Seattle Department of Construction & Inspections

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS

Project Number: 3029623-LU

Applicant Name: Robert Humble, Hybrid Architecture

Address of Proposal: 3421 Woodland Park Ave N

SUMMARY OF PROPOSAL
Land Use Application for an 8-story, 130-unit apartment building with 3 live/work units and retail space. Parking for 22 vehicles is proposed. Existing buildings are proposed to be demolished. Early Design Guidance conducted under 3032609-EG.

The following approvals are required:

Design Review with Departures (Seattle Municipal Code 23.41)*
**Departures are listed near the end of the Design Review Analysis in this document*

SEPA - Environmental Determination (Seattle Municipal Code Chapter 25.05)

SEPA DETERMINATION:

Determination of Non-significance

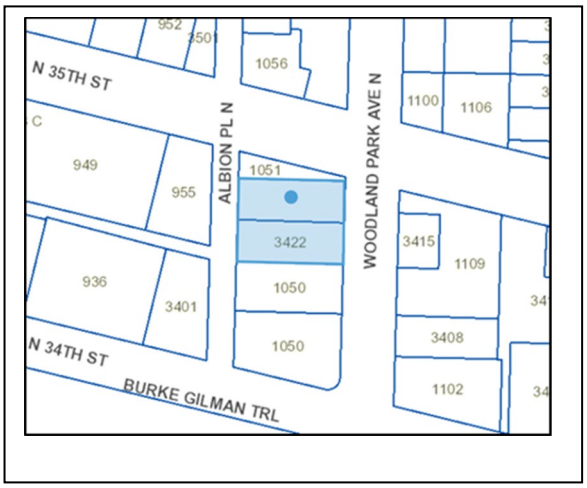
☒ No mitigating conditions of approval are imposed.

☐ Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts

SITE AND VICINITY

Site Zone: Neighborhood Commercial 2-75 foot height limit (M1) (NC2-75 (M1)) *

*When originally submitted in May, 2018, the project site was zoned Commercial 1-40 foot height limit (C1-40) and the applicant proposed a Contract Rezone to change the site to NC2-75. Citywide rezoning in April, 2019, changed the zone of the site to NC2-75. A Request to Withdraw the Contract Rezone was submitted on April 23, 2019 and a Vesting Confirmation from SDCI was uploaded to the project portal on April 24, 2019.



The top of this image is North. This map is for illustrative purposes only.
In the event of omissions, errors or differences, the documents in SDCI's files will control.

Nearby Zones: (North) NC2-75(M1)
(South) NC2-75(M1)
(East) Industrial Commercial-65 (M) (IC-65(M))
(West) Multi-Family Low Rise 3 (M) (LR3(M))

Lot Area: 13,000 SF

Overlays: Fremont Hub Urban Village
Frequent Transit Zone

Current and Surrounding Development; Neighborhood Character; Access:

The development site consists of two existing lots. The rectangular site has frontage on Albion Place N along the western property line and Woodland Park Ave N along the eastern property line. The site is currently developed with two existing single-family residences and accessory structures

Public Comment:

The public comment period ended on April 24, 2019. In addition to the comments received through the Design Review process, other comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to parking, traffic, cycling infrastructure and density. Comments were also received that are beyond the scope of this review and analysis per SMC 23.41 and 25.05.

I. ANALYSIS – DESIGN REVIEW

The design packet includes information presented at the meeting, and is available online by entering the record number at this website:
http://www.seattle.gov/DPD/aboutus/news/events/DesignReview/SearchPastReviews/default.aspx
Any recording of the Board meeting is available in the project file. This meeting report summarizes the meeting and is not a meeting transcript.

The packet is also available to view in the file, by contacting the Public Resource Center at SDCI:

Mailing Address of Proposal:	**Public Resource Center** 700 Fifth Ave., Suite 2000 P.O. Box 34019 Seattle, WA 98124-4019
Email:	PRC@seattle.gov

EARLY DESIGN GUIDANCE January 7, 2019

PUBLIC COMMENT

The following public comments were offered at this meeting:

- Preferred Option A as it has the least massing impact.
- Concerned about the additional mass and bulkiness of rooftop features, such as the elevator overrun, stair penthouses and mechanical equipment.
- Stated the ground floor design should minimize impacts on the pedestrian experience by maximizing setbacks from the sidewalk.
- Concerned about trash staging on Albion Place N as it is a narrow street and has the potential to impact vehicular traffic; trash should be staged inside.
- Noted the design should promote resident and pedestrian safety.
- Concerned about parking impacts and impact of vehicular access on existing adjacent uses and Albion Place N as it a very narrow street.
- Concerned about how the proposed uses will impact the existing uses in the area.

SDCI Staff also summarized design related comments received in writing prior to the meeting:

- Noted that Albion Place N is a small street and turning into the alley driveway can be difficult.
- Noted proposed structure would stand very tall relative to all of the other structures in the neighborhood; the MHA proposed NC-75 building height applies only to a narrow strip of properties and the project will continue to stand 2-3 stories taller over adjacent sites indefinitely.

- Noted that the structure will feature prominently in views towards Lake Union from a great many properties to the North, as well as feature in all views from Lake Union looking North.
- Would like the design review process to ensure a quality building is constructed in a manner that contributes to the Fremont neighborhood, which is known for quirky and artistic businesses and residents, and near the growing cultural scene on Stone Way which has proliferated with many well-designed restaurants and other businesses.
- Favored the preferred option, but concerned that the options B1 and B2 appear to be designed to be deliberately unappealing to favor the preferred option. Would like to see the developer to revisit these two schemes.
- Appreciated the formal distinction between the ground level "podium" and the monolithic upper mass and the "kink" in the form that angles the facade back from site edge as it would create a visually distinct building that is unique to the site, which could become iconic to the neighborhood.
- Noted that the expression of the facade will be important to the aesthetic effect of the completed structure. The preferred option proposes what could be an attractive façade, while the other two options appear underdeveloped.
- Supported the use of large floor-to-ceiling glazing because it suggests high-quality construction and creates a pattern of horizontal banding, which is further improved by the varied width and placement of panels. Appreciated that the horizontal bands wrap around all sides of the building, leaving no side as the "ugly back" and creating a visually interesting building.
- Supported the eroded corners and hoped the concept will be expanded to include "erosions" at other points on the façade, such as recessed balconies, which could help break up its otherwise monolithic faces.
- Stated that high quality materiality is critical for such a highly visible building; Hardie board should be discouraged.
- Would like to see the use of natural colors of the materials (brick, wood, metal, glass); color should be used sparingly as an accent. Concerned that buildings that rely on garish color schemes appear dated quickly and less attractive with time. Buildings that rely on the aesthetics of quality building materials age much more gracefully, and more easily become a welcome part of the neighborhood.

