

BACKGROUND INFORMATION

Project Description

The applicant proposes a six-story building with five stories of residential apartments above main floor retail. Parking will be located within the structure.

Vicinity and Site

The site is located in the Lake City neighborhood, near the southeast corner of 30th Ave NE and NE 130th St. 30th Ave NE is a collector arterial. The vicinity is generally quite flat, though the site rises somewhat above the street. The property is located in the North Neighborhoods Hub Urban Village.

The site is zoned Commercial 1 with a 65-foot base height limit (C1-65, see Figure 2). Properties to the east, west, and south of the site are also zoned C1-65. To the north of the site, along NE 130th St, properties are zoned residential Lowrise 2 (L2). Across NE 130th St, the zoning transitions to Single Family with a minimum lot size of 7200 sq.ft. (SF 7200).

Development in the vicinity reflects its zoning, though most does not approach full zoning potential, suggesting that the area could experience substantial future redevelopment. To the south and southeast of the site, there are one-story retail stores, including a QFC grocery store and a strip development that presents its back to 30th Ave NE. The grocery store's dumpsters and loading docks abut the site on its east side, and a row of surface parking stalls abut the site on its south side. Also east of the site is vacant and wooded land without any street frontage, a site which the applicant states is subject to preliminary plans for a future six-story mixed use building. Immediately to the northeast of the site, there is a two-story structure occupied by a heating/boiler business with existing access to NE 130th St. Immediately to the north is a relatively new townhouse development that fronts on 30th Ave NE. Across 30th Ave, there is a new 4-story mixed use structure owned by Seattle Housing Authority, as well as some low office structures, and the local fire station. To the north across NE 130th, single family homes predominate.

The site is irregularly shaped, consisting of three adjacent parcels and a portion of one other adjacent parcel to be acquired through a lot boundary adjustment. As proposed, the site would contain about 44,168 square feet (slightly more than an acre), with about 250' of frontage on 30th Ave NE. The site is mostly vacant, with a small, vacant single-story workshop structure, to be demolished. The site slopes gradually

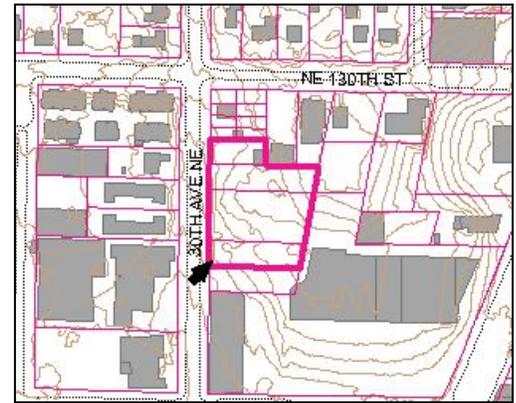


Figure 1. Local topography



Figure 2. Vicinity Zoning



Figure 3. Aerial View

from northeast to southwest, about 10' in all (see Figure 1). No portion of the site is designated as Environmentally Critical Area on City maps. There are existing trees on the site, including a hemlock measuring 30" diameter at breast height (dbh), a cottonwood (24" dbh), some cedars (12-24" dbh), and a Douglas fir (18" dbh). There is an existing curb and sidewalk, with a somewhat informal landscape buffer between the sidewalk and street.

The site is served by public transit. Metro route 65 stops on this block of 30th Ave NE, and several other lines run nearby along Lake City Way NE. The commercial core of Lake City is within walking distance of the site, providing access to banks, the post office, the library, restaurants, grocery and other retail stores.

ANALYSIS OF THE DIRECTOR – DESIGN REVIEW

The Early Design Guidance meeting took place on November 21, 2005, in Room 106 of the University Heights Community Center. The applicant submitted a complete Master Use Permit (MUP) application on January 31, 2006. The Recommendations meeting took place on February 22, 2006, in Room 22 of the Meadowbrook Community Center. This report summarizes the design review findings. For a more complete overview of the Board's Early Design Guidance and Recommendations, please refer to the project file.

Guidelines

After visiting the site, considering the analysis of the site and context provided by the proponents and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those siting and design guidelines of highest priority to this project, found in the City of Seattle's [Design Review: Guidelines for Multifamily and Commercial Buildings](#).

