methods.** *(Guidelines A-2, D-1, D-2, & E-2)*

Departure Analysis

- i. *Sight triangle Requirement (SMC 23.54.030.G.1):*
Site triangle elimination on the entrance side of driveway – to allow removal of one of two site triangles at the project site: The Code requires a site triangle on either side of a two-way driveway that is less than twenty-two feet in width (SMC 23.54.030.G). The applicant has proposed to locate one of the two the driveways within six feet, five inches of the north property line adjacent to Woodland Park Avenue North. The area between the driveway and property line would be kept free of vertical obstructions between thirty-two inches and eighty-two inches in compliance with Code. The horizontal clearance between the curb's edge and the east property line is approximately twelve feet which has affectively provided a visual field to minimize pedestrian and vehicle conflict.

Also, the applicant has requested elimination of the entrance side driveway site triangle adjacent to Albion Place North. After consultation with SDOT it was determined that although Albion Place is classified as a street we could treat this right-of-way as an alley. Since site triangles are not required for alleys and the volume of traffic is not expected to create significant safety concerns the elimination of the entrance side site triangle to accommodate the siting of the proposed structure with greater street presence. **DPD supports the departure for the removal of the site triangles on the exit side of the driveway provided that some safety devices such as mirrors, lights, or controlled low level audible signals be included to warn pedestrians within the right-of-way and on-site.** In support of A-8, the pedestrian environment will be richly landscaped and safety devices will be present to clearly indicate movement of vehicles to and from the site.

- ii. *Lot coverage for residential uses in mixed use structures (SMC 23.47.008.D):*
The residential portion of a structure is limited to 64% of the development site when located 13 feet (floor to floor) above finished grade, within a Mixed Use structure. The design team is proposing an increase of up to 66.8% (8,577 sq. ft) coverage to compensate for a development site that features a significant grade change. The proposed structure features a stepped terrace design which requires a slight increase

in the area devoted to residential use. The requested 66.8% represents an additional 359 square feet which affords attractive features that includes bay windows and other projections. The terraced design of the upper levels reduces the appearance of bulk along the north, east, and south elevations, which better serves the overall intent of the design guidelines. (*Guidelines A-1, A-2, B-1, & C-3*)

iii. *Landscaping for new construction (SMC 23.47.016.B.1):*

Five (5) percent of the lot is required to be landscaped for new construction that is visible from the right-of-way. The development site comprises a land area of approximately 12,982 square feet that would require a set aside of 649.1 square feet for landscaping. The applicant has proposed 3.7% or 486 square feet for landscaping. The structure's base occupies a significant portion of the development site that leaves little room to provide landscaping area between the structure and sidewalk. During the recommendation meeting the Board recommended the structure's base shift within five feet of Albion Place which substantially created the departure request. Up until the Board's request to shift the structure's base towards Albion Place, the landscaping requirement was satisfied. Where opportunities presented themselves the applicant has provided landscaping, primarily in areas adjacent to both street frontages. The Board noted the blank wall behind the reduced landscaped area needed fine detailing to soften the street level experience for the development proposal.

iv. *Driveway width for two-way driveway traffic (SMC 23.54.030.D.2):*

Driveway width reduction for two-way traffic – to allow a reduction in the width of a two-way driveway to the project site: The Code requires that a two-way nonresidential driveway width not be less than 22 feet for two-way traffic (SMC 23.54.030.B.2.a.1). The applicant has proposed one parking stall dedicated for commercial use on a parking level supporting 22 residential stalls. Residential use are allowed up to 30 stalls with a driveway length of less than 100 feet are allowed a minimum of 10 feet for two way traffic. The total stall count on the garage level accessing Woodlawn Park is 23 stalls. The reduced driveway width allows a greater commercial street presence to visual activate the streetscape. With preauthorization from the Board, the department supports the departure for the 12 foot, four inch wide driveway in order to enhance the design of the structure at street level. **In support of Design Guidelines C2 and C5 design features should be incorporated to better define and provide visual interest to the garage access entrance.** A landscaped area between the driveway and structure provides a subtle frame to add elegance in the rear setback. The retaining wall will be scored to break the appearance of bulk and add depth to the wall which is in keeping with C-1, D-3, and E-2.