SDOT Staff provided the following comments in writing prior to the meeting:

- Noted a neighborhood greenway to calm vehicular traffic and prioritize people walking and biking is planned on Woodland Park Ave N.
- Supported the emphasis on bicycle over vehicular parking. The garage interior should be designed to make bicycle parking easy to locate, secure and attractive.
- Supported vehicular access and trash collection from Albion Place N as proposed.
- Noted street trees are required along both frontages.
- Did not support the proposal to locate the sidewalk on the curb along Albion Place N; encouraged the planting strip to be located between the curb and sidewalk to buffer pedestrian from vehicular traffic, and to enhance the safety and attractiveness of the pedestrian realm.
- Recommended the applicant upgrade the substandard curb ramps on N 35th St and sidewalk on Albion Place N.

One purpose of the design review process is for the Board and City to receive comments from the public that help to identify feedback and concerns about the site and design concept, identify applicable Seattle Design Guidelines and Neighborhood Design Guidelines of highest priority to the site and explore conceptual design, siting alternatives and eventual architectural design. Concerns with off-street parking, traffic and construction impacts are reviewed as part of the environmental review conducted by SDCI and are not part of this review. Concerns with building height calculations are addressed under the City's zoning code and are not part of this review.

All public comments submitted in writing for this project can be viewed using the following link and entering the Project Number: http://web6.seattle.gov/dpd/edms/

PRIORITIES & BOARD RECOMMENDATIONS

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.

1. **Massing & Response to Context**
    a. The Board unanimously supported Option B3, the applicant's preferred massing option, as it is highly responsive to the present and future context, neighboring structures, and unique perimeter conditions. (CS2)
    b. The Board supported the subtle and sophisticated sculpting of Option B3, and stated it appears to be light and fun in comparison to the blocky and conventional form of options B1 and B2. In agreement with public comment, the Board encouraged further development of the overall architectural character in a manner that expresses the whimsy and quirkiness of the Fremont neighborhood and specifically prioritized Design Guideline CS2-A, Location in the City and Neighborhood, and CS3-A, Emphasizing Positive Neighborhood Attributes. (CS2-A, CS3-A)
    c. In agreement with public comment, the Board supported the eroded corners concept. The Board noted this feature is important to the success of the mass and should be expanded upon – see additional guidance below under #4.a. (DC2)
    d. The Board appreciated that Option B3 appears to best maximize access to sunlight for the existing garden center to the north and encouraged further development in this regard. The Board specifically prioritized Design Guideline CS1-B, Sunlight and Natural Ventilation. (CS1-B)
    e. The Board supported the response to the existing commercial datum to the south along Woodland Park Ave N and the resulting upper-level setback above the live/work units. (CS2-B, CS3-A-1, DC2-A-1)
    f. The Board specifically prioritized Design Guidelines CS2-B, Adjacent Sites, Streets and Open Spaces; CS2-D, Height, Bulk and Scale; and DC2-A, Massing. (CS2-B, CS2-D, DC2-A)

2. **Woodland Park Ave N – Entry Experience & Street-Level Uses**
    a. The Board supported the proposed location of the primary residential entry in the northwest corner and directed further study of a singular entry sequence. The sequence should explore integrated ramping and stairs and consider how pedestrian

paths visually terminate – avoiding blank wall conditions in those locations. The Board specifically prioritized Design Guideline DC3-A-1, Interior/Exterior Fit, as it relates to the resolution of the entry sequence. (PL3-A, PL3-B, DC2-B-2, DC3-A-1)

b. The Board supported the proposed location of the live/work units and noted it provides an appropriate transition between the existing adjacent commercial use and the proposed residential use. (CS2-B, CS2-D-1, CS3-A-1, PL3-B-3)
c. The Board stated the design of the spill-out space between the live/work units and the sidewalk should be useable and contribute to the pedestrian realm. The Board noted they would be inclined to support a departure from commercial depth requirements if it contributes to the resolution of this guidance and the interior arrangement is thoughtfully designed to create distinctive live and work spaces. (CS2-B-2, PL3)
d. The Board supported the grouped street-facing live/work entries and the secondary entries off the residential lobby, as it promotes distinction between the live and work spaces as well as commercial viability. (PL3-A, PL3-B-3, DC1)
e. In response to public comment, the Board encouraged the applicant to respond to the character of the Fremont neighborhood in the design of the live/work frontage. (CS2, CS2-B-2, CS2-D-1, CS3-A, PL3-B-3)
f. The Board specifically prioritized PL3-A, Entries, and PL3-B, Residential Edges. (PL3-A, PL3-B)

3. Albion Place N – Entry Experience & Street-Level Uses

a. The Board supported the proposed individual entries along Albion Place N as it maximizes eyes on the street. Stoops should be designed to be usable spaces and contribute to a residential character. (PL2-B-1, PL3-A-3, PL3-B, DC2-D-1)
b. The Board acknowledged SDOT comments regarding the preferred planting strip location along Albion Place N; however, the Board noted that locating the sidewalk between the curb and the planting strip helps buffer residential units by creating a more contiguous landscape along the property line. (PL3-B, DC4-D-1)
c. The Board supported the proposed trash storage, staging and service plans. (DC1-C)

4. Facade Composition, Secondary Features & Materiality

a. In response to public comment, the Board directed further study of additional recessed balconies on the south facade in a manner that activates and enlivens the façade, takes advantage of views, and is consistent with the eroded corners concept. Studies should be documented at the Recommendation phase. (DC2, DC2-A-1, DC2-B-1, DC2-C-1, DC2-C-2)
b. The Board noted that the attached balconies on the west façade successfully contribute to a quirky character; however, the Board noted the balconies should be of a useable size. (CS3, DC2, DC2-C, DC3-B-1)
c. In agreement with public comment, the Board supported the continuous horizontal banding. The Board noted that banding should be achieved through figure/ground composition of glazing and materials, as depicted in precedent images 1 and 3 on page 35 of the EDG Packet, rather than literal horizontal material striping, as depicted in precedent image 4 on the same page. (DC2-B-1)
d. The Board questioned the success of the angled parapet, but ultimately noted the angle contributes to the sculptural quality of the proposed mass. (CS3, DC2)

e. The Board specifically prioritized Design Guidelines DC2-B, Architectural and Façade Composition; DC2-C, Secondary Architectural Features; and DC4-A, Exterior Elements and Finishes. (DC2-B, DC2-C, DC4-A)