A. Site Planning

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the 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-6 Transition Between Residence and Street

For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

A-7 Residential Open Space

Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

Guidance – Site Planning

The Board complimented the designers on the walkup entries to the individual ground-related units.

With regard to residential open space, the Board stated that at-grade courtyards, widened sidewalks, and other spaces that engage with the public realm are more positive contributions to the streetscape than rooftop terraces. The Board specified that “the public interest must be clearly evident in the evaluation of a departure request”, and suggested that generous allocation of open space at the sidewalk level, carefully crafted, would likely enhance the public realm in this regard.

The proposed center courtyard appears to be sited appropriately, especially considering the notch in the southern massing that will likely allow for improved solar access to this space.

The Board feels that the design team should set the entire structure back on the west side in order to provide for a wider sidewalk.

The Board agreed with the architects that it is appropriate to prioritize a transition from a more commercial streetfront character to the south to a more residential character to the north. In order to effectively accomplish the desired transition, the updated design should step back the entire mass of the northernmost pavilion to provide for a front “yard” in which to design a quality residential entry or entries. Board members identified 15' as an appropriate point of reference in this regard.

2/22/2006 Recommendations – Site Planning

Board members recognized the value of a walkway around the entire periphery of the building, and they considered it to be bona fide open space at ground level. They had no objection if the design team were to fill in the west side of the courtyard located north of the common room.

The residential entry courtyard is appropriately scaled, but Board members considered it to be too complicated and lacking unity. They recommended that the proposed ramp be reoriented to provide for a more traditional, formal approach to a stately building, with element that signal a linear progression to a front door that signals enclosure and attention to light. They suggested columns or bollards as feasible elements to achieve this intent.

The Board stated that the central courtyard must have appropriate solar access in order to be an effective outdoor gathering space for its tenants. They recommended unanimously that the southern massing be lowered an additional floor in order to provide for better solar access.

B. Height, Bulk & Scale

B-1 Height, Bulk and Scale Compatibility

Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

Guidance – Height Bulk & Scale

The Board identified height, bulk and scale as a very high priority guideline, as it applies to the interface between this site and less intensively zoned properties to the north. Considering that the zoning to the north provides for a three-story mass, Board members stated that a substantive diminution of the height and bulk – such as to four stories – would provide a better transition in height, bulk and scale to the L2 zone. For that portion of the structure nearest the residential lowrise zone, the updated design should present a substantially lower profile that relates in scale to the massing allowed in the adjacent zone.

The proposed modulations of the preferred design concept appear to divide the western façade into three pavilions, considered by the Board to be a positive treatment of the long western façade. However, one Board member cautioned that a “symmetrical impulse” might be an unfavorable and “monumental way of aggregating pieces of a large building.” A successful transition to the residential neighborhood should involve stepping back the northernmost pavilion element to provide for a deep open space. It’s important that the design not feel like a “superblock”.

2/22/2006 Recommendations – Height Bulk & Scale

The Board considered the scalar relationship between the design’s north side and the adjacent lowrise townhouse development, and they concluded that the proposed transition had not yet satisfied the original guidance. A narrower, lower profile is recommended, more comparable to the scale of the townhouses, in order to promote better access to light and air from the townhouse’s back yards.

As a suggested means for resolving the identified height, bulk, and scale inconsistency, the Board noted that the open space located to the north of the proposed common room is less valued and could possibly be filled with building mass.

C. Architectural Elements and Materials

C-2 Architectural Concept and Consistency

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

Buildings should exhibit form and features identifying the functions within the building.

In general, the roofline or top of the structure should be clearly distinguished from its façade walls.

C-3 Human Scale

The design of new buildings should incorporate architectural features, elements and details to achieve a good 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.

Guidance – Architectural Elements and Materials

Board members did not discuss these guidelines in any depth, but mentioned that the project’s overall scale dictates that there be substantial attention to quality detailing, “how the building meets sky and ground, how it relates to edges, how it turns corners.” The design team should recognize that this overall mass is a change from the scale of the neighborhood’s existing built structures, and that care should be taken to create a human scaled, not an institutional effect.

