



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: 2307871
Applicant Name: Carsten Stinn, Developer and Project Architect
Address: 2350 and 2354 Minor Avenue East

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of one two-unit townhouse, one three-unit townhouse and one single-family residence (total of six units). Parking for one vehicle to be located in each unit. *Project includes demolition of two single-family structures.

(*Project revised from original proposal to provide five parking spaces in five units with one surface parking space for one unit.)

The following approvals are required:

Administrative Design Review - Chapter 23.41 Seattle Municipal Code (SMC)

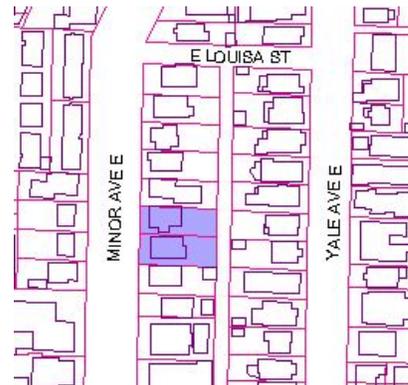
Design Departures are requested from the following Code sections:

SMC 23.45.014.A (Front Setback), SMC 23.45.014.C (Side Setback),
SMC 23.45.014.B (Rear Setback), SMC 23.45.018 (Parking Access), SMC
23.45.014.C (Lot Coverage), SMC 23.45.016.B.1.f (Open Space), SMC
23.45.012.C (Interior Façade Modulation), and SMC 23.45.011.A (Structure
Depth).

BACKGROUND DATA

Project and Site Description

The owner proposes to construct one single-family and two townhouse structures for a total of six units (one townhouse with two units, one townhouse with three units). One parking space for each unit will be provided. The applicant is seeking project review through the Administrative Design Review process to request departures from various Land Use Code development standards.



The project site is located on the east side of Minor Avenue East between East Lynn and East Louisa Streets in the Eastlake neighborhood. The site is approximately 9,020 square feet in area with 82 feet of frontage on each of Minor Avenue East and the alley. The site is on the westerly down-sloping hill that extends from north Capitol Hill to Lake Union. The site topography drops approximately 7 feet within the first 12 feet from the alley frontage, and then has a gradual down-slope to a two foot slope bordering the Minor Avenue East sidewalk. The site currently contains two 1920 era single story structures that have street vehicle, not alley, access.

The zoning for the site and this block face, including the portion of the block across the alley is Lowrise 2 (L 2). Across Minor Avenue East to the west the zoning is Lowrise 1 (L1). There are no associated zoning overlays. The surrounding land uses are a mix of sizes and ages of single-family and multi-family structures, some non-conforming for number of units and height for the L2 zone.

ANALYSIS - DESIGN REVIEW

ADMINISTRATIVE EARLY DESIGN GUIDANCE APPLICATION– December 17, 2004

The project presented for Administrative Early Design Guidance (EDG) proposed three structures, a single-family structure on the southwest corner of the lot, a duplex townhouse structure on the northwest corner of the lot and a triplex townhouse structure along the east and alley lot boundary. Vehicle access is proposed to be from the street for the single-family and duplex structures and from the alley for the triplex structure. The goal of arranging the structures as proposed and providing parking access from both rights of way (ROW) is to allow the required open space of each unit to be grouped in a central courtyard that would be commonly available to all occupants, in contrast to a central auto court for driveway access and individually oriented open space areas common to typical townhouse developments. To achieve these project objectives, the following departures from the land use code requirements were requested:

1. Allow some street vehicle access when alley access is available (SMC 23.45.018),
2. Allow the duplex structure to intrude into the required front yard set-back and all buildings to intrude into the required north and south side set-backs (SMC 23.45.014.A and C),
3. Allow the triplex structure and attached garages to intrude into the required rear set-back (SMC 23.45.014.B).

PUBLIC COMMENT DURING EDG

The two week public comment period ended November 25, 2004. One comment letter was received during that time and one was received after. Comments concerned a potential loss of views from properties on the east side of the project alley and a possible perceived increase in building height by locating the building in the rear set-back, a loss of parking along the alley edge by the proposed location of the triplex parking spaces, and safety hazards for vehicles entering the alley. One letter expressed support for the proposed vehicle access from Minor Avenue East.