5. Rooftop Open Space & Landscape

a. The Board supported the proposed location of the rooftop amenity on the south side of the penthouse - away from the less intense residential zones - as it promotes respect for adjacent sites. (CS2-D-5, DC3-B)
b. In response to public comment, the Board noted that the rooftop will be perceived as a fifth elevation from the bridge and higher elevations. The penthouse should be designed to be sculptural, informed by the overall architectural concept and inspired by the character of the Fremont neighborhood. (CS3-A, DC2, DC2-B-1, DC3)
c. The Board encouraged the incorporation of existing vegetation where possible and directed further consideration of conifers in the landscape design. The Board specifically prioritized Design Guideline DC4-D, Trees, Landscape and Hardscape Materials. (DC4-D)

DEVELOPMENT STANDARD DEPARTURES

At the time of the Early Design Guidance meeting, no departures were requested.

RECOMMENDATION November 23, 2020

PUBLIC COMMENT

The following public comments were offered at this meeting:

- Really like the project.
- Would like to see soffits as a dark color wood as opposed to metal.
- Would like to see framing on trim pushed out 3-5 inches to make more of a shadow line
- Get rid of the horizontal mullion to- or get a larger window Would get rid of distracting horizontal element
- Wants to know about viability of live-work
- Color coming down from upper panel each one of the of the sides of the building: Would like to see color (funk) come all the way down to the street side. Funky neighborhood should have some funk

SDCI staff also summarized design related comments received in writing prior to the meeting:

- Observed that there are no buildings taller than five stories in the neighborhood.
- Multiple comments opposed to the proposed eight-story height.
- Concerned the scale is not in keeping with the existing neighborhood character, currently comprised of single-family, two- to three-story homes and businesses.
- Stated the proposed design is too large and tall for its lot position and would consequently block the rest of Fremont from Lake Union.
- Felt the early, schematic designs disregarded the existing neighborhood context and urban fabric.
- Multiple comments opposed the rezone – note this is no longer required for the proposal.

- Worried the building will cast large shadows on the neighboring buildings.
- Encouraged increasing the setback on the north property line to reduce the project's impacts.
- Stated that while the proposed development under NC2-75 zoning did go through design review, an analysis of the massing and aesthetic impacts created by increasing the height from 40 to 75 feet in the area has not been conducted.
- Requested a study to assess the glare impacts created by a 75-foot south facing reflective wall on vehicles travelling on N 34th.
- Noted that the proposed driveway exits close to the alley where garbage trucks and delivery vehicles often have trouble making the turn into the alley.
- Stated the proposed design on the building's south side is an overly formal contrast to the neighborhood's artistic and distinctive character.
- Requested retaining the center pleat but slicing off the projecting corners at some point, even if only six feet from the end.

SDCI received non-design related comments concerning low number of parking spaces provided, unit allocation for low income residents, and opposition to the Contract Rezone initially proposed.

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All public comments submitted in writing for this project can be viewed using the following link and entering the Project Number: http://web6.seattle.gov/dpd/edms/

PRIORITIES & BOARD RECOMMENDATIONS

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 recommendations.

1. **Massing & Response to Context**
   - **a.** The Board supported the refinements to the preferred building massing made in response to the EDG comments. There was consensus that the sculptural qualities supported at EDG have been enhanced by simplification of the design. Inclusion of angles on each side of the upper volume, simplification of balconies, emphasis of horizontal banding and a limited material palette all contribute to the strength of the overall building concept. **CS2-A-2. Architectural Presence, DC2-B Architectural and Facade Composition, CS3-A-2. Contemporary Design**
   - b. The vertical gasket added to the crease of the angle on each facade was discussed in regard to whether it added to,or detracted from, the overall concept. It was noted that

the element emphasizes the façade modulation but it the breaks the continuity of the horizontal elements. The 2' width by 2' depth modulation is intended to create a shadow line but also houses downspouts. The Board asked for a Condition (see **Condition 1**) that the applicant team study the façade with and without the gasket feature with a focus on emphasis of the horizontal continuity. The board emphasized that downspouts should continue to be hidden within the building forms. **DC2-B-1. Façade Composition**

2. Facade Composition, Secondary Features & Materiality

a. Recessed balconies that emphasize 'eroded corners' were studied and expanded onto the west, south and east facades and the protruding triangular balconies on the east façade were removed. The Board agreed that both moves are successful in solidifying the architectural concept of the upper level massing. **DC2-B-1. Façade Composition, DC2-C-1. Visual Depth and Interest**

b. The simplified material palette was supported by the Board. It was agreed that the strength of the project was in its strong forms. Materials should be high quality and skillfully applied to create visual depth and patterning. **DC4-A-1. Exterior Finish Materials**

c. The Board appreciated the strategy of integrating venting into the horizontal banding. **DC2-C-2. Dual Purpose Elements**

d. The use of cedar at the soffit over the live/work entrance terrace was supported. The Board questioned whether the cedar could be continued on upper level soffits. The consensus was that the dark color presented worked well to emphasize the horizontal shadow line. **DC2-D Scale and Texture**

e. The angled roof parapet forms were simplified for this submittal and the Board agreed that the level parapet worked with the strong building forms. **DC2-B-1. Façade Composition**

3. Woodland Park Ave N – Entry Experience & Street-Level Uses

a. The Board supports the revisions to the entrance sequence from Woodland Park Ave. It was noted that access to the live/work, retail and residentail entrance appeared more intuitive. The increased commercial depth was supported as was the enlarged terrace that provides more opportunity for spill-out spaces for the retail spaces that will increase the vibrancy of the façade. It was suggested that the northeast corner of the architecture should be kept as transparent as possible and that planting should be kept low in order to retain visibility form the sidewalk to the main residential entrance. It was noted that although the Board supports the art-filled nature of the neighborhood, they preferred to see a simplicity of building forms that can be activated by the creativity of the retail spaces. **PL3-C Retail Edges, DC3-A-1. Interior/Exterior Fit, PL3-A-4. Ensemble of Elements, DC2-E Form and Function**

b. The Board supported the revised pedestrian path along the north property edge that allows primary pedestrian access to the main residential entry from both Woodland Park Ave and Albion Pl. The layout also creates a lush landscaped buffer at the grade change between the site and the property to the north. **PL3-A-2. Common Entries, PL1-B-1. Pedestrian Infrastructure, PL1-A-1. Enhancing Open Space**

b. It was suggested that framing of the live/work units along the south property line (at the existing adjacent building) will be important to complete the composition of the expanded terrace. Integrate lighting, signage and other secondary details to unify the retail frontages as the design develops. **PL3-A-4. Ensemble of Elements, PL3-C Retail Edges**