Referring to the design team’s photographs of recent work, a Board member singled out Rainier Court. He noted that its repetitive multicolor vertical elements tend to draw attention to the larger massing, instead of breaking it down. He encouraged the design team to break down the massing into fewer separate, distinguishable pieces, instead of many similarly scaled bays.

2/22/2006 Recommendations – Architectural Elements and Materials

The Board welcomed the substantial inclusion of brick up to the fifth level. They identified a concern where the brick veneer terminates or does not wrap a corner, leaving the impression that the brick expression lacks the necessary “heft”. They recommended that the design be updated to continue brick along the two chamfered corner elements (4th & 5th levels), in order to eliminate the unresolved terminations shown in the recommendations packet.

One Board member noted that the effect of the brick would be more successful if the final floor were to step back, providing for better resolution at the top of the brick. The Board did not clearly identify this as a point of consensus.

The Board commended the designers on their variety and arrangement of colors and materials (“subtle for a complicated building”). They welcomed the inclusion of large storefront window panes, transom lights, and kickboards. They also recognized the value in designing for flexibility in locating the commercial entries.

As drawn, the commercial canopies are generally successful, though they felt that the northernmost canopy draws attention to a portion of the building that shouldn’t be emphasized. They suggested that symmetry shouldn’t be of priority in this instance, and that the chamfered geometry of the façade would be better resolved by deemphasizing the canopy at this location.

Some Board members felt that the overall design would benefit from consistent treatment of the proposed bays and popouts, recommending that they all be unified either as bays or as popouts.

D. Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances

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

D-7 Personal Safety and Security

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

Guidance – Pedestrian Environment

At the sidewalk level, Board members want the design team to include recessed entries and overhead weather protection. The entire western façade should set back to provide enough space for a gracious walking experience, with a wide sidewalk, full-sized street trees and other landscaping.

2/22/2006 Recommendations – Pedestrian Environment

The Board identified as a concern the prominence of the waste and recycling entrance at the sidewalk level. They recommended that this entrance be deemphasized by recessing it.

The Board was inclined to grant the request to diminish the length of the nonresidential frontage, but they specified that the remaining space should function as a “bona fide” retail space. Transformer vaults and other utility spaces should be reorganized or relocated to provide maximal frontage and depth.

E. Landscaping

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.

Guidance – Landscaping

The Board identified the provision of high quality landscaping on the site as an important amenity for residents and neighbors alike. The site should accommodate substantial plantings in native soils at the periphery of the structure, outside of the underground parking level's footprint.

2/22/2006 Recommendations – Landscaping

The Board recommended that evergreen trees be provided at the site's far northeast and on the east side. The Board left plantings on the north side to the designers' discretion.

DECISION – DESIGN REVIEW

The Director concurs with the recommendations of the Northeast Seattle Design Review Board, delivered February 27, 2006. After the Board delivered its recommendations, the applicant submitted updated plans largely addressing recommendations:

- The landscaped entry courtyard is now organized more formally and simply.
- Solar access to the center courtyard is achieved through a longer – albeit somewhat narrower – gap in the south-side massing.
- Massing on the north side has been reduced by narrowing the north façade and further diminishing the northeast corner.
- Wall segments finished with brick veneer now wrap their respective volumes, communicating a greater sense of solidity.
- The architect has modified the design of the northernmost canopy.
- The design team has worked closely with Seattle City Light and DPD to identify the most appropriate location for the sidewalk-level transformer vault.

One recommendation is left outstanding, related to provision of an unobstructed walkway around the perimeter of the site. This report incorporates the recommendation as a condition of approval. DPD therefore **CONDITIONALLY APPROVES** the project’s Design Review component and the requested departure for nonresidential street frontage and residential lot coverage subject to the conditions listed at the end of this report.

ANALYSIS – SEPA

The applicant provided the initial disclosure of this development’s potential impacts in an environmental checklist signed and dated on January 31, 2006. The applicant also provided a traffic impact analysis prepared by Parametrix and dated January 30, and a Phase I Environmental Site Assessment dated November 23, 2005. The file contains no letters from the public related to the SEPA review. The checklist and the experience of the lead agency in similar situations 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, Drainage, and Erosion Control Code (grading, site excavation and soil erosion); 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. More detailed discussion of some short and long term 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 are 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.