<i>Development Standard</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Comment</i>	<i>Action by Board</i>
<i>1. Site Triangle (23.54.030.G.1)</i>	A site triangle on both sides of the driveway shall be kept clear of any obstruction for a distance of 10 feet from the intersection of the driveway with a sidewalk.	To remove site triangle on the entrance side of both driveway approaches (Albion Place & Woodland Park Ave)	Along Woodland Park Avenue North structure is modulated at entrance façade creating greater depth. Albion Place North has been determined to be viewed as an alley.	<i>Recommend Approval</i>
<i>2. Mixed Use Development Residential coverage 13 feet above finished grade (23.47.008.D)</i>	Residential uses shall limited to maximum lot coverage of 64% (or 8,218 sq. ft.) 13 feet above finished grade.	To increase lot coverage to 66.8% (or 8,577 sq. ft.)	The terraced building steps down along the sloped lot and residential open space and modulation features has been increased	<i>Recommend Approval</i>
<i>3. Landscaping Standards (23.47.016.B.1)</i>	Five (5) percent of lot area (649 sq. ft.) shall be required for new construction on any vacant lot.	3.7 % or 480 square feet	To reduce ground level setback along Albion Place to enhance the pedestrian experience.	<i>Recommend Approval</i>
<i>4. Driveway Width Standards (23.54.030.D.2)</i>	Minimum widths for two-way driveways in nonresidential use are 22 feet.	12 feet 4 inches (with a 10 foot garage door threshold)	One commercial stall is proposed on a parking level shared with residential stalls. No adverse impacts are anticipated for vehicles maneuvering through drive aisles on site.	<i>Recommend Approval</i>

Summary of Board’s Recommendations: The recommendations summarized above were based on plans submitted at that meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans available at the December 12, 2003 public meeting. At the close of the recommendation meeting the Board authorized DPD at their discretion to grant additional departures, if discovered during the final zoning review phase. One additional departure was discovered, driveway width reduction for a two-way nonresidential driveway, which has been added to the approved list. 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 approval of the subject design and the requested development standard departures from the requirements of the Land Use Code, with the following conditions.

1. Step the ground level facade along Albion Place North to be within five (5) feet from the right-of-way and this area shall be landscaped to create more visual interest. The blank wall shall be finely detailed to add texture to the surface.
2. The design for the residential entry should establish a stronger visual presence through the use of colors, entry framing surrounds and canopy design.
3. Introduce mitered corners, the use of metal manufactured metal corners on hardi-siding, to create a more residential look to scale the building down.
4. The design should enhance exterior colors by increasing pigment density to create more contrast. The Board felt that the columns along the east façade should be painted an olive green color to visually strengthen the base.

Director's Analysis

The Director concurs with the Board assessment that the revised plan is superior to the previously approved design proposal. Since above recommendations were unanimously offered by the five (5) members of the Design Review Board, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board (*SMC Sec. 23.41.014.F.3*). Additionally, the Board recommended approval of additional departures that might be discovered, at the discretion of the Director, if it would not substantially impact the design as presented before the Board. In the course of finalizing zoning approval one additional departure (noted above) was discovered that did not impact the approved design, therefore the Director under the guidance from the Board included a reduction in nonresidential two-way driveways in the departure analysis.

Director's Decision

The Director of DPD has reviewed the recommendations and conditions of the Design Review Board, and the design departure, as stated by the Design Review Board. The Director finds that the proposal is consistent with the *City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings*. The Director **APPROVES** the subject design and requested departure consistent with the Board's recommendations and conditions above. This decision is based on the Design Review Board's final recommendations and on the plans submitted at the public meeting on December 12, 2005. Design, siting or architectural details not specifically identified or altered in this decision are expected to remain substantially as presented in the plans available to the public on January 24, 2006.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the Slawek Porowski dated May 2, 2000 and revised by Bill Walker, on May 10, 2006. The information in the checklist; project file and plans; and, the experience of the lead agency with review of similar projects form the basis for this analysis and decision. This report anticipates short and long-term adverse impacts from the proposal.