4. Albion Place N – Entry Experience & Street-Level Uses

a. The Board supported the revisions to the Albion Pl façade. Although the stoops and unit entries along the Albion Pl façade have been removed, the 'porch' datum line at the second level echoes the residential forms of the neighborhood context. **PL3-B Residential Edges**

b. The Board suggested a review of access to the bike room from the Albion Pl right of way. A clarified entrance sequence, perhaps including signage or artwork, would enhance wayfinding. **PL4-B-2. Bike Facilities**

c. As this façade faces a residential street, there was discussion of how to add interest to the architecture that was appropriate for the 'funky' Fremont residential neighborhood. The Board supported a Condition (see **Condition 2**) that the applicant study incorporation of artwork along this facade to be visible from the street/pedestrian level. Ensure element is well integrated with architecture and is appropriate for scale of street. Investigate ways to link artwork to rooftop (see comments below) or other ways to tie into the overall building concept. **DC2-B-2. Blank Walls, DC2-C-1. Visual Depth and Interest**

d. The sight triangle departure (described below) was supported by the Board but it was emphasized that safety for the pedestrian realm was very important. Inclusion of safety measures should be integrated into overall building/site design. (See associated **Condition 3.**) **DC1-C-2. Visual Impacts**

e. Inclusion of a trash staging interior space, which eliminates the need for any solid waste staging on Albion Pl, was supported by the board. **DC1-C-4. Service Uses**

5. Rooftop Open Space & Landscape

a. The mechanical penthouse 'structure', clad in semi-transparent polycarbonate panels with an internal lighting feature, was supported. It was agreed that a lighted element, visible from a distance and that could change over time, was a unique and appropriate focal point for the architecture. As the structure also encompasses the masses of the elevator over-run, stair towers and mechanical equipment, the structure also serves to simplify the roof forms. The Board suggested the form be studied further, within the subtle design language, to provide more connection to the architecture, neighborhood, etc. **CS3-A Emphasizing Positive Neighborhood Attributes, DC2-C-2. Dual Purpose Elements, DC2-B-1. Façade Composition**

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure will be based on the departure's potential to help the project better meet these design guidelines priorities and achieve a better overall project design than could be achieved without the departure. The Board's recommendation will be reserved until the final Board meeting.

At the time of the Recommendation meeting, the following departure was requested:

1. **Departure from the requirement of two sight triangles on a two-way driveway less than 22 feet wide (SMC 23.54.030.G):** The Code requires that an unobstructed sight triangle shall be provided on both sides of a two-way driveway that is less than 22 feet wide. The applicant proposes providing one sight triangle on the side of the driveway used for exit, similar to requirements in 23.54.030.G.1 for driveways greater than 22 feet wide.

The Board indicated support for the departure request. As the driveway provides access to only 22 vehicles, the Board thought the drive would have limited activity. A narrow drive access will also lessen the impact to the pedestrian environment on Albion Pl. The Board was concerned, however, with potential impacts to safety with the departure. As such, the Board agreed to impose a Condition to the Recommendation report (see **Condition 3**) for the applicant to study features that would enhance safe use of the sidewalk by pedestrians (such as mirrors) but that would not impact the residential uses on the west side of Albion Pl (such as loud auditory warnings).

DESIGN REVIEW GUIDELINES

The Seattle Design Guidelines and Neighborhood Design Guidelines recognized by the Board as Priority Guidelines are identified above. All guidelines remain applicable and are summarized below. For the full text please visit the Design Review website.

CONTEXT & SITE

CS1 Natural Systems and Site Features: Use natural systems/features of the site and its surroundings as a starting point for project design.

CS1-A Energy Use

CS1-A-1. Energy Choices: At the earliest phase of project development, examine how energy choices may influence building form, siting, and orientation, and factor in the findings when making siting and design decisions.

CS1-B Sunlight and Natural Ventilation

CS1-B-1. Sun and Wind: Take advantage of solar exposure and natural ventilation. Use local wind patterns and solar gain to reduce the need for mechanical ventilation and heating where possible.

CS1-B-2. Daylight and Shading: Maximize daylight for interior and exterior spaces and minimize shading on adjacent sites through the placement and/or design of structures on site.

CS1-B-3. Managing Solar Gain: Manage direct sunlight falling on south and west facing facades through shading devices and existing or newly planted trees.

CS1-C Topography

CS1-C-1. Land Form: Use natural topography and desirable landforms to inform project design.

CS1-C-2. Elevation Changes: Use the existing site topography when locating structures and open spaces on the site.

CS1-D Plants and Habitat

CS1-D-1. On-Site Features: Incorporate on-site natural habitats and landscape elements into project design and connect those features to existing networks of open spaces and

natural habitats wherever possible. Consider relocating significant trees and vegetation if retention is not feasible.

CS1-D-2. Off-Site Features: Provide opportunities through design to connect to off-site habitats such as riparian corridors or existing urban forest corridors. Promote continuous habitat, where possible, and increase interconnected corridors of urban forest and habitat where possible.

CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

CS2-A Location in the City and Neighborhood

CS2-A-1. Sense of Place: Emphasize attributes that give a distinctive sense of place. Design the building and open spaces to enhance areas where a strong identity already exists, and create a sense of place where the physical context is less established.

CS2-A-2. Architectural Presence: Evaluate the degree of visibility or architectural presence that is appropriate or desired given the context, and design accordingly.

CS2-B Adjacent Sites, Streets, and Open Spaces

CS2-B-1. Site Characteristics: Allow characteristics of sites to inform the design, especially where the street grid and topography create unusually shaped lots that can add distinction to the building massing.

CS2-B-2. Connection to the Street: Identify opportunities for the project to make a strong connection to the street and public realm.

CS2-B-3. Character of Open Space: Contribute to the character and proportion of surrounding open spaces.

CS2-C Relationship to the Block

CS2-C-1. Corner Sites: Corner sites can serve as gateways or focal points; both require careful detailing at the first three floors due to their high visibility from two or more streets and long distances.

CS2-C-2. Mid-Block Sites: Look to the uses and scales of adjacent buildings for clues about how to design a mid-block building. Continue a strong street-edge and respond to datum lines of adjacent buildings at the first three floors.