EARLY DESIGN GUIDANCE

The applicant was provided with the following siting and design guidance of highest priority identified by letter and number and found in the City of Seattle's "*Design Review: Guidelines for Multifamily and Commercial Buildings*" :

- A-1 Responding to Site Characteristics
- A-2 Streetscape Compatibility
- A-3 Entrances Visible from the Street
- A-4 Human Activity
- A-5 Respect for Adjacent Sites
- A-7 Residential Open Space
- A-8 Parking and Vehicle Access
- B-1 Height, Bulk and Scale Compatibility
- C-1 Architectural Context
- C-2 Architectural Concept and Consistency
- C-4 Exterior Finish Materials
- E-2 Landscaping to Enhance the Building and / or Site

Summary of Priority Early Design Guidance

The structure(s) located on the east and alley side of the lot should be designed to take advantage of the alley grade change, and not result in sections of unused open space. Loss of views from the site and adjacent sites should be minimized to the extent possible (*A-1 Responding to Site Characteristics and A-5 Respect for Adjacent Sites*).

The proposed buildings along Minor Avenue East should continue the Minor Ave streetscape pattern of a pedestrian supportive environment with uniform building set-backs and structure entrances and living areas oriented toward the street. The courtyard entry path design from Minor Avenue East should indicate its connection to the units at the rear of the property (*A-3 Entrances Visible from the Street*).

The proposed central courtyard should have an obvious and inviting entrance from the street and create a transition between the public realm and the semi-private open space areas. The approximate 2-foot grade change at the sidewalk should be used to create a pedestrian friendly edge through various methods such as landscaping, pathways, or masonry walls. Vehicle entries from the street should not be visibly dominant. Garages should be partially below grade to bring entries closer to property and sidewalk grade should be recessed from the main façade and/or located beneath the structure and these should be clearly subordinate to the unit entries. Retaining walls and driveways for these should integrate landscaping and semi-permeable paving materials to avoid harsh and blunt grade changes. The street façade of both the street facing buildings and the courtyard entry should have a semi-public orientation. (*A-2 Streetscape Compatibility and A-4 Human Activity*).

Proposed vehicle access along the north property boundary and from Minor Avenue East should be screened from the neighboring site and designed to minimize its visual and physical impacts

on that site (*A-5 Respect for Adjacent Sites*). The proposed driveways and structured parking facing Minor Avenue should not be a predominant element of the structures street facades. The alley units, because of their requested siting close to the alley, should enliven the alley, not have a blank façade or be auto dominated (*A-8 Parking and Vehicle Access*).

Although the proposed design approach is Modernist, the proposed structures should incorporate design elements to create bulk and building mass that respects and makes a good transition from the predominate neighborhood traditional gable roof form. To enhance view opportunities and scale relationships with the properties across the alley, consider stepping the building massings down the slope if appropriate (*B-1 Height, Bulk and Scale Compatibility*).

The building siting and design should continue the established neighborhood pattern of relatively uniform street set-backs, modulated street facades, and wood siding. The courtyard entry should not produce a gap that breaks the street wall rhythm (*C-1 Architectural Context*).

Materials used should reflect the neighborhood context, but not necessarily mimic it (*C-4 Exterior Finish Materials*).

The site design should use landscaping (both hard and soft-scape) to reduce the visual scale and dominance of the garage entries and associated driveways (*E-2 Landscaping to Enhance the Building and / or Site*).

ADMINISTRATIVE DESIGN REVIEW MASTER USE PERMIT

Application for a Master Use Permit was made on May 5, 2005. The submitted project design continues the original proposal to construct two townhouses and one single-family structure arrayed around a central common courtyard open space. Design departures, as enumerated above and described at the end of this document, are proposed.