The SEPA Overview Policy (SMC 25.05.665 D) states “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 limitations. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Critical Areas Ordinance (grading, soil erosion and stability); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of potential adverse impacts. Thus, mitigation pursuant to SEPA is not necessary for these impacts. However, more detailed discussion of some of these impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction and demolition; potential soil erosion during grading, excavation and general site work; increased runoff; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section 25.05.794). Although not significant, these impacts may be adverse. Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

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 residents and commercial tenants in the surrounding residential and commercial buildings. Due to the proximity of other residential uses located to the east, west and south, 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. 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.

Grading - Earth/Soils

The site slopes to the east but is not located in any identified or designated Environmentally Critical Area (ECA). The construction plans will be reviewed by DPD for compliance with all Code requirements. Any additional information required 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 cuts of greater than three feet in height and the excavation of approximately 3,850 cubic yards of material and thus is subject to the provisions of the Stormwater, Grading and Drainage Control Code. These Code provisions 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 construction plans, including shoring of excavations as needed and erosion control techniques will be reviewed by the DPD Geotechnical Engineer and Building Plans Examiner who may require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary. Therefore, no further conditioning for soils or grading activities is warranted pursuant to SEPA policies.

Traffic

The hauling of excavated material will entail approximately 385 truck loads (at 10 cubic yards per single load trucks). The site is adjacent to Bridge Way North, a principal arterial, which provides access to State Route 99 and Interstate 5. Truck haul routes are available consistent with the existing City code provision (SMC 11.62) which requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with the hauling of debris will be of short duration and mitigated by enforcement of 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 enroute to or from a site.

Air and Environmental Health

Given the age of the existing structure on the site, it may contain asbestos, which could be released into the air during demolition. The Puget Sound Clean Air Agency (PSCAA), the Washington Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. In addition, federal law requires the filing of a demolition permit with PSCAA prior to demolition. Pursuant to SMC Sections 25.05.675 A and F, to mitigate potential adverse air quality and environmental health impacts, project approval will be conditioned upon submission of a copy of the PSCAA permit prior to issuance of a demolition permit, if necessary. So conditioned, the project's anticipated adverse air and environmental health impacts will be adequately mitigated.

Long-term Impacts

No significant adverse long-term or use-related impacts associated with approval of this proposal are anticipated. Adopted City codes and/or ordinances provide mitigation for potential 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 (if applicable) which will require insulation for outside walls and energy efficient windows.

Using data from the Institute of Traffic Engineers (ITE, 7th Edition), it is estimated that the project, upon completion, will generate approximately 215 average daily trips (at a rate of 6.72 per unit), including 10 trips in the AM peak hour and 12 PM peak hour trips (ITE manual). At these levels additional trips would not have a significant adverse impact on neighborhood traffic flow and intersections. Furthermore, the subject site is expected to generate much less traffic than ITE estimates since, ITE surveyed suburban environments. The urban environment of the project site has access to local and express service transit routes in the nearby vicinity. There are also many dining, shopping, educational, health care, entertainment and recreational opportunities within walking/bicycling distance and along the public transit routes. The proposal is not expected to have a significant adverse impact on traffic flow and or pedestrian and vehicle safety on Woodland Park Avenue North, Bridge Way, or other neighborhood streets. Seattle Department of Transportation is in the preconstruction stage of safety upgrades along Bridge Way North, between Hwy 99 and Stone Way North. The road improvements will provide additional safety features to reduce vehicle and pedestrian conflicts along this section right-of-way, thus favorably offsetting an increase of traffic flow.