CS2-C-3. Full Block Sites: Break up long facades of full-block buildings to avoid a monolithic presence. Provide detail and human scale at street-level, and include repeating elements to add variety and rhythm to the façade and overall building design.

CS2-D Height, Bulk, and Scale

CS2-D-1. Existing Development and Zoning: Review the height, bulk, and scale of neighboring buildings as well as the scale of development anticipated by zoning for the area to determine an appropriate complement and/or transition.

CS2-D-2. Existing Site Features: Use changes in topography, site shape, and vegetation or structures to help make a successful fit with adjacent properties.

CS2-D-3. Zone Transitions: For projects located at the edge of different zones, provide an appropriate transition or complement to the adjacent zone(s). Projects should create a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zone and the proposed development.

CS2-D-4. Massing Choices: Strive for a successful transition between zones where a project abuts a less intense zone.

CS2-D-5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy of residents in adjacent buildings.

CS3 Architectural Context and Character: Contribute to the architectural character of the neighborhood.

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-1. Fitting Old and New Together: Create compatibility between new projects, and existing architectural context, including historic and modern designs, through building articulation, scale and proportion, roof forms, detailing, fenestration, and/or the use of complementary materials.

CS3-A-2. Contemporary Design: Explore how contemporary designs can contribute to the development of attractive new forms and architectural styles; as expressed through use of new materials or other means.

CS3-A-3. Established Neighborhoods: In existing neighborhoods with a well-defined architectural character, site and design new structures to complement or be compatible with the architectural style and siting patterns of neighborhood buildings.

CS3-A-4. Evolving Neighborhoods: In neighborhoods where architectural character is evolving or otherwise in transition, explore ways for new development to establish a positive and desirable context for others to build upon in the future.

CS3-B Local History and Culture

CS3-B-1. Placemaking: Explore the history of the site and neighborhood as a potential placemaking opportunity. Look for historical and cultural significance, using neighborhood groups and archives as resources.

CS3-B-2. Historical/Cultural References: Reuse existing structures on the site where feasible as a means of incorporating historical or cultural elements into the new project.

PUBLIC LIFE

PL1 Connectivity: Complement and contribute to the network of open spaces around the site and the connections among them.

PL1-A Network of Open Spaces

PL1-A-1. Enhancing Open Space: Design the building and open spaces to positively contribute to a broader network of open spaces throughout the neighborhood.

PL1-A-2. Adding to Public Life: Seek opportunities to foster human interaction through an increase in the size and quality of project-related open space available for public life.

PL1-B Walkways and Connections

PL1-B-1. Pedestrian Infrastructure: Connect on-site pedestrian walkways with existing public and private pedestrian infrastructure, thereby supporting pedestrian connections within and outside the project.

PL1-B-2. Pedestrian Volumes: Provide ample space for pedestrian flow and circulation, particularly in areas where there is already heavy pedestrian traffic or where the project is expected to add or attract pedestrians to the area.

PL1-B-3. Pedestrian Amenities: Opportunities for creating lively, pedestrian oriented open spaces to enliven the area and attract interest and interaction with the site and building should be considered.

PL1-C Outdoor Uses and Activities

PL1-C-1. Selecting Activity Areas: Concentrate activity areas in places with sunny exposure, views across spaces, and in direct line with pedestrian routes.

PL1-C-2. Informal Community Uses: In addition to places for walking and sitting, consider including space for informal community use such as performances, farmer's markets, kiosks and community bulletin boards, cafes, or street vending.

PL1-C-3. Year-Round Activity: Where possible, include features in open spaces for activities beyond daylight hours and throughout the seasons of the year, especially in neighborhood centers where active open space will contribute vibrancy, economic health, and public safety.

PL2 Walkability: Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.

PL2-A Accessibility

PL2-A-1. Access for All: Provide access for people of all abilities in a manner that is fully integrated into the project design. Design entries and other primary access points such that all visitors can be greeted and welcomed through the front door.

PL2-A-2. Access Challenges: Add features to assist pedestrians in navigating sloped sites, long blocks, or other challenges.

PL2-B Safety and Security

PL2-B-1. Eyes on the Street: Create a safe environment by providing lines of sight and encouraging natural surveillance.

PL2-B-2. Lighting for Safety: Provide lighting at sufficient lumen intensities and scales, including pathway illumination, pedestrian and entry lighting, and/or security lights.

PL2-B-3. Street-Level Transparency: Ensure transparency of street-level uses (for uses such as nonresidential uses or residential lobbies), where appropriate, by keeping views open into spaces behind walls or plantings, at corners, or along narrow passageways.

PL2-C Weather Protection

PL2-C-1. Locations and Coverage: Overhead weather protection is encouraged and should be located at or near uses that generate pedestrian activity such as entries, retail uses, and transit stops.

PL2-C-2. Design Integration: Integrate weather protection, gutters and downspouts into the design of the structure as a whole, and ensure that it also relates well to neighboring buildings in design, coverage, or other features.

PL2-C-3. People-Friendly Spaces: Create an artful and people-friendly space beneath building.

PL2-D Wayfinding

PL2-D-1. Design as Wayfinding: Use design features as a means of wayfinding wherever possible.

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-1. Design Objectives: Design primary entries to be obvious, identifiable, and distinctive with clear lines of sight and lobbies visually connected to the street.

PL3-A-2. Common Entries: Multi-story residential buildings need to provide privacy and security for residents but also be welcoming and identifiable to visitors.

PL3-A-3. Individual Entries: Ground-related housing should be scaled and detailed appropriately to provide for a more intimate type of entry.

PL3-A-4. Ensemble of Elements: Design the entry as a collection of coordinated elements including the door(s), overhead features, ground surface, landscaping, lighting, and other features.

PL3-B Residential Edges

PL3-B-1. Security and Privacy: Provide security and privacy for residential buildings through the use of a buffer or semi-private space between the development and the street or neighboring buildings.

PL3-B-2. Ground-level Residential: Privacy and security issues are particularly important in buildings with ground-level housing, both at entries and where windows are located overlooking the street.

PL3-B-3. Buildings with Live/Work Uses: Maintain active and transparent facades in the design of live/work residences. Design the first floor so it can be adapted to other commercial use as needed in the future.

PL3-B-4. Interaction: Provide opportunities for interaction among residents and neighbors.