Project Objectives

The project applicant and architect presented the following narrative description in response to the Early Design Guidance:

The buildings on the 82' x 110' site are loosely arranged to take advantage of important key site and neighborhood features: a transition between the lower density Lowrise 1 (L1) zone to the west and the Lowrise 3 (L3) zone to the east and characteristic smaller scale massing of buildings along both Minor Ave and the alley.

All buildings entrances are clearly identifiable and visible from the street. The units in Building 2 (the alley facing three-unit townhouse) have primary entrances on the alley, with secondary pedestrian entries and small patios on grade facing the east and Minor Ave. One parking space is provided for each unit and within each structure. Driveway access to the attached garages for Buildings 1 and 3 are from Minor Ave, which has no parking on the east side. The two driveways are recessed into the slope (4-6'). Concrete pavers and "grasscrete" treatment and landscaping around the driveways will integrate them into the front yards of the street-facing buildings and preserve the pedestrian nature of the street. Neighborhood comments indicated

that driveways along Minor Ave function as public 'meeting areas'. Access to parking for units in Building 2 is accessible from the alley with minimal driveway area leading to attached garages.

At the core of the design is the central shared garden court. By separating the buildings in three clusters and pushing them close to and into setbacks, a large common open space is created that is visible from, open to, and flowing from Minor Ave into a large common area. In the midst of the clustered buildings, the open space is in two parts with orientations in the west to east and north-south directions, which provides light and views for the project and neighboring properties. The garden court will be landscaped to create a grove of trees with extensive vegetation and minimal hardscape. No fences are included and cross easements for access and use (future unit lot subdivision is anticipated) will be provided to create a central park-like atmosphere for the occupants of all units.

The proposed structures are staggered east to west across the site to take advantage of the topography of the site, and allow for views of Lake Union from neighbors east of the project across the alley. The open space configuration allows some southern and northern views for the adjacent properties to the north and south. Buildings 1 and 3 (facing Minor Avenue) leave views open toward Lake Union through the use of flat terrace roofs, while Building 2 (facing the alley) responds to the traditional neighborhood character with gable roofs on two units, which are oriented east to west to allow westerly views from properties to the east. Units 1 and 2 of Building 2 are three-story but the southern most unit, Unit 3, is two-story structure to allow for increased solar exposure to the courtyard open space in the morning and throughout the winter.

PUBLIC COMMENT

The two week public comment period ended June 15, 2005. Two telephone inquiries were received during that time with questions about any changes to the project and concerns about the requested design departures to reduce side and rear set-backs. The callers expressed concern about possible loss of views from the east across the alley if the rear set-back were reduced.

DIRECTOR'S ANALYSIS - ADMINISTRATIVE DESIGN REVIEW

The submitted proposal substantially responded to the *Early Design Guidance* outlined above. Consequently, during the ensuing months, design discussions between the project planner and applicant further refined the proposal to better achieve the intent of the design guidance given.

The project goal is to create a development of ground related structures that better respond to unique site characteristics and neighborhood development patterns. The three structures would be arranged around a central courtyard that provides the required per unit open space, but would allow it to be shared by the residents of all units. Private portions of the open space would be provided as a part of and as a transition from the larger shared open space areas. Vehicle parking access is proposed from both Minor Avenue East and the alley to create a central open space courtyard instead of a central auto court for unit garage access from the alley. That arrangement would have located some unit open space on the sloped area facing the alley.

To achieve this, the project requested eight *Design Departures* (see Departure Matrix at the end of the document for details): 1) To reduce the front set-back of the duplex structure, 2) To reduce the side-set-backs of both townhouse structures, 3) To reduce the rear (alley facing) setback of the three unit townhouse, 4) To allow vehicle access from the street, as well as the improved alley, 5) To exceed allowed lot coverage, 6) To include walkways in the calculation of open space area, 7) To reduce the extent of interior façade modulation; and 8) To exceed structure depth.

The intent of these departures is to allow the creation of the central courtyard open space and avoid the negative impacts of conventional townhouse development: a central auto court. Other benefits are avoiding the substantial grading required to access the auto court from the alley and across the site's steep rear portion, and the consequent placement of some unit open space in the remaining sloped area facing the alley and away from the solar exposure and views to the west. Designing a centralized open space accessible to all residents would also avoid the privatized and typically fenced townhouse open space areas for the Minor Avenue facing units.