Construction Noise. Due to the close proximity of residential properties, the limitations of the Noise Ordinance are likely to be inadequate to mitigate potential noise impacts. Pursuant to SEPA policies in SMC Section [25.05.675 B](#), the hours of all work not conducted entirely within an enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) shall be limited to between 7:30 a.m. and 6:00 p.m. on non-holiday weekdays to mitigate noise impacts. Limited work on weekdays between 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner (or his successor). Such after-hours work is limited to emergency construction necessitated by safety concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be strictly conditioned upon whether the owner(s) and/or responsible party(ies) provide three (3) days' prior notice to allow DPD to evaluate the request. See Table 1 and Condition #5, below.

Parking. Short-term parking impacts involve additional parking demand generated by construction personnel and equipment. The applicant has provided limited information related to short-term construction related parking impacts on the vicinity. During early stages of construction, workers are likely to park on nearby residential streets. However, DPD staff conducted various drive-by site visits, which indicate that weekday parking utilization in the area is not at capacity, and construction-related parking is not likely to exceed capacity. DPD also anticipates that workers will park on the site once the parking levels are completed. DPD therefore determines that construction-related parking does not constitute an impact warranting mitigation.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased bulk and scale on the site; increased traffic and parking demand due to residents and visitors; minor increase in airborne emissions resulting from additional traffic; minor increase in ambient noise due to increased human activity; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption.

The expected long-term impacts are typical of medium-density residential development and are expected to be mitigated by the City's adopted codes and/or ordinances (together with fulfillment of Seattle Department of Transportation requirements). Specifically these are: the Stormwater, Drainage, and Erosion Control Code (storm water runoff and site dewatering); the Land Use Code (aesthetic impacts, light and glare, height, setbacks, parking); and the Seattle Energy Code (long-term energy consumption).

Parking. The Seattle SEPA policy for parking impacts (SMC [25.05.675 M](#)) provides authority to mitigate parking impacts of multifamily development when on-street parking is at capacity as defined by the Seattle Transportation Department or where the development itself would cause on-street parking to reach capacity as so defined.

The proposed project incorporates 81 parking spaces, substantially more parking than would otherwise be required by the Land Use Code. Future tenants are seniors, and demand for parking is not likely to exceed supply, considering the age and socioeconomic demographic targeted by this developer. No further mitigation is warranted.

Traffic. The applicant submitted a traffic study dated January 30, 2006, prepared by Parametrix, Inc. The traffic analysis anticipates the overall traffic generated by the project, considered in the context of a vacant site and current vicinity development. The report concludes that a project of this scope is likely to have a negligible effect on traffic volumes and traffic safety in vicinity intersections. No mitigation is warranted.

Height, Bulk & Scale and Solar Access. The project is located to the south of an existing townhome development and at the edge of a transition in zoning heights. During the Design Review process, neighbors raised concerns about potential shading impacts caused by the project. The proposed design is six stories tall, clearly taller than the existing vacant lot or any previous development on the site. The average setback on the north side is about 12.5', coupled with a likely 5' setback on the adjacent property. Updated drawings have reduced the length of the northernmost wall and have diminished the height at the northwest corner. The overall design is effectively modulated and architecturally detailed, and the Northeast Design Review Board recommended approval of the design as proposed. Considering these factors, no further mitigation is warranted.

Vegetation. The existing vacant site supports various mature trees, including a hemlock measuring 30" dbh (diameter at breast height). According to Director's Rule [6-2001](#), individuals of the species *Tsuga heterophylla* with a dbh greater than 24" may sometimes be considered exceptional. No arborist or other tree professional has evaluated the hemlock tree to determine whether it is in fact exceptional.

In the context of the C1-65 zone, DPD considers that reasonable development on the site would be infeasible if this tree were determined to be exceptional and if permit approval were conditioned on preservation of the tree. SMC [25.11.080 A2](#) allows for removal of an exceptional tree in this circumstance. The project provides for substantial plantings in native soil, particularly along the site's eastern edge, with a wide enough setback that large-scale plantings will likely thrive. DPD has evaluated the quantity, composition, and the initial and

future scale of proposed plantings. If the tree were determined to be exceptional, DPD concludes that the proposed plantings would adequately mitigate potential impacts.

