



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

Application Number: 3020310-LU
Applicant Name: Kathryn Jerkovich, BCRA
Address of Proposal: 9701 Aurora Avenue North

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a six-story 260,000 sq. ft. storage facility (mini-warehouse, self-storage) with accessory office and a caretaker unit. Review includes demolition of existing building and parking lot. Parking for 21 vehicles to be provided within the structure.

The following approvals are required:

Design Review with Departures (Seattle Municipal Code 23.41)

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 25.06.660, the proposal has been conditioned to mitigate environmental impacts

BACKGROUND

Site and Vicinity

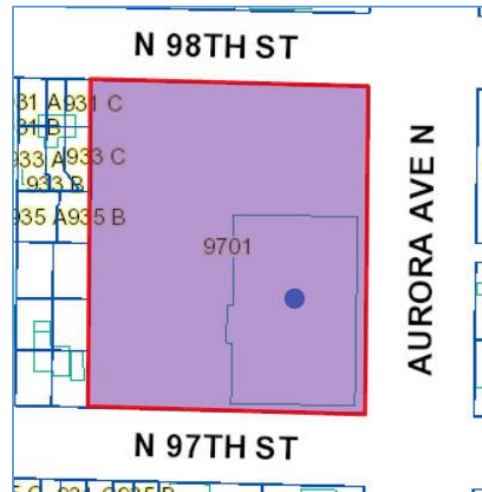
Zone: Commercial 2 – 65-foot height limit (C2-65)

Nearby Zones: (North) C2-65
(South) C2-65
(East) Lowrise 3 (LR3)
(West) C2-65

Lot Area: 61,542 square feet

Public Comment

The public comment period ended August 10, 2016 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, and density. Comments were also received that are beyond the scope of this review and analysis per (SMC 25.05).



I. ANALYSIS – DESIGN REVIEW

CURRENT AND SURROUNDING DEVELOPMENT; NEIGHBORHOOD CHARACTER

The subject site currently contains a 19,000-square foot commercial structure, now vacant and previously occupied by *Gold's Gym*, and surface parking.

EARLY DESIGN GUIDANCE July 25, 2016

The packet includes materials presented at the meeting and is available online by entering the project numbers (3020310) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

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

Mailing Address: Public Resource Center
700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

FIRST EARLY DESIGN GUIDANCE September 28, 2015

The packet includes materials presented at the meeting and is available online by entering the project number (**Error! Reference source not found.**) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

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

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PUBLIC COMMENT

The following comments were expressed at the first Early Design Guidance meeting:

- Preferred vehicular access from Aurora.
- Noted there is a bus lane on Aurora.
- Concerned about a concrete wall or parking lot adjacent to the west property line.
- Concerned about noise from a gate at the parking lot entrance.
- Concerned about noise from large trucks entering the site.
- Concerned that the hours of operation (approximately 9AM – 6PM) will not facilitate a vibrant, thriving community.
- Concerned about the height of the structure.
- Preferred a different use at this location.
- Noted the neighborhood experiences crime, traffic, etc.
- Advocated for a better community.
- Concerned about losing the existing gym on site.

- Suggested commercial uses at ground level with units above. Encouraged uses such as cafes.
- Noted that N 97th and 98th Streets are parked at capacity.
- Noted difficulty in turning left onto N 98th from Aurora.
- Suggested a design that increases safety for pedestrians.
- Noted that a bus stop at this location will be dangerous with no pedestrian traffic from this site.

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.

FIRST EARLY DESIGN GUIDANCE September 28, 2015

The priority Citywide and Neighborhood guidelines identified by the Board as Priority Guidelines are summarized below, while all guidelines remain applicable. For the full text please visit the Design Review website.

1. **Site Planning and Public Realm.** This full block site is located within the Aurora-Licton Springs Residential Urban Village and has street frontage on three sides.
 - a. The Board agreed this is an important corner in the neighborhood and should be designed to be outward looking. Transparency at the ground level is important, particularly along Aurora. The Board recommended maximizing visibility into the building interior along Aurora. (CS3-A, PL3-C)
 - b. Active uses at ground level along Aurora were strongly encouraged. The Board recommended exploration of including uses (other than storage units) at the ground level. (CS2-B, PL3-C)
 - c. The preferred option pulls the structure away from the residential development to the west. This site planning concept was supported by the Board; however, the surface parking adjacent the west property line was not preferable due to concerns about impacts to residents. The Board recommended exploration of placing parking within the structure. A drive-through circulation method was suggested. (CS2-D)
 - d. The main pedestrian entry to the structure is proposed on the west elevation, accessed via the surface parking lot. The Board agreed the main pedestrian entry should instead be on Aurora with the intent of activating the street. (PL3-A)
 - e. The Board noted the topography of the site, and recommended the building respond by stepping down with the topography. (CS1-C)
 - f. The Board requested the presentation of different schemes that are sensitive to the residential development to the west, activate the streetscape, and include parking in the structure. (CS2-D, PL3-C, DC1-B, DC4-A)
2. **Architectural Concept.**
 - a. With street activation as the goal, the Board recommended overhead weather protection along the length of the Aurora frontage (PL2-C).
 - b. Powerlines exist along Aurora, and the proposed massing is setback in response. The Board recommended a strong street edge at the ground level with upper level

setbacks to accommodate the power lines, rather than setting the entire building back from the sidewalk.

- c. The design should express its form and use. The Board agreed it is not necessary for the structure to be designed to appear as a residential structure. (DC4-A, DC4-A)
- d. The Board requested additional context be added to the packet to carefully illustrate the relationship to adjacent residential uses to the west. A window study was also requested. (CS2-D CS3-A)

SECOND EARLY DESIGN GUIDANCE January 4, 2016

PUBLIC COMMENT

The following comments were expressed at the second Early Design Guidance meeting:

- Suggested activation of Aurora Ave N.
- Concerned about height, bulk, and scale of structure relative to multiple family structures to the west.
- Concerned about blank walls.
- Supported the landscape buffer along the west property line.
- Suggested securing the landscape buffer along the west property line with a gate.
- Safety is a main concern.
- Noted that this site has an opportunity to provide positive context for future development.
- Suggested adding a landscape strip along Aurora Ave N.
- Suggested adding an entrance on Aurora Ave N to activate the streetscape.
- Suggested integrating seating and bike racks along Aurora Ave N.
- Suggested treating the northeast and southeast corners of the structure with glazing.
- Concerned about existing trees in rights-of-way and how large trucks will navigate into and out of the proposed parking garage.
- Noted that NW 87th and 89th are not wide enough to accommodate two-way traffic.
- Concerned about loss of sunlight to property to the west.
- Concerned about loss of views.
- Noted a gate at the landscape buffer along the west property line will not keep people out.
- Suggested adequate security at the landscape buffer along the west property line is needed.
- Suggested lighting as an important method of deterring crime.
- Concerned about future traffic patterns.
- Described the existing neighborhood context as containing structures of a lesser size.

SECOND EARLY DESIGN GUIDANCE January 4, 2016

The priority Citywide and Neighborhood guidelines identified by the Board as Priority Guidelines are summarized below, while all guidelines remain applicable. For the full text please visit the Design Review website.

The Board discussed the issues raised during the public comment period, particularly safety and security, height, bulk, and scale, and activation of the Aurora Ave N frontage. The Board noted that the guidance from the first Early Design Guidance still stands.

1. **Site Planning and Public Realm.** In response to the Board's guidance at the first EDG meeting, the applicant returned with a fourth option that proposed parking inside the

structure, a wide sidewalk along Aurora, and a 30-foot landscape buffer along the west property line.

- a. The Board supported locating the parking within the structure (DC1-B).
 - b. The Board supported a wide sidewalk along Aurora rather than a landscape buffer and building setback. This area should provide opportunity for human interaction and activity at the street level. (CS2-B, PL1-B, PL2-B, PL3)
 - c. The internal programming should offer opportunity for the project to make a strong connection to Aurora, provide eyes on the street, and activate the sidewalk. The Board recommended the office be moved to provide direct access to Aurora. (CS2-B, PL1-B, DC1-A, PL3-A)
 - d. The Board expressed concern regarding safety and security and the 30-foot landscape buffer along the west property line. The Board agreed that measures such as lighting and fencing are integral to the security of that space. The Board recommended this area be well secured and requested that lighting and fencing details be presented at the Recommendation meeting. (DC4-C)
 - e. Reducing the width of the buffer was also discussed. The Board agreed that a smaller ground level setback and increased upper level setbacks could be an appropriate solution to concerns regarding safety and security. Furthermore, increased upper level setbacks could lessen the impact to light and air for the abutting development to the west. The Board recommended further development of the west property line response. (CS2-D, PL2-B)
2. **Architectural Composition.** The corner/full block site provides opportunity for the building to serve as a gateway or focal point. The Board agreed the architectural character of the neighborhood is evolving, and the project should establish a positive and desirable context for others to build upon in the future (CS3-A).
- a. Upper level setbacks are proposed on the west side in response to the abutting lower intensity residential zone. The Board supported upper level setbacks and requested further development, suggesting an increase in the upper level setbacks to further break up the perceived height, bulk, and scale while allowing for maximum sun exposure to adjacent development to the west. (CS2-D)
 - b. Materials will be crucial to achieving the intended design language. The Board recommended articulation to avoid blank walls. Bring a physical materials board to the Recommendation meeting. (DC2, DC4-A)
 - c. The Board commented on the treatment of the northeast and southeast corners, recommending a design that creates development of a corner statement using translucent material such as glass (PL3-C, DC4).

FIRST RECOMMENDATION June 5, 2017

PUBLIC COMMENT

The following comments were expressed at the first Recommendation meeting:

- Supported the design.
- Noted that relief from adjacent uses is important.
- Concerned there is a lack of activation of the street and there will be no eyes on the street for safety.
- Would like to see a solar analysis presented at the meeting.

- Dislike the proposed color palette, particularly the use of orange.
- Noted there is no variation at the ground level – recommended use of brick.
- Recommended installation of bicycle parking along Aurora.
- Concerned about dumpster staging, noting that 97th and 98th are narrow streets with on-street parking. Recommended staging on site.
- Would like to see a signage plan.
- Support the office at the southeast corner; however, concerned this office will not sufficiently activate the street.
- Support the landscaping adjacent the curb along Aurora.
- Noted current neighborhood work relative to art, and noted there is an opportunity here to incorporate this art on the building facades to better respond to the neighborhood.
- Concerned about impacts to the availability of sunlight.
- Noted that this site is located at the heart of the urban village.
- Encouraged the design to incorporate pacific northwest qualities, including foliage on the facades.
- Noted that the architectural character is too commercial and should instead be residential in character to better respond to the neighborhood.
- Noted that the signage proposed on the corners is too large, encouraged application of pedestrian scale signage at the ground level.
- Reference Oak Tree Plaza’s use of brick, encouraging use of brick here.
- Encouraged more landscaping at Aurora.
- Concerned about the large blank wall conditions at the north and south elevations.
- Discouraged use of corrugated metal.
- The site is currently quite dark, lighting for safety and security was recommended.

FIRST RECOMMENDATION June 5, 2017

The priority Citywide and Neighborhood guidelines identified by the Board as Priority Guidelines are summarized below, while all guidelines remain applicable. For the full text please visit the [Design Review website](#).

1. **Façade Composition.** In response to Board guidance provided at the EDG stage, the proposal was modified by extending the corner tower elements to the ground, adding transparency at the ground level, stepping the building down at the west, and adding a secondary massing gesture at the garage entrances to add scale and transition down to the abutting residential development (Recommendation Packet, page 29).
 - a. The transparency proposed at the corner tower elements at the ground level (at the north- and southeast corners) was of a two-story height intersected by horizontal orange canopies. The Board supported this two-story expression of transparency, and recommended it wrap the corner further along the north and south elevations. The use of orange for the canopies was not supported, and was deemed to further contribute to the out of scale signage proposed at the corners. Revise the color of the canopies. (CS3-A, DC4-A, DC4-B)
 - b. The Board agreed that the upper level setbacks at the west were a positive gesture to public concerns of impacts to the availability of light and perceived height, bulk, and scale, but were not convinced these setbacks relieved perceived height from adjacent residential development to the west. Include in the second recommendation packet sections illustrating the relationship of the proposal to the

existing development to the west, include dimensions, provide graphics demonstrating lines of sight, and provide renderings additional renderings viewing the building from N 97th and 98th Streets. (CS2-D)

- c. Additionally, the upper level setbacks were found to result in long expanse of blank wall. The Board did not support this condition and recommended the addition of landscaping at these upper level setbacks and varying of the parapet to mitigate the blank wall condition. (DC2-B)
- d. A caretaker's apartment was proposed at the west portion of the site, attached to the structure at the center of the west elevation. It was not clear from the packet how this portion of the building is to be treated (Recommendation Packet dated June 5, 2017, page 37). While the Board agreed that due to its location it will not be readily visible from the street, it will be visible from adjacent single-family development to the west and deserves attention to detail. This unit should be residential in character and integrated into the architectural concept. Include in the second recommendation packet material and color details for this portion of the structure. (DC4-A)
- e. A wide dark band (fiber cement panel in color "cobblestone") was proposed at the top of the structure, capping the facades at the sky. The Board agreed this cap further emphasized the bulk of the structure and drew attention to the height. The Board recommended removal of this color treatment and further development of the elevations to reduce perceived height, bulk, and scale. (CS2-D)
- f. The Board found that the large blank wall conditions and weak base expression resulted in a composition that appeared out of proportion and unresolved. The Board recommended further development of the facades to mitigate (reduce or eliminate) blank wall conditions and strengthen the base expression. The use of brick was suggested by the public and the Board. (DC2-B)

2. Landscape Concept.

- a. The architect's presentation noted that a change was proposed to the landscape plan to include the addition of evergreen trees along the west elevation. The Board supported the addition of evergreen trees in this location and recommended grouping the trees in numbers of threes or fives.
- b. The Board acknowledged public comment by recommending the installation of trees at a caliber larger than the minimum required by code.
- c. See guidance 1.c. above related to landscaping at the upper level setbacks at the west elevation.
- d. Include in the second recommendation packet an updated landscape plan.

3. Project Uses and Activities.

- a. The site is located in the Licton Springs Residential Urban Village, described by public comment as located at the heart of the village. With the principles of the urban village in mind, the Board noted that the ability of the structure to adapt over time to accommodate neighborhood retail in the future is important. To better understand the relationship of the ground floor to the sidewalk, include in the second recommendation packet sections and other graphics necessary to describe this condition. Describe how future retail or other commercial uses could be accommodated by this ground floor. The ground floor should meet all development standards such as floor-to-floor height and transparency (DC1-A)

- b. In response to the guidance provided during the EDG phase, the retail office was moved from the garage to the southeast corner of the site. This move was supported by the Board who agreed with public comment that activity and eyes on the street in this location is important. (CS3-A, PL2-B)
 - c. Solid waste and recycling storage was proposed within the garage, near the northern entrance to N 98th St. The Board agreed with public comment noting that the staging area should be within the structure, no in the public right-of-way. The Board conditioned the project as such. Include details in the second recommendation describing conceptually how the solid waste and recycling will be picked up and approximately how often. (DC1-C)
4. **Signage.** While a conceptual signage plan was not included in the Recommendation packet, signage was depicted on the elevations and renderings. As depicted on page 43 of the Recommendation Packet (June 5, 2017), large signage was proposed at the north- and southeast corners (facing both Aurora and N 97th and 98th Streets), while blade signs were proposed at levels two and three. The Board agreed these signs were oriented to the vehicle and out of scale with the context and residential character of the abutting development to the west. Furthermore, the Board agreed the use of “Public Storage Brand Orange” at the corners acted as a sign and failed to provide a positive or desirable context for others to build upon in the future. The Board recommended signage of a pedestrian scale along Aurora Ave N, reduction of the signage proposed at the upper levels, and elimination of the “Public Storage Brand Orange” at the ground level. Include in the second recommendation packet a conceptual signage plan to include dimensions and details describing material, lighting, attachment, and color. (CS3-A, DC4-B)
5. **Exterior Lighting.** The exterior lighting plan on page 47 of the Recommendation Packet (June 5, 2017) was found to be incomplete. Include in the second recommendation packet a lighting plan that includes details describing the type of lighting proposed (include lumens and graphics of lighting type proposed). The Board agreed with public comment that lighting for safety and security is important for this site. (DC4-C)

FINAL RECOMMENDATION October 2, 2017

PUBLIC COMMENT

The following comments were expressed at the final Recommendation meeting:

- Concerned the mural expresses a regional stereotype and does not represent the character of the neighborhood.
- Recommend working with the community in creation of a mural.
- Noted that the neighborhood has secured an artist to help them express their neighborhood identity.
- Recommended interior lighting that does not cast glare onto adjacent residential properties.
- Recommended the corner office always be occupied by a tenant to activate the street.
- Supported the use of brick.
- Recommended reduction in the use of orange at the corner tower elements.
- Recommended signage that is responsive to the context, namely the residential neighborhood to the west. Signage should not be too bright or too big.

- Recommended designing signage to avoid light overflow onto residential development of the west.
- Concerned about impacts to existing fence along shared property line.

FINAL RECOMMENDATION October 2, 2017

The priority Citywide and Neighborhood guidelines identified by the Board as Priority Guidelines are summarized below, while all guidelines remain applicable. For the full text please visit the Design Review website.

1. Project Uses and Activities, Flexibility and Trash and Recycling Storage.

- a. The Board acknowledged public comment requesting that the corner office always contain an employee and noted that requiring such is outside the scope of their authority and review. However, the Board noted the importance of activating the street and designing the ground floor to be flexible and able to convert to retail in the future.
- b. In response to the Board's guidance to design the structure with the flexibility to convert to retail in the future, the applicant described how the ground floor could be over framed to achieve retail spaces with entries meeting the grade of the sidewalk. The Board appreciated this explanation and reiterated the importance of constructing the ground floor with the flexibility to convert to retail in the future. The Board recommended a condition ensuring this construction. (DC1-A, DC2-E)
- c. At the first Recommendation meeting, the Board asked the applicant to ensure trash pickup was conducted inside the structure, avoiding staging in the right-of-way. In response, the applicant described conversations with the local service provider, noting their unwillingness to enter the structure. The Board reiterated the importance of avoiding staging in the right-of-way and recommended a condition that direct access be provided from the north façade to the dumpster storage area. (DC1-C)

2. Secondary Architectural Features, Lighting and Signage.

- a. The Board reiterated that lighting for safety and security is important for this site, particularly along the west property line. The Board supported the proposed lighting in this area, and acknowledging public comment, recommended a condition that lighting along this west property line be shielded to avoid glare on adjacent residential development. (DC4-C)
- b. Acknowledging public concern about glare on adjacent residential properties, the Board discussed the internal lighting at the tower elements, noting that internal lighting should be shielded to avoid glare on adjacent development. The Board recommended a condition that internal lighting at the tower elements be designed to prevent direct view of the lighting source in order to mitigate glare.
- c. in response to guidance provided at the first Recommendation meeting, the façade composition was revised to reduce the use of orange on the two tower elements along Aurora and remove proposed signage. The two tower elements were clad in brick at floors one through five, and orange EIFS at floor six (page 13). The Board supported the reduction of orange and the signage as shown but felt the orange at the tower elements continued to act as signage, and should be further reduced. The Board recommended a condition that the use of orange be reduced

and replaced with brick. A suggestion was offered that the signage on these tower elements be back lit rather than internally lit.

- d. The Board acknowledged public comment expressing concern about illuminated signage and potential glare impacts on adjacent residential development. To mitigate these concerns, the Board recommended a condition to move the blade signs at the garage entrances to the east edge of the driveways and explore illuminating these signs on the east sides only. (DC4-B)
- 3. West Elevation, Blank Wall Mitigation and Landscaping.**
- a. At the first recommendation meeting, the Board recommended the addition of landscaping at the upper level setbacks and varying of the parapet at the west elevation to mitigate the blank wall condition. In response, two murals were proposed, spanning the second through sixth stories. The Board agreed with public comment that a mural painted on the entire west elevation was unsuccessful at mitigating the blank wall condition, and again recommended landscaping at the upper level setbacks. The Board recommended a condition that the setback at the fourth story along the west elevation contain landscaping. The choice of planting should mitigate the blank wall condition and reduce perceived height, bulk, and scale. Select plants that upon maturity will be of appropriate size, scale, and shape to contribute to the site as intended. (DC2-B, DC4-D)
 - b. In response to previous Board guidance, the landscape plan was revised to include the grouping of evergreen trees along the west elevation. The Board appreciated this revision, and recommended the conifers be planted further from the building to better reinforce the overall architectural and open space design concepts. (DC4-D)

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-C Topography

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.

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-B Adjacent Sites, Streets, and Open Spaces

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

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-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.

PUBLIC LIFE

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

PL1-B Walkways and Connections

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.

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

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.

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-C Retail Edges

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.

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-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-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-C Parking and Service Uses

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-B Architectural and Facade Composition

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

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.

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-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-CLighting

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

DEVELOPMENT STANDARD DEPARTURES

At the final Recommendation, no departures were requested.

BOARD DIRECTION

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

The recommendation summarized above was based on the design review packet dated October 2, 2017, and the materials shown and verbally described by the applicant at the October 2, 2017 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the five Design Review Board members recommended APPROVAL of the subject design with the following conditions:

1. Construct the ground floor with flexibility (as shown in the Recommendation Packet) so the building can adapt over time to evolving needs, such as the ability to change to retail space as needed in the future (*DC1-A Arrangement of Interior Uses, DC2-E Form and Function*).
2. Add a door on the north elevation to the dumpster storage area within the building to ensure direct access for pick up and avoid dumpster staging outside the building (*DC1-C Parking and Service Uses*).
3. Reduce the area of orange at the top of each tower element and replace with brick. (*DC4-A Exterior Elements and Finishes, DC4-B Signage*)

4. Lighting along the west property line shall be shielded to avoid glare on adjacent residential development (DC4-C *Lighting*).
5. In order to mitigate glare impacts, the internal lighting at the tower elements shall be designed to prevent direct view of the lighting source from the sidewalk (DC4-C *Lighting*).
6. Move the blade signs at the garage entrances to the east edge of the driveways and explore illuminating the blade signs on the east sides only (DC4-B *Signage*).
7. To mitigate the blank wall condition of the west elevation, and reduce perceived height, bulk, and scale as seen from the residential neighborhood to the west, add landscaping to the upper level setback at the fourth floor, with a target of landscaping approximately 50% of the length of the fourth-floor setback. Select plants that, upon maturity, will be of appropriate size, scale, and shape, and consider plantings that will grow down the wall, creating color and texture along this facade (DC2-B Architectural and Facade Composition, DC4-D Trees, Landscape, and Hardscape Materials).
8. Plant the conifers further from the west elevation to better reinforce the overall architectural and open space design concepts (DC4-D *Trees, Landscape, and Hardscape Materials*).

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 October 2, 2017, the Board recommended approval of the project with the conditions described in the summary of the Recommendation meeting above.

Five members of the Northwest 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.F.3).

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 building has been designed in a manner that would allow the interior first two floors along Aurora Ave N to be converted to retail tenant spaces. This area would require the floor level of the first floor to be raised to the level of the sidewalk and a portion of the second floor to be removed.
2. A separate overhead door has been added on the north side of the building to allow for the staging of the dumpster to occur within the building.
3. The area of orange has been reduced at the top of each tower element and limited to behind the public storage sign.
4. No lighting has been provided along the west property line. All exterior lighting provided on the building or site will be directed downward to avoid glare on adjacent residential developments.
5. Canopies along the building will mitigate views of the internal light sources from the sidewalk. In addition, the light fixtures will be installed on the ceiling, approximately ten-feet above the floor, and will be out of view from the sidewalk.
6. The blade signs on the north and south facades have been moved to the east side of each overhead door and will only be illuminated on the east face of the sign.
7. Landscaping has been added to the upper level setback at the third floor and will utilize vertical plants to break up the wall behind. The landscape on the third level will include plantings such as evergreen trees and shrubs in three separate groupings along the entire length of the wall. The selected plants and the layout will provide an effect screen at this level.
8. The row of conifers has been planted four-feet six-inches from the west building wall. This will provide sufficient space for growth and allow for adequate visibility of the space. Moving the conifers further towards the west will reduce visibility. In addition, trees can only be planted within a 15-foot wide area out from the building. Trees are not allowed to be planted within the 15-foot utility easement.

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 of 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 summarized at the end of this Decision.

II. ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle 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 June 15, 2016. 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 greenhouse gas emissions, construction impacts, and environmental health.

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 - 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 desired, 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.

Environmental Health

The applicant submitted studies regarding existing contamination on site (*Phase I Environmental Site Assessment, PS #WA15038*, Antea Group, June 3, 2015). If not properly handled, existing contamination could have an adverse impact on environmental health.

Mitigation of contamination and remediation is in the jurisdiction of Washington State Department of Ecology ("Ecology"), consistent with the City's SEPA relationship to Federal, State and Regional regulations described in SMC 25.05.665.E. This State Agency Program functions to mitigate risks associated with removal and transport of hazardous and toxic materials, and the agency's regulations provide sufficient impact mitigation for these materials. The City acknowledges that Ecology's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination.

As indicated in the SEPA checklist and the Phase I report, the applicant will comply with all provisions of MTCA in addressing these issues in the development of the project. As concluded by the Phase I Report (*Phase I Environmental Site Assessment, PS #WA15038*, Antea Group, June 3, 2015), no recognized environmental conditions were identified, and no further assessment or subsurface investigation of the subject site is recommended.

If the recommendations described in the *Final Phase I Assessment Site Assessment* are followed, then it is not anticipated that the characterization, removal, treatment, transportation or disposal of any such materials will result in a significant adverse impact to the environment. This conclusion is supported by the expert environmental consultants for the project, whose conclusions are also set forth in the materials in the MUP file for this project.

Adherence to MTCA provisions and federal and state laws are anticipated to adequately mitigate significant adverse impacts from existing contamination on site. The Remedial Action Work Plan describes strategies to ensure adherence with MTCA provisions and indicates compliance with Washington State Department of Ecology regulatory authority.

Mitigation of contamination and remediation is in the jurisdiction of Washington State Department of Ecology ("Ecology"), consistent with the City's SEPA relationship to Federal, State and Regional regulations described in SMC 25.05.665.E. This State agency program functions to mitigate risks associated with removal and transport of hazardous and toxic materials, and the agency's regulations provide sufficient impact mitigation for these materials. The City acknowledges that Ecology's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination.

The proposed strategies and compliance with Ecology's requirements are expected to adequately mitigate the adverse environmental impacts from the proposed development; therefore, no further mitigation is warranted for impacts to environmental health per SMC 25.05.675.F.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. The City acknowledges PSCAA's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination. No further mitigation under SEPA Policies 25.05.675.F is warranted for asbestos impacts.

Should lead be identified on the site, there is a potential for impacts to environmental health. Lead is a pollutant regulated by laws administered by the U. S. Environmental Protection Agency (EPA), including the Toxic Substances Control Act (TSCA), Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X), Clean Air Act (CAA), Clean Water Act (CWA), Safe Drinking Water Act (SDWA), Resource Conservation and Recovery Act (RCRA), and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) among others. The EPA further authorized the Washington State Department of Commerce to administer two regulatory programs in Washington State: the Renovation, Repair and Painting Program (RRP) and the Lead-Based Paint Activities Program (Abatement). These regulations protect the public from hazards of improperly conducted lead-based paint activities and renovations. No further mitigation under SEPA Policies 25.05.675.F is warranted for lead impacts.

Long Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: 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, height bulk and scale, parking, plants and animals, and transportation warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and 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; no further mitigation is warranted pursuant to SMC 25.05.675.A.

Height, Bulk, and Scale

The proposal has gone through 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 for any new project proposed on the site. Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to height, bulk, and scale are presumed to be sufficient, and additional mitigation is not warranted under SMC 25.05.675.G.

Plants and Animals

Mature vegetation is located on property adjacent the site to the west, including one exceptional tree. The applicant submitted an arborist report (*BRCA Design – Public Storage Aurora Project, Construction Tree Assessment, 9701 Aurora Ave N, Seattle, Washington*, Urban Forestry Services, Inc., October 26, 2016) and identified the exceptional tree (Douglas Fir) on the MUP plan set. SDCI’s Arborist has reviewed the information.

The proposal includes retention of the Exceptional Tree. In order to mitigate impacts to the Exceptional Tree under SMC 25.05.675.N, tree protection notes have been added to the landscape plan. The tree preservation methods will be required on any demolition, excavation, shoring, and construction permit plans.

Transportation

The Traffic Impact Analysis (*Public Storage (9701 Aurora Ave N) –Transportation Analysis (MUP 3020310)*), TranspoGroup, June 17, 2016) indicated that the project is expected to generate a net total of 200 daily vehicle trips, with 19 net new PM peak hour trips and 17 AM peak hour trips.

The additional trips would have minimal impact on levels of service at nearby intersections and on the overall transportation system. Concurrency analysis was conducted for nearby identified areas. That analysis showed that the project is expected to be well within the adopted standards for the identified areas. The SDCI Transportation Planner reviewed the information and determined that while these impacts are adverse, no further 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).

- Mitigated 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 (Carly Guillory, carly.guillory@seattle.gov).

Carly Guillory, Senior Land Use Planner
Seattle Department of Construction and Inspections

Date: May 31, 2018

CAG:rgc
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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by SDCI within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.