The applicants noted several positive contextual precedents that would be reinforced by the requested *Design Departures*. For example, on the site's one-half block the alley serves as both rear access to street facing structures and the primary entrance to some residences with alley only frontage, some of which have little or no set-back from the alley edge. This pattern is an accumulated response to the slope and grade difference between the alley and Minor Avenue East. Along Minor Avenue East, the historical platting pattern is one of small lots with individual single-family sized structures. Many of these structures have vehicle access from the street.

The intent of the City's Design Guidelines is to create better site and building design on the site and assure the resultant design optimally responds to the site's surrounding context. The proposed design responds to both goals. The structures have been designed to create small scale infill housing that continues the positive siting patterns and building scales of the alley and street. All units present visible and inviting entries to either the alley or street. The courtyard entry stairway on Minor Avenue opens the courtyard to the street and the west, while at the same time, signaling its general non-public nature. Entry walkways to the two street facing structures extend from the top of the courtyard stairs.

To create desirable conditions for vehicle and driveway visual and pedestrian activity on Minor Avenue, the two driveway entries lead to partially below grade enclosed parking for the duplex and single-family structures. The respective driveway areas will be constructed of decorative pavers and be bordered by low landscaped walls. They will be varied in width to avoid a strict utilitarian and rectilinear expression. Visibility is assured by the provided sight triangles.

In addition to minimizing streetscape visual and experiential impacts from the driveways, the driveway and garage areas are also designed to provide a place for neighborhood interaction. The design for the doors of the two garages closest to the street will have a grid pattern with a minimum of 40 percent glazed area to allow transparency between their partial use as workshop space and the public realm. A bench built into one retaining wall for the single-family structure will support the use of the driveway as an outdoor activity area. The duplex shared driveway

and garage entries will be visually minimized through a 23-foot setback from the structure’s front façade of the northern unit’s garage façade. The related driveway area for this structure will also be irregularly shaped to accommodate multiple uses and ringed with landscape trellis’ at the building face and landscaping integrated into the low retaining walls to support these uses. Access stairs to both related units will extend from this area to allow for easy access and to support sidewalk to site interaction.

The site arrangement of the three structures responds to previous guidance on continuing the alley development pattern, the Minor Avenue Street wall, and to maximize views from the proposed units and the retention of westerly views from development across the alley. As previously noted, a common development pattern along the alley is residential units facing and located immediately adjacent to the alley. The three alley facing units are located close to the alley and define this “street” wall, but provide entry courtyards and primary unit entries along with garage access. The three units have individually defined roofs, to reduce the structure scale. Two units have gable roofs with east to west ridge orientation to reduce view blockage to the west. The southern-most unit has a flat roof to also maximize views and to maximize solar exposure to the courtyard.

The Minor Avenue structures are of a similar scale to existing single and two-unit structures. The courtyard entry serves as a setback between these buildings. The extra wide right of way of Minor Avenue (75 feet; 40 feet typically required for the classification of street) and consequent 24 foot wide distance from curb to property line creates a natural setback in addition to the structure set-backs. The street facing structures are flat roofed as a design expression and to reduce their scale and view blockage from the east. They also accommodate roof top terraces.

DESIGN DEPARTURE REQUESTS AND ANALYSIS

<i>Land Use Code Standard</i>	<i>Proposed Departure</i>	<i>Rationale for Request</i>	<i>Planner Recommendation</i>
Front Set-Back. SMC 23.45.014.A, establishes minimum front setbacks based on the average front set-back of the adjacent neighboring structures, in this case 13 feet 7 inches.	Allow a 10 foot 8 inches setback.	The reduced setback allows a more flexible site design to create a unique open space courtyard and not reduce structure floor area otherwise achievable (Guidelines A-1, A-2, A-7).	The proposed setback distance is not out of keeping for the block context. The proposed 10’ 8” distance in conjunction with the approximately 24 foot curb to property line distance works to visually create a larger setback than proposed. The design departure consequently would result in a better project and is therefore Approved .
Side Set-Backs. SMC 23.45.014.C establishes minimum side setbacks based on structure depth and	For Building 1 (duplex) allow a 4 foot setback and Building 2 (triplex) north side, a 4.5 foot setback, south side 4	Slightly reducing the side setbacks allows a more flexible site design to create a unique open space courtyard, enhance view corridors on site and from properties across the	Building design elements, such as modulated walls, variety of materials, and stepping of the building masses successfully offsets the minimal yard reductions and are therefore