PL3-C Retail Edges

PL3-C-1. Porous Edge: Engage passersby with opportunities to interact visually with the building interior using glazing and transparency. Create multiple entries where possible and make a physical and visual connection between people on the sidewalk and retail activities in the building.

PL3-C-2. Visibility: Maximize visibility into the building interior and merchandise displays. Consider fully operational glazed wall-sized doors that can be completely opened to the street, increased height in lobbies, and/or special lighting for displays.

PL3-C-3. Ancillary Activities: Allow space for activities such as sidewalk vending, seating, and restaurant dining to occur. Consider setting structures back from the street or incorporating space in the project design into which retail uses can extend.

PL4 Active Transportation: Incorporate design features that facilitate active forms of transportation such as walking, bicycling, and use of transit.

PL4-A Entry Locations and Relationships

PL4-A-1. Serving all Modes of Travel: Provide safe and convenient access points for all modes of travel.

PL4-A-2. Connections to All Modes: Site the primary entry in a location that logically relates to building uses and clearly connects all major points of access.

PL4-B Planning Ahead for Bicyclists

PL4-B-1. Early Planning: Consider existing and future bicycle traffic to and through the site early in the process so that access and connections are integrated into the project along with other modes of travel.

PL4-B-2. Bike Facilities: Facilities such as bike racks and storage, bike share stations, shower facilities and lockers for bicyclists should be located to maximize convenience, security, and safety.

PL4-B-3. Bike Connections: Facilitate connections to bicycle trails and infrastructure around and beyond the project.

PL4-C Planning Ahead For Transit

PL4-C-1. Influence on Project Design: Identify how a transit stop (planned or built) adjacent to or near the site may influence project design, provide opportunities for placemaking.

PL4-C-2. On-site Transit Stops: If a transit stop is located onsite, design project-related pedestrian improvements and amenities so that they complement any amenities provided for transit riders.

PL4-C-3. Transit Connections: Where no transit stops are on or adjacent to the site, identify where the nearest transit stops and pedestrian routes are and include design features and connections within the project design as appropriate.

DESIGN CONCEPT

DC1 Project Uses and Activities: Optimize the arrangement of uses and activities on site.

DC1-A Arrangement of Interior Uses

DC1-A-1. Visibility: Locate uses and services frequently used by the public in visible or prominent areas, such as at entries or along the street front.

DC1-A-2. Gathering Places: Maximize the use of any interior or exterior gathering spaces.

DC1-A-3. Flexibility: Build in flexibility so the building can adapt over time to evolving needs, such as the ability to change residential space to commercial space as needed.

DC1-A-4. Views and Connections: Locate interior uses and activities to take advantage of views and physical connections to exterior spaces and uses.

DC1-B Vehicular Access and Circulation

DC1-B-1. Access Location and Design: Choose locations for vehicular access, service uses, and delivery areas that minimize conflict between vehicles and non-motorists wherever possible. Emphasize use of the sidewalk for pedestrians, and create safe and attractive conditions for pedestrians, bicyclists, and drivers.

DC1-B-2. Facilities for Alternative Transportation: Locate facilities for alternative transportation in prominent locations that are convenient and readily accessible to expected users.

DC1-C Parking and Service Uses

DC1-C-1. Below-Grade Parking: Locate parking below grade wherever possible. Where a surface parking lot is the only alternative, locate the parking in rear or side yards, or on lower or less visible portions of the site.

DC1-C-2. Visual Impacts: Reduce the visual impacts of parking lots, parking structures, entrances, and related signs and equipment as much as possible.

DC1-C-3. Multiple Uses: Design parking areas to serve multiple uses such as children's play space, outdoor gathering areas, sports courts, woonerf, or common space in multifamily projects.

DC1-C-4. Service Uses: Locate and design service entries, loading docks, and trash receptacles away from pedestrian areas or to a less visible portion of the site to reduce possible impacts of these facilities on building aesthetics and pedestrian circulation.

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-A Massing

DC2-A-1. Site Characteristics and Uses: Arrange the mass of the building taking into consideration the characteristics of the site and the proposed uses of the building and its open space.

DC2-A-2. Reducing Perceived Mass: Use secondary architectural elements to reduce the perceived mass of larger projects.

DC2-B Architectural and Facade Composition

DC2-B-1. Façade Composition: Design all building facades—including alleys and visible roofs— considering the composition and architectural expression of the building as a whole. Ensure that all facades are attractive and well-proportioned.

DC2-B-2. Blank Walls: Avoid large blank walls along visible façades wherever possible. Where expanses of blank walls, retaining walls, or garage facades are

unavoidable, include uses or design treatments at the street level that have human scale and are designed for pedestrians.

DC2-C Secondary Architectural Features

DC2-C-1. Visual Depth and Interest: Add depth to facades where appropriate by incorporating balconies, canopies, awnings, decks, or other secondary elements into the façade design. Add detailing at the street level in order to create interest for the pedestrian and encourage active street life and window shopping (in retail areas).

DC2-C-2. Dual Purpose Elements: Consider architectural features that can be dual purpose— adding depth, texture, and scale as well as serving other project functions.

DC2-C-3. Fit With Neighboring Buildings: Use design elements to achieve a successful fit between a building and its neighbors.

DC2-D Scale and Texture

DC2-D-1. Human Scale: Incorporate architectural features, elements, and details that are of human scale into the building facades, entries, retaining walls, courtyards, and exterior spaces in a manner that is consistent with the overall architectural concept

DC2-D-2. Texture: Design the character of the building, as expressed in the form, scale, and materials, to strive for a fine-grained scale, or "texture," particularly at the street level and other areas where pedestrians predominate.

DC2-E Form and Function

DC2-E-1. Legibility and Flexibility: Strive for a balance between building use legibility and flexibility. Design buildings such that their primary functions and uses can be readily determined from the exterior, making the building easy to access and understand. At the same time, design flexibility into the building so that it may remain useful over time even as specific programmatic needs evolve.

DC3 Open Space Concept: Integrate open space design with the building design so that they complement each other.

DC3-A Building-Open Space Relationship

DC3-A-1. Interior/Exterior Fit: Develop an open space concept in conjunction with the architectural concept to ensure that interior and exterior spaces relate well to each other and support the functions of the development.

DC3-B Open Space Uses and Activities

DC3-B-1. Meeting User Needs: Plan the size, uses, activities, and features of each open space to meet the needs of expected users, ensuring each space has a purpose and function.

DC3-B-2. Matching Uses to Conditions: Respond to changing environmental conditions such as seasonal and daily light and weather shifts through open space design and/or programming of open space activities.