Height, Bulk, and Scale

The proposed five-story project will rise to approximately 58.3 feet to the top of the roof ridge from the average elevation grade along the Woodlawn Park Avenue North street frontage, which represents the greatest visual impact. Topographically, the structures terraces down from the highest elevation (west) to the lowest (east). Along the west façade the top of wall extends to a height of 35 feet above the lowest grade. The development site is located within a moderate sized Commercial One zone with a height limit of 40 feet. The site is an interior through lot located between a vacant site to the south and a commercial structure to the north. Across each right-of-way to the east, approximately 66 feet away (minimum) are structures of varying heights. The proposed project is being developed to C1-40 standards, as allowed by the Land Use Code, and is thereby in keeping with the scale of the potential of the zone as well as that of several existing structures in the vicinity.

The SEPA Height, Bulk and Scale Policy (Sec. 25.05.675.G, SMC) states that *“the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section C of the land use element of the Seattle Comprehensive Plan for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.”*

In addition, the SEPA Height, Bulk and Scale Policy states that “(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.” Since the discussion in the previous paragraph indicates that there are no significant height, bulk and scale impacts as contemplated within this SEPA policy, and since the Design Review Board approved this project with conditions, no mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

Parking

With 32 residential units associated with this project proposal it is expected to increase the demand for parking spaces by a factor of up to 1.5 per dwelling unit (this factor is an established figure for residential uses within the City of Seattle), for a total of forty-eight vehicles. It is the City’s policy to minimize or prevent adverse parking impacts associated with development projects. The project proposal has been designed to exceed the Land Use Code (SMC 23.54) minimum parking requirement of thirty-eight parking stalls by one stall (at a rate of 1.22 stalls per unit), which leaves an anticipated short fall at periods of peak parking demand for nine vehicles to be accommodated the within the right-of-way. Peak parking hours for residential uses typically are between the hours of 9:00 pm to 12:00 am. On several occasions during the mid-week and two weekend evenings the planner associated with the project observed availability of on-street parking which can accommodate all anticipated spillover parking demand.

Compliance with all applicable codes and ordinances is adequate to achieve sufficient mitigation of the potential long term impacts and no conditioning is warranted by SEPA.

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 – DESIGN REVIEW

Non-Appealable Conditions

1. Embed all conditions of approval into the cover sheet on the updated MUP plan set and all subsequent building permit drawings.

2. Any proposed drawing to the external design of the building, landscaping or improvements in the public right-of-way must first be reviewed and approved by the DPD planner prior to construction.

Prior to Issuance of MUP

The owner/applicant shall:

3. Update plans to incorporate the follow:
4. Step the ground level facade along Albion Place North to be within five (5) feet from the right-of-way and this area shall be landscaped to create more visual interest. The blank wall shall be finely detailed to add texture to the surface.
5. The design for the residential entry should establish a stronger visual presence through the use of colors, entry framing surrounds and canopy design.
6. Introduce mitered corners, the use of metal manufactured metal corners on hardi-siding, to create a more residential look to scale the building down.
7. The design should enhance exterior colors by increasing pigment density to create more contrast. The Board felt that the columns along the east façade should be painted an olive green color to visually strengthen the base.

CONDITIONS – SEPA

Prior to Issuance of Demolition or Construction Permits

1. The owner(s) and/or responsible party(ies) shall submit a copy of the PSCAA permit prior to issuance of a demolition permit, if a PSCAA permit is required.

During Construction

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 Saturday (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturday). 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.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Bradley Wilburn, (206 615-0508) or the Manager of the Urban Design Program, Vince Lyons, (206 233-3823) at the specified development stage, as required by the Director's decision.

The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved. **Prior to any alteration of the approved plan set on file at DPD, the specific revisions shall be subject to review and approval by the Land Use Planner.**

Signature: _____ (signature on file)

Date: May 25, 2006

Bradley Wilburn, Land Use Planner
Department of Planning and Development
Land Use Services

BMW:ga

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