<i>Land Use Code Standard</i>	<i>Proposed Departure</i>	<i>Rationale for Request</i>	<i>Planner Recommendation</i>
height, in this case 5 feet for all buildings.	feet.	alley. Structure side facades are modulated and varied in the use of materials to lessen building bulk and create the appearance of the required set-back (Guidelines A-1, A-5, A-7).	<i>Approved.</i>
Rear Set-Back. SMC 23.45.014.B, establishes the minimum rear set-back based on lot depth. One-half of the alley width may be counted toward satisfying this distance, but the structure may not be closer than 10 feet to the rear property line. In this case a 22 foot set-back is required.	Provide a 14 foot average rear set-back, with a 12 foot distance to garage door facades and 17.5 foot distance to the main building facades. Minimum distance from the rear property line will be 2 feet.	<p>Reducing the rear setback allows locating the triplex structure where it will accomplish the following goals:</p> <ul style="list-style-type: none"> • Allows the rear set-back, which is otherwise too steep to be usable open space, to be used for the building and parking. • Continues the established development pattern along the alley of principal structures and garages close to the alley. • Provides a greater area for proposed open space courtyard. • Preserves views and light exposure of adjacent properties north to south through the courtyard. • The building is lower than they would be if built outside the set-back and to the height limit. <p>(Guidelines A-1, A-2, C-1)</p>	The building and site design respond to EDG concerns about the structure height and distance from the alley on views and safety. The modulated facades allow for open space terraces to enliven the alley, while the overall building facades continue the “street” wall established by existing structures. The design departure consequently would result in a better project and is therefore <i>Approved.</i>
Parking Access. SMC 23.45.018 requires alley access when site abuts an improved alley, which this project does.	To allow street access for the duplex and single-family structures facing Minor Avenue East.	Providing alley access for the street facing structures requires either orienting the buildings around a central auto court or creating a wall of parking structures along the alley. Both options are in opposition to project goals and the existing alley character.	The design response for two proposed Minor Avenue access points integrates the proposed garages and driveways into the transition zone between the sidewalk and buildings. They provide outdoor activity areas at the sidewalk level and thereby

<i>Land Use Code Standard</i>	<i>Proposed Departure</i>	<i>Rationale for Request</i>	<i>Planner Recommendation</i>
		(Guidelines A-1, A-2, A-7, A-8)	work as assets to the streetscape while allowing the creation of a unique central open space courtyard that further connects the project’s interior to the street. The design departure is Approved.
<p>Lot Coverage. SMC 23.45.010, Lot coverage for projects combining townhouses and single-family structures is based on averaging of their respective coverage allowances. For this project, total lot coverage is 48 and one-third percent.</p>	<p>Allow lot coverage of 49.63 percent, an increase of 1.3 percent (less than 120 S.F.)</p>	<p>Geotechnical analysis of the site’s sloped area reported that a shoring wall adjacent to the alley for slope stabilization is required. The shoring wall will be integrated into the eastern basement wall in Building 2.</p> <p>Previously, no garage was proposed for the southern unit of Building 2, or basement. With the retaining wall required it will be better to construct an enclosed space above the basement, hence a garage. This will result in a more attractive and safer parking location (Guidelines A-1, A-2, A-8)</p>	<p>Providing a garage will be an aesthetic benefit to the alley by screening the required parking and continuing the rhythm and pattern of Units 1 and 2. Also, the amount of lot coverage is minor; therefore the design departure is Approved.</p>
<p>Open Space. SMC 23.45.016.B.1.f prohibits including pedestrian access (walkways) in the minimum 200 sq. ft. per unit and 300 sq. ft. average open space calculation.</p>	<p>Include the central walkway and private entry walkways going through the open space for Units 2, 3, 4, and 5 in the open space calculation for each unit.</p>	<p>A fundamental design concept of the project is the large central garden court which is accessible from all units by multiple pathways. To achieve this, the central common walkway must go through the open space for Unit 2. The private access walkways for Units 3, 4, and 5 must also go through their open space areas. The common open space / courtyard design concept would not be possible with common and private walkways located to be strictly outside (not counted as a part) of required open space areas.</p>	<p>The inclusion of common and private walkways is consistent with the proposed common courtyard open space and responds to the related design guidance given; therefore the design departure would result in a better project and is Approved.</p>