DC3-B-3. Connections to Other Open Space: Site and design project-related open spaces to connect with, or enhance, the uses and activities of other nearby public open space where appropriate.

DC3-B-4. Multifamily Open Space: Design common and private open spaces in multifamily projects for use by all residents to encourage physical activity and social interaction.

DC3-C Design

DC3-C-1. Reinforce Existing Open Space: Where a strong open space concept exists in the neighborhood, reinforce existing character and patterns of street tree planting, buffers or treatment of topographic changes. Where no strong patterns exist, initiate a strong open space concept that other projects can build upon in the future.

DC3-C-2. Amenities/Features: Create attractive outdoor spaces suited to the uses envisioned for the project.

DC3-C-3. Support Natural Areas: Create an open space design that retains and enhances onsite natural areas and connects to natural areas that may exist off-site and may provide habitat for wildlife.

DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.

DC4-A Exterior Elements and Finishes

DC4-A-1. 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.

DC4-A-2. Climate Appropriateness: Select durable and attractive materials that will age well in Seattle's climate, taking special care to detail corners, edges, and transitions.

DC4-B Signage

DC4-B-1. Scale and Character: Add interest to the streetscape with exterior signs and attachments that are appropriate in scale and character to the project and its environs.

DC4-B-2. Coordination with Project Design: Develop a signage plan within the context of architectural and open space concepts, and coordinate the details with façade design, lighting, and other project features to complement the project as a whole, in addition to the surrounding context.

DC4-C Lighting

DC4-C-1. Functions: Use lighting both to increase site safety in all locations used by pedestrians and to highlight architectural or landscape details and features such as entries, signs, canopies, plantings, and art.

DC4-C-2. Avoiding Glare: Design project lighting based upon the uses on and off site, taking care to provide illumination to serve building needs while avoiding off-site night glare and light pollution.

DC4-D Trees, Landscape, and Hardscape Materials

DC4-D-1. Choice of Plant Materials: Reinforce the overall architectural and open space design concepts through the selection of landscape materials.

DC4-D-2. Hardscape Materials: Use exterior courtyards, plazas, and other hard surfaced areas as an opportunity to add color, texture, and/or pattern and enliven public areas through the use of distinctive and durable paving materials. Use permeable materials wherever possible.

DC4-D-3. Long Range Planning: Select plants that upon maturity will be of appropriate size, scale, and shape to contribute to the site as intended.

DC4-D-4. Place Making: Create a landscape design that helps define spaces with significant elements such as trees.

DC4-E Project Assembly and Lifespan

DC4-E-1. Deconstruction: When possible, design the project so that it may be deconstructed at the end of its useful lifetime, with connections and assembly techniques that will allow reuse of materials.

RECOMMENDATIONS

BOARD DIRECTION

At the conclusion of the RECOMMENDATION meeting, the Board recommended approval of the project with conditions.

The recommendation summarized above was based on the design review packet dated Monday, November 23, 2020, and the materials shown and verbally described by the applicant at the Monday, November 23, 2020 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design and departures with the following conditions:

Condition 1: Study removal of the vertical gaskets. Focus the study on improvement of the horizontal banding by stitching across the inflection point of the façade angle in order to simplify and enhance sculptural quality of building. Scuppers and/or downspouts now housed within gasket should not be visible at inflection point; any roof drainage strategy should be maintained hidden within the building forms.

Condition 2: Explore locations where one (or more) art elements can be integrated into the project. The element(s) should be visible from the streetscape or pedestrian realm to help relate the development to the artful expressions typical of the Fremont neighborhood architectural context. Study the potentials use of lighting along Albion Pl that relates to use of light on rooftop element.

Condition 3: Related to the departure for a reduced sight triangle at the parking entrance, study additional safety measures to prioritize the viability of the pedestrian experience along the Albion Pl sidewalk. Measures should focus on putting responsibility of safety onto vehicle operator as opposed to the pedestrian. Residential context should be considered; auditory signals will not be allowed.

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the SDCI Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

a. Reflects inconsistent application of the design review guidelines; or
b. Exceeds the authority of the Design Review Board; or
c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or
d. Conflicts with the requirements of state or federal law.

Subject to the recommended conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

At the conclusion of the Recommendation meeting held on Monday, November 23, 2020, the Board recommended approval of the project with the conditions described in the summary of the Recommendation meeting above.

Five members of the Northeast Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3).

The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

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

Applicant response to Recommended Design Review Conditions:

1. The applicant provided several options showing the removal of the vertical gaskets on the building façades. The design of the East and West façades was revised by removing the vertical gaskets to improve the horizontal banding and enhance the sculptural quality of the building. The alternating black and white infill panels further emphasize the horizontal elements of the building. Refer to sheets A2.01 and A2.03 in the plan set. The response satisfies recommended condition #1.

2. The applicant explored multiple locations where art may be successfully integrated into the project and be visible from the pedestrian realm. The applicant revised the proposal to include a combination of lighting and signage to add an artistic element along Albion Pl that directly relates to the lighting seen throughout the proposal. Refer to Sheet DR3 in the plan set. The response satisfies the recommended condition for the MUP decision. The locations of all signage and lighting shall be shown on the construction plans, and the installation of these items will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction, as conditioned below.

3. The applicant studied additional safety measures that could be incorporated at the parking entrance to improve the pedestrian experience along Albion Pl. The parking entrance was revised to include a traffic mirror as shown in the Correction Response document uploaded on 08/24/2021. The response satisfies the recommended condition for the MUP decision. The location of the traffic mirror shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction, as conditioned below.

The applicant shall be responsible for ensuring that all construction documents, details, and specifications are shown and constructed consistent with the approved MUP drawings.

The Director of SDCI has reviewed the decision and recommendations of the Design Review Board made by the five members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines. The Director is satisfied that all the recommendations imposed by the Design Review Board have been met.

DIRECTOR'S DECISION

The Director accepts the Design Review Board's recommendations and CONDITIONALLY APPROVES the proposed design and the requested departure with the conditions summarized at the end of this Decision.

II. ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 2/22/2019 The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations.

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases

in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes air quality, greenhouse gas, construction traffic and parking impacts, as well as mitigation.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Construction Impacts - Parking and Traffic

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The area is subject to significant traffic congestion during peak travel times on nearby arterials. Large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted and a Construction Management Plan is required, which will be reviewed by Seattle Department of Transportation (SDOT). The requirements for a Construction Management Plan include a Haul Route and a Construction Parking Plan. The submittal information and review process for Construction Management Plans are described on the SDOT website at: Construction Use in the Right of Way.