Other Impacts. The other impacts not noted here as mitigated by codes, ordinances, or conditions (increased ambient noise; increased pedestrian traffic, increased demand on public services and utilities) are not sufficiently adverse to warrant further mitigation by conditions.

DECISION – SEPA

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

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

DESIGN REVIEW CONDITIONS

The following Design Review conditions 1, 3, and 4 are not subject to appeal.

Prior to Issuance of the Master Use Permit

1. **Update plans and provide color drawings.** The applicant shall update the Master Use Permit plans to reflect the recommendations and conditions of this decision. The applicant shall embed conditions and colored landscape and elevation drawings into updated Master Use Permit and all building permit sets.
2. **Perimeter walkway.** During Design Review, the applicant team described a perimeter walkway, a design amenity that Board members considered in their overall recommendation and support of a requested departure. The applicant shall update the Master Use Permit plans to show a continuous walkway that allows residents to complete the circuit around the building without substantial obstructions such as regularly locked doors.

Prior to and/or During Construction

3. **Design changes.** Any changes to the exterior façades of the building, signage, and landscaping shown in the building permit must involve the express approval of the DPD Planner prior to construction.

Prior to Issuance of the Certificate of Occupancy

4. **Design review inspection.** Compliance with the approved design features and elements, including exterior materials, roof pitches, façade colors, landscaping and right of way improvements, shall be verified by the DPD planner assigned to this project (Scott Ringgold, 233-3856) or by the Design Review Manager. The applicant(s) and/or responsible party(ies) must arrange an appointment with the Land Use Planner at least (3) working days prior to the required inspection.

CONDITIONS – SEPA

Prior to Issuance of the Master Use Permit

None.

During Construction

The following condition 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. 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 weatherproofing material and shall remain in place for the duration of construction.

5. **Noise.** The hours of all work not conducted entirely within an enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) shall be limited to between 7:30 a.m. and 6:00 p.m. on non-holiday weekdays² to mitigate noise impacts. Limited work on weekdays between 6:00 p.m. and 8:00 p.m., and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner or his successor. Such after-hours work is limited to emergency construction necessitated by safety concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be strictly conditioned upon whether the owner(s) and/or responsible party(ies) provide three (3) days' prior notice to allow DPD to evaluate the request.

² Holidays recognized by the City of Seattle are listed on the City website, <http://www.seattle.gov/personnel/services/holidays.asp>

Appendix A: Departure from Development Standards:

The table below describes the requested departure and reflects the Board’s discussions and recommendations. The recommendations are based upon the departure’s potential to help the project better meet the design guideline priorities and achieve a better overall design.

The applicant requested a departure from the following Land Use Code development standards:

Requirement	Proposed	Comments	Action by Board
<p>SMC 23.47.008 B, nonresidential front-age. 80% of street façade to be occupied by non-residential use. (250'-22') * 80% = 182' otherwise required.</p>	<p>101' proposed, 81' less than otherwise required (approx 45% reduction)</p>	<ul style="list-style-type: none"> The proposed design with walkup apartment units provides eyes and ears on the street and a better relationship to the residential neighborhood to the north. To the south are the back doors of the strip mall, which doesn't create an effective retail corridor. 	<p>The Board recommended that DPD grant the requested departure, in consideration of the design's appropriate response to its context, and the quality detailing of the walkup residences and remaining storefront.</p>
<p>SMC 23.47.024 A, open space. Usable open space shall be at least 20% of residential gross floor area. 150,100 gsf residential * 20% = 30,000 gsf otherwise required.</p>	<p>27,284 sq.ft. proposed, 2,730 sq.ft. less than otherwise required, (approx 9% reduction).</p>	<ul style="list-style-type: none"> The proposed design includes a variety of interior community spaces, such as community rooms, exercise room, craft room, media room and sun room. The proposed interior community spaces have direct physical and visual connections to the exterior open spaces. The interior open space contributes roughly the balance of the requirement. 	<p>The Board recommended that DPD grant the requested departure, in consideration of the proposed large-scale plantings, the provision of a perimeter walkway, and appropriate design updates to address the Board's stated massing concerns on the north side of the site.</p>