<i>Land Use Code Standard</i>	<i>Proposed Departure</i>	<i>Rationale for Request</i>	<i>Planner Recommendation</i>
		The proposed open space areas provide 261 sq.ft. at the smallest (for Unit 4) and an average of 358 sq.ft. for all units.	
Interior Façade Modulation. SMC 23.45.012.C requires a minimum 4 foot modulation on interior facades wider than 40 feet.	Provide modulation at a depth of 2 feet on Building 2.	The interior façade of Building 2 is 72' wide. In lieu of modulation, but to achieve the same result, the 3 units of this structure are clearly defined and separated by 2 different types of siding, have individual roof forms, and have balconies.	The high quality design, along with the material, colors, roof forms and balconies create the intended effect of 4 foot modulation and follow the related design guidance given. The Director therefore finds the design departure would result in a better project and is <i>Approved</i> .
Structure Depth. SMC 23.45.012.C limits townhouse structure depth to 65% of lot depth and other ground related housing (the proposed single family structure) to 60% of lot depth, in this case 72 and 66 feet respectively.	Proposed (combined) structure depth of Buildings 1 and 2 is 81.3 feet. Structure depth for Buildings 2 and 3 is 75 feet.	Unit 2 of Building 1 has been shifted to the east to create a driveway / patio outdoor area along Minor Avenue and to minimize the visual size of this building from Minor Avenue; this results in a longer Building 1, hence greater (combined) structure depth. Building 3 has been designed with longer depth than width to create an adequate internal courtyard area.	The configuration and siting of these buildings produce a better site plan for the on-site design concept and streetscape. Additionally, although exceeding Code depth, Buildings 1 and 3 are sited to allow north and south light and solar exposure for structures on the adjoining properties. The Director therefore finds the design departure would result in a better project and is <i>Approved</i> .

DECISION - DESIGN REVIEW

Based on the project plans dated April 19, 2006 and the analysis above, the Director grants the Departures as requested and **CONDITIONALLY APPROVES** the proposed design along with the *non-appealable, building permit, and pre-Certificate of Occupancy* conditions below.

DESIGN REVIEW CONDITIONS

Non-Appealable Design Review Conditions

1. Any proposed changes to the exterior of the buildings or the site must be submitted to DPD for review and approval by the Land Use Planner (Art Pederson, 733-9074).
2. The building constructed shall comply with all images and text on the MUP drawings, design review guidelines and approved design features and elements (including exterior materials and landscaping). This shall be verified by the DPD planner assigned to this

project (Art Pederson, 733-9074), or by the Design Review Manager, before the issuance of the Certificate of Occupancy. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

3. Embed all conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.
4. Embed MUP approved building elevations and site and landscape plans in issued MUP plan sets and all subsequent building permit plans.

Prior to Issuance of the MUP Permit

5. Update the Code analysis and Departure Table sections of the submitted plans to reflect the Code and departure specifics in this document. Call out all departures on relevant MUP sheets.

Prior to Issuance of the Building Permit

6. The design shown in the building permit plans must be reviewed and approved by the project planner to verify conformance with the approved MUP design.

Signature: _____ (signature on file) Date: June 26, 2006
Art Pederson, Land Use Planner
Department of Planning and Development

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