Construction Impacts - Noise

The project is expected to generate loud noise during demolition, grading and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends and legal holidays in Lowrise, Midrise, Highrise, Residential-Commercial and Neighborhood Commercial zones.

If extended construction hours are necessary due to emergency reasons or construction in the right of way, the applicant may seek approval from SDCI through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated.

A Construction Management Plan will be required prior to issuance of the first building permit, including contact information in the event of complaints about construction noise, and measures to reduce or prevent noise impacts. The submittal information and review process for Construction Management Plans are described on the SDOT website

at: http://www.seattle.gov/transportation/permits-and-services/permits/construction-use-in-the-right-of-way#cmp. The limitations stipulated in the Noise Ordinance and the CMP are sufficient to mitigate noise impacts; therefore no additional SEPA conditioning is necessary to mitigation noise impacts per SMC 25.05.675.B.

Construction Impacts – Mud and Dust

Approximately 24,219 cubic yards of material will be excavated and removed from the site. Transported soil is susceptible to being dropped, spilled or leaked onto City streets. The City's Traffic Code (SMC 11.74.150 and .160) provides that material hauled in trucks not be spilled during transport. The City requires that loads be either 1) secured/covered; or 2) a minimum of six inches of "freeboard" (area from level of material to the top of the truck container). The regulation is intended to minimize the amount of spilled material and dust from the truck bed en route to or from a site.

No further conditioning of the impacts associated with these construction impacts of the project is warranted pursuant to SEPA policies (SMC 25.05.675.B).

Long Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including the following: greenhouse gas emissions; parking; potential blockage of designated sites from the Scenic Routes nearby; possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas, historic resources, height bulk and scale, parking, public views, and transportation warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Historic Resources

The existing structures on site are more than 50 years old. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and indicated the structures on site are unlikely to qualify for historic landmark status (Landmarks Preservation Board letters, reference number LPB 626/19) Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H.

The project is within the U. S. Government Meander Line buffer that marks the historic shoreline – an area with the potential for discovery of pre-contact and early historic period resources. The

applicant submitted: *an archaeological Assessment report by Cascade Archaeology dated December 22,2018,* which indicated that no significant historic resources were likely to be at the site.

Since the information showed there was low probable presence of archaeologically significant resources on site, Section A of Director's Rule 2-98 applies. The following conditions are warranted to mitigate impacts to potential historic resources, per SMC 25.05.675.H consistent with Section A of Director's Rule 2-98:

Prior to Issuance of Master Use Permits:

1. The owner and/or responsible parties shall provide SDCI with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 27.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.

During Construction:

2. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:

- Stop work immediately and notify SDCI (Planner name and phone #) and the Washington State Archaeologist at the State Department of Archaeology and Historic Preservation (DAHP). The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.

- Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

Height, Bulk, and Scale

The proposal completed the design review process described in SMC 23.41. Design review considers mitigation for height, bulk and scale through modulation, articulation, landscaping, and façade treatment.

Section 25.05.675.G.2.c of the Seattle SEPA Ordinance provides the following: "The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. 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. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project."

The height, bulk and scale of the proposed development and relationship to nearby context have been addressed during the Design Review process. Pursuant to the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate height, bulk and scale impacts are adequate and additional mitigation is not warranted under SMC 25.05.675.G.

Parking

The proposed development includes 130 residential units with 22 off-street vehicular parking spaces. The traffic and parking analysis (Gibson Traffic Consultants, Correction Notice Memo August 7, 2020) indicates a peak demand for approximately 29 vehicles from the proposed development. Peak residential demand typically occurs overnight.

The traffic and parking analysis noted that the existing on-street parking utilization rate is approximately 67% within 800' of the site. The proposed development peak demand of 29 parking spaces would not be accommodated by the proposed 22 off-street parking spaces in the development, resulting in a spillover demand for 7 on-street parking spaces. The proposal therefore would have a potential additional impact to on-street parking utilization, resulting in an on-street utilization of 69%. Total cumulative parking demand of the proposal and other projects in the vicinity would result in a potential on-street parking utilization of 73% within 800' of the site.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in the Urban Villages within 1,320 feet of frequent Transit service. This site is located in the Fremont Hub Urban Village within 1,320 feet of frequent transit service. Regardless of the parking demand impacts, no SEPA authority is provided to mitigate impacts of residential parking demand from this proposal.

Public Views

SMC 25.05.675.P provides policies to minimize impacts to designated public views listed in this section. Stone Way N, N Northlake Way, and N 34th Street are SEPA Scenic Routes. The applicant provided view studies showing the proposed development in relation to the designated public views in SMC 25.05.675.P. The proposed development is located in a manner that maintains a view of Lake Union along the SEPA Scenic Routes listed above.

The proposed development does not block views of any nearby historic landmarks.

Additional mitigation is not warranted under SMC 25.05.675.P.

Transportation

The Traffic Impact Analysis (Gibson Traffic Consultants, Correction Notice Memo August 7, 2020) indicated that the project is expected to generate a net total of 775 daily vehicle trips, with 54 net new PM peak hour trips and 64 AM peak hour trips.

The additional trips are expected to distribute on various roadways near the project site, including Albion Pl and Woodland Park Ave N and would have minimal impact on levels of service at nearby intersections and on the overall transportation system. The SDCI Transportation Planner reviewed the information and determined that no mitigation is warranted per SMC 25.05.675.R.

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 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

☒ 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 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

CONDITIONS – DESIGN REVIEW

For the Life of the Project

1. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Brandon Cummings (206) 561-3430 Brandon.Cummings@seattle.gov). (C)

Prior to Issuance of a Construction Permit

2. The locations of all signage and lighting shall be shown on the construction plan set. The installation of these items will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy. (P)

3. The location of the traffic mirror shall be shown on the construction plan set. The installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy. (P)

CONDITIONS – SEPA

Prior to Issuance of a Master Use Permit

4. The owner and/or responsible parties shall provide SDCI with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 27.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.

Prior to Issuance of Demolition, Excavation/Shoring, or Construction Permit

5. Provide a Construction Management Plan that has been approved by SDOT. The submittal information and review process for Construction Management Plans are described on the SDOT website at: Construction Use in the Right of Way

During Construction

6. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:

    - Stop work immediately and notify SDCI (Planner name and phone #) and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP). The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.

    - Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

Michael Gushard, Land Use Planner
Seattle Department of Construction and Inspections

Date: April 4, 